



# RECORD OF PROCEEDINGS

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## FIRST SESSION OF THE FIFTY-FOURTH PARLIAMENT

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## WEDNESDAY, 20 NOVEMBER 2013

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The Legislative Assembly met at 2.00 pm.

Madam Speaker (Hon. Fiona Simpson, Maroochydore) read prayers and took the chair.

### SPEAKER'S STATEMENT

#### Parliamentary Service, Questionnaire



**Madam SPEAKER:** Honourable members, circulated in the chamber this afternoon is the annual questionnaire on the performance of the Parliamentary Service. The feedback the questionnaire is designed to elicit is very important. The feedback will eventually be considered by the Committee of the Legislative Assembly in its role as the board of management for the parliament. Can members please take a few minutes to complete the questionnaire and place it in the ballot box on the table of the House or forward it to the Clerk's office.

### APPOINTMENT

#### Palmer United Party

**Dr DOUGLAS** (Gaven—UAP) (2.01 pm): I wish to announce that I am now the Queensland parliamentary leader of the Palmer United Party. The Palmer United Party and the United Australia Party have merged as one.

### PETITION

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

#### Lawnton-Bray Park-Strathpine, Bus Service

**Mr Holswich**, from 411 petitioners, requesting the House to provide additional bus services for route 669 through Lawnton, Bray Park and Strathpine [\[4082\]](#).

Petition received.

### TABLED PAPERS

#### MINISTERIAL PAPERS TABLED BY THE CLERK

The following ministerial papers were tabled by the Clerk—

The Premier (Mr Newman)—

[4083](#) Response from the Premier (Mr Newman) to an ePetition (2101-13) sponsored by the Clerk of the Parliament in accordance with Standing Order 119(4), from 140 petitioners requesting the House to initiate necessary changes to the Constitution and/or relevant legislation, to provide for what is known in other jurisdictions around the world as “recall elections”

Minister for Agriculture, Fisheries and Forestry (Dr McVeigh)—

[4084](#) Response from the Minister Agriculture, Fisheries and Forestry (Dr McVeigh) to an ePetition (2153-13) sponsored by Mr Mulherin, from 1,654 petitioners, requesting the House to outlaw puppy farms by passing legislation which adequately regulates dog breeders in Queensland to prevent cruelty, raise standards of care and improve the welfare of breeding dogs and their litters

Minister for Local Government, Community Recovery and Resilience (Mr Crisafulli)

[4085](#) Non-confirming petition relating to initiating a 40km per hour speed zone in front of Mundingburra State School and St Joseph's Catholic School

#### MEMBER'S PAPER TABLED BY THE CLERK

The following member's paper was tabled by the Clerk—

Member for Burnett (Mr Bennett)—

[4086](#) Non-confirming petition relating to net and drag line fishing in the Kolan River

## MINISTERIAL STATEMENTS

### Newman Government, Achievements



**Hon. CKT NEWMAN** (Ashgrove—LNP) (Premier) (2.02 pm): Just as I look forward to 2014 with great excitement about what a can-do government can achieve for Queensland, I think it is equally important to look back and see what we have achieved in 2013. There is a lot, but let me highlight just a few significant things.

In early 2013 we commenced the necessary work to fix the damage from widespread devastating floods. The government moved quickly to coordinate the recoveries in places like Bundaberg, Gympie and Gayndah. We continue supporting communities across the state to rebuild homes, businesses and infrastructure, with a new commitment to betterment—building back better and stronger; something previous governments ignored.

We have started to tackle the scourge of criminal gangs with tough new legislation and police effort, following years of Labor inaction. We have passed important legislation to keep dangerous paedophiles—the worst of the worst—in jail.

We will release a working draft of the Queensland Plan for public review within weeks. This plan—by Queenslanders—is a framework for all government initiatives and community action over the next 30 years. We have launched a new project that will solve bus and rail congestion in Brisbane and South-East Queensland—the Underground Bus and Train project—saving around \$3 billion compared to Labor's ill-fated, unfunded fantasy plan.

We have released the Great Teachers = Great Results initiative—a \$537 million plan to lift teaching standards and give schools more flexibility to get on with the job. We have made changes to Queensland's workers compensation scheme to make sure it is the best in Australia for protecting workers and keeping costs down for business.

We have implemented a new, bold policy to attract world-class integrated resort developments to our state—to give us back that competitive edge in tourism. We have launched the Galilee Basin infrastructure plan to get development going in the Galilee Basin and make sure we get those jobs and economic benefits going quickly.

We have deamalgamated councils—an election commitment—where there was strong support from communities and a good chance of ongoing economic viability. We have finally secured a process with the new federal government to streamline approvals for major projects under the EPBC Act—and won't that make a difference! I am particularly proud that we have secured a \$10 billion funding agreement with the federal government to fix the Bruce Highway over the next 10 years.

These are just some examples of the government's action in 2013, but it clearly shows that this is a can-do government that is delivering on our commitments to Queenslanders.

### Parliamentary Crime and Misconduct Committee



**Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (2.05 pm): If there is one thing that every parliament must do, it is to maintain its integrity. No parliament will retain the confidence of the people if it loses its integrity. I am not the first person to say this, and I expect I will not be the last. Certainly, I am not the only Australian parliamentarian to share this view. Addressing the University of Melbourne in December 2012, former Labor minister Senator John Faulkner hit the nail on the head when he said—

Politics and parliament are seen by too many as inimical to integrity. There is a cynicism about politicians and their motives, not only here in Australia, but in many Western democracies.

This cynicism is corrosive of democracy because it undermines the contract between elector and elected ...

I would urge all honourable members to take careful heed of Senator Faulkner's remarks because if there is one group of people striking at the very heart of this parliament's integrity, it is the Australian Labor Party and their so-called independent allies.

It is a matter of great regret that I am compelled to draw the House's attention to these matters today. I refer in particular to the unrelenting public campaign being waged against Dr Ken Levy, the Acting Chairman of the CMC. No media outlet is safe from these unrestrained outbursts—television, radio, the press, Facebook, Twitter.

Honourable colleagues, let me demonstrate. The Leader of the Opposition, who sat on the PCMC for a period of time, has said, 'Dr Levy is the illegitimate chair of the Crime and Misconduct Commission.' This was in the *Brisbane Times* on 14 November 2013. I table a copy of that.

She further said, 'And it can only operate into the future with full public confidence if Dr Levy resigns today.' That was in the *Courier-Mail* on 8 November 2013. I table a copy of that.

'Queenslanders can no longer have confidence in him remaining as the chair of the independent CMC.' That was on ABC News on 11 November 2013. I table a copy of that.

'He should fall on his sword today. He should resign ...' That was on ABC 7.30 *Queensland* on 8 November 2013. I table a copy of that.

'Watch my interview with @MattWordsworth on @7.30qld regarding the CMC and the reason why Dr Levy should resign.' That was on Twitter on 8 November 2013. I table a copy of that.

'Dr Levy's actions have raised serious fundamental issues into the independence of the Crime & Misconduct Commission and he must be replaced.' That was on Twitter on 8 November 2013. I table a copy of that.

'The @QLDLabor Opposition believes that to protect the independence of the Crime and Misconduct must resign.' That was the honourable opposition leader on Twitter on 8 November 2013. I table a copy of that.

'Dr Levy must resign.' That was on Facebook—

**Ms PALASZCZUK:** I rise to a point of order, Madam Speaker.

**Madam SPEAKER:** Attorney-General, take your seat. What is your point of order?

**Ms PALASZCZUK:** I understand that these matters concerning Dr Levy are currently before the committee. The chair of the committee has urged all members not to make any statements.

**Madam SPEAKER:** Please take your seat. Honourable members, matters that are not able to be discussed are those that are before the parliamentary Ethics Committee. The matters that are before the Parliamentary Crime and Misconduct Committee, unless they are subject specifically to confidentiality provisions, can be discussed publicly. So there are different publication requirements between some of the committees, but they should be quite express in respect of information before those committees as to what is in the public domain. That matter is not out of order. I call the Attorney-General and Minister for Justice.

**Mr BLEIJIE:** Thank you, Madam Speaker. I continue, 'Dr Levy must resign.' That was posted on Facebook on 9 November 2013 by the opposition leader, and I table a copy.

This is in stark contrast to the Leader of the Opposition's attitude when the former head of the CMC, Mr Ross Martin SC, was under some criticism earlier this year. On that occasion the Leader of the Opposition said, 'This inquiry needs to be truly independent and the executive needs to butt out.' That was in the *Courier-Mail* on 8 March 2013, and I table a copy of that.

The Labor leader adopts a different attitude depending on the circumstances but is now giving instructions to her followers and they have taken up the cudgels with glee—free from any notion of fairness. The member for South Brisbane said on Twitter on 8 November: '@TBadrack maybe its because @theqldpremier thinks statutory independence of a misconduct commission is "more an American thing"?' The member for South Brisbane said: '@AnnastaciaMP The old Nationals wanted to destroy the CMC—the current LNP want to control it. Dr Levy's position is untenable.' That was on Twitter on 8 November 2013, and I table a copy.

The member for Bundamba said, 'Has the LNP Appointed Acting Chair of the CMC jeopardised the independence of the CMC?' That was on Facebook on 1 November 2013, and I table a copy of that documentation.

What is particularly disconcerting in this case is the fact that these two members are both members of the PCMC who are currently sitting in judgement of Dr Levy. Can anyone expect them to deliberate on this matter in an unbiased manner when their leader has told them what to think and they have shown their true colours well before the committee has come to any form of conclusion?

However, it is more grave that I bring to the attention of the House that the hypocrisy does not stop with the opposition. The member for Nicklin is recorded as saying, 'I no longer have confidence in Dr Levy's independence heading the most powerful organisation in Queensland.' That was in a *Brisbane Times* article on 1 November 2013, and I table a copy.

He also said, 'You [are] using your position to effectively become a puppet for the government.' That was on the ABC News online on 1 November 2013, and I table a copy of that report.

The member for Nicklin, who is the loudest proclaimer of his own integrity, is also a member of the PCMC. Let him tell this House how anyone could believe he is unbiased. The Leader of the Palmer United Party, the member for Gaven, who constantly reminds us all of his experience on the PCMC and Ethics Committee joined the chorus on 1 November as well by saying, 'By being a third

party endorser of a government before legislation actually has a chance to be tested is in fact not what his role is. So by default he must stand down.' That was on the ABC News online on 1 November 2013.

I also refer, more concerning, to a longstanding bitterness towards Dr Levy displayed by the honourable member for Bundamba. Ever since the honourable member left the department of justice in 1996 she has blamed Dr Ken Levy, the then deputy director-general and acting director-general, for her predicament. When the then Justice of the Peace branch was restructured, the honourable member sought a voluntary redundancy but believed obstacles were placed in her path. From that time the honourable member believed that Dr Levy engineered or assisted in engineering her departure from the department of justice.

This process, I hasten to add, has been fundamentally tainted from the start. I submit, Madam Speaker, that the member for Bundamba should have admitted her direct conflict of interest and recused herself from the outset. The current hearings before the PCMC allow the honourable member to exact her revenge. Labor and its cohorts have conspired to tear down a great Queensland public servant. Their actions reek of bias and are a complete disdain for due process. They have judged this matter and denied natural justice before the hearings have even concluded.

In light of these public remarks, and in all seriousness, I call on the independent chair of the PCMC to immediately review the appropriateness or otherwise of these members continuing to perform their role on the PCMC.

*Tabled paper:* Bundle of recent news articles, Facebook and Twitter statements by the Leader of the Opposition, Ms Annastacia Palaszczuk MP, the member for South Brisbane, Ms Jackie Trad MP, the member for Bundamba, Mrs Jo-Ann Miller MP, and the member for Nicklin, Mr Peter Wellington MP, calling for the removal of the acting chairperson of the Crime and Misconduct Commission [\[4087\]](#).

### Steve Irwin Wildlife Reserve



**Hon. AC POWELL** (Glass House—LNP) (Minister for Environment and Heritage Protection) (2.14 pm): There are a few people in life who have the ability to make an entire country stop in its tracks. Even fewer individuals have the ability to deliver real and lasting change. Steve Irwin was one of those people. He was larger than life and had a connection with people that others can only dream of. He was a passionate advocate for environmental conservation both here in Australia and around the world. Steve Irwin's crusades were not political; they were personal and they were passionate such was his belief in the need for all Australians to protect our natural environment and our wildlife.

In paying tribute to Steve Irwin after his untimely death in 2006, the then Prime Minister John Howard said, 'He brought to Australians and the world an understanding of nature. He taught our children, in particular, to love and respect all creatures great and small.' It was in that spirit that the Howard government provided funding from the National Reserve System to secure land with exceptional natural heritage values in his honour. This was the genesis for what is now known as the Steve Irwin Wildlife Reserve in Cape York.

Dedicated in July 2007, the 135,000-hectare Steve Irwin Wildlife Reserve protects internationally significant ecosystems across the Wenlock and Ducie River catchments. It is a special place. In September last year, further protection was added by the Newman government when the Steve Irwin Wildlife Reserve was designated a nature refuge. Today I am proud to announce that through a bill that the Deputy Premier will introduce later today the Newman government will ensure that Steve Irwin's legacy lives on and that this magnificent reserve is protected in its entirety.

The reserve boasts a mosaic of 35 different ecosystem types—vast areas of tropical savannah woodland, nationally significant rainforest and a noteworthy diversity of riverine and wetland types, supporting species not recorded anywhere else in Australia. The reserve is home to 165 bird, 26 reptile, 21 amphibian, 20 mammal and 43 fish species and threatened animals such as the spotted cuscus, the red goshawk, the palm cockatoo, the jabiru and the marbled frogmouth. Of course, there is then the estuarine crocodile, which has ultimately become synonymous with Steve and his family.

I have had the privilege of visiting this special part of the world, and I can assure all members of this House that its declaration as a strategic environmental area is well and truly fitting. The Newman government has consistently said that we believe in the need to balance economic growth with environmental protection on Cape York. Despite what those opposite will have you believe, that does not mean we are winding back environmental protections or taking an open slather approach. It means we are working to deliver a balance. We are making sensible, practical decisions to protect what needs protection, whilst encouraging sustainable economic development to occur. They are not mutually exclusive.

Labor could never get this balance right. They reached too far into some places, stifling the hopes and dreams of too many Indigenous communities, whilst failing to provide the full legal protection for places like the Steve Irwin Wildlife Reserve. This is exactly what happens when you look to extreme green groups for policy and when you need Greens preferences to stay in power. Yet, despite all the talk and the green grandstanding, Labor failed to protect this reserve. Andrew McNamara would not do it, Vicky Darling could not do it and Kate Jones did not do it. But the Newman government will do it and we will do it properly. There will be no mining on Steve Irwin Wildlife Reserve—not now, not ever, not some, not any. The Steve Irwin Wildlife Reserve will be set aside as a nationally important reserve in perpetuity and a tribute to the late Steve Irwin. This additional protection offered by the Newman government will ensure that the reserve will continue to play an important part in the protection of exceptional biodiversity in Queensland for years to come.

A legacy is something we all hope to leave when we die, but perhaps it is what lives on that is the most important thing of all. With today's announcement, the Steve Irwin Wildlife Reserve will live on for future generations, further demonstrating that this is truly a great state with great opportunity.

### Projects Queensland



**Hon. TJ NICHOLLS** (Clayfield—LNP) (Treasurer and Minister for Trade) (2.20 pm): I want to inform the House of yet another great deal for Queenslanders being secured by Projects Queensland. On Monday, along with the Premier and the Minister for Transport, we announced that the Bombardier Consortium had been named the successful tenderer for the government's new generation rolling stock project. The Bombardier NGR Consortium is comprised of Bombardier Transportation Australia, John Laing, ITOCHU Corporation and Ueberhorst.

This project will deliver 75 new six-car trains for the Queensland fleet. Projects Queensland has been responsible for negotiating the deal, which represents Queensland's largest ever order of new rolling stock. The deal also includes maintenance of the trains for around 30 years in a new purpose-built facility at Wulkuraka, near the town of Ipswich in the electorate of Ipswich West. The member for Ipswich West was also at the announcement. I acknowledge his presence there as well.

While contract details are still being finalised, we know that we will secure these trains for well below the cost paid by the previous government of around \$13 million for each three-car train set. Unlike those opposite, we have remembered to put in the seats as well as the carriages, and the air conditioning will fit into the tunnels as well. We actually have trains that passengers will want to ride on this time around and we are including that in the cost. They are not afterthoughts or optional extras.


The project will be delivered through an availability PPP, meaning the upfront cost will be borne by the private sector with the government paying over time for the use of the trains and facilities. The new generation rolling stock project is just one more example of the work of Projects Queensland in securing private investment so we can deliver front-line services.

This project, like a number of others, had been lying in the doldrums under Labor since 2008, floundering because of the inaction and inability of those opposite. It has taken a can-do government to get this project off the drawing board and into action. It was the same with the Government Wireless Network. In September, Projects Queensland delivered a contract for this vital service to connect our emergency services through an integrated digital network. Labor had been trying to get that one off the ground since 2005.

Whether it is these projects, the Toowoomba second range crossing, 1 William Street or the public-private partnership for 10 new schools, Projects Queensland is delivering for the people. Instead of the haphazard, knee-jerk approach of those opposite, Projects Queensland is putting proposals through a rigorous and measured process. The hardworking officers of Projects Queensland ensure this government's policy decisions are implemented effectively and efficiently. They are delivering projects that are innovative and cost effective for Queensland taxpayers.

We came to government promising better planning, better infrastructure and revitalised front-line services for Queensland. Projects Queensland is playing a central role in delivering on that outcome. I thank the hardworking officers, and in particular the outgoing director of Projects Queensland, Mr David Stewart, who has recently left to head up transport in New South Wales, for their hard work in ensuring Queensland remains a great state of great opportunity.

### Healthier. Happier Campaign

 **Hon. LJ SPRINGBORG** (Southern Downs—LNP) (Minister for Health) (2.22 pm): Today I am very pleased to inform the House of the success of the can-do government's new campaign to tackle rising obesity rates in Queensland. Last month I launched a three-year, \$8.5 million Healthier. Happier campaign with Queensland's Chief Health Officer. The campaign is a fresh and innovative way to start the conversation about obesity with all Queenslanders and help them to personalise the issue and take responsibility for their own weight. So far it has had a great impact in raising awareness.

There have been more than 115,000 visits to the campaign website in just over three weeks. The campaign asks people to stop and consider their weight and lifestyle by visiting the Healthier. Happier website to find out their health and fitness age. They use a fun tool to assess weight, nutrition and physical activity habits, and determine their personal health and fitness age. This health and fitness age is a way to get people to see how their habits might be affecting their health.


Since the campaign launch, nearly 70,000 people have used this tool and discovered their health and fitness age. It is both popular and engaging. An indicator is that we have had more than 13,000 interstate visits to the site—10,000 visits from Sydney and Melbourne alone. There is already interstate interest in adopting this approach in their own health campaigns. We have had nearly 4,000 international visits from over 100 countries as far afield as Iceland, the USA and the Czech Republic.

The Healthier. Happier website is full of ideas to help people lose weight including recipes and help with physical activity. While the initial success of the campaign is encouraging, it is just one part of the overall strategy to combat overweight and obesity in the state. It is certainly not an easy task. This government inherited a Queensland where more than one million adults are obese and another 1.2 million are overweight. In total, that is 65 per cent of all Queenslanders. One-third of Queenslanders who are overweight or obese do not realise it, and 23 per cent are at risk of becoming overweight or obese in the future.

Obesity is now the leading preventable cause of premature death and disability in our state and is a major contributor to avoidable and preventable hospital admissions. The Chief Health Officer describes obesity as the biggest public health challenge of the century. Across our health system the cost of obesity in 2008 was estimated at \$391 million. That is not including the impact on productivity and a whole range of other community indicators. At an individual level, obesity reduces life expectancy by two to four years, or eight to 10 years in those who are severely obese. It is time to do something to combat this serious health and social issue. We all want to see people reduce their risk of chronic disease, live healthier and boost their quality of life. Those tools are now available to them.

### ELECTORAL DISTRICT OF REDCLIFFE

#### Seat Declared Vacant

 **Mr STEVENS** (Mermaid Beach—LNP) (Leader of the House) (2.25 pm), by leave, without notice: I move—


That the seat in this House for the electoral district of Redcliffe has become and is now vacant by reason of the resignation of Mr Scott Driscoll on 19 November 2013.

Question put—That the motion be agreed to.

Motion agreed to.

### PERSONAL EXPLANATIONS

#### Register of Interests

 **Ms TRAD** (South Brisbane—ALP) (2.26 pm): Yesterday during question time the Attorney-General, in response to questions from government backbenchers, made personal reflections on my character in relation to declarations on my register of interests and the motivations underpinning my vote during debate on the workers compensation amendment bill. From the outset, let me state clearly that I completely refute the improper motives asserted yesterday by the Attorney-General and wish to put on record some basic facts.

As a new member, I sought meetings in preparation of my register of interests with the Integrity Commissioner on 4 June 2012 and the Clerk of the Parliament on 21 May 2012. Based on the advice of the Clerk, I believe that I have made a full disclosure of all my interests, as publicly available on the

parliamentary website, and I reject any imputation to the contrary. For the record, I was not advised at that time that there was also an obligation on me under the standing orders to disclose an interest at the time of a division. After discussions with the Clerk earlier today, it became apparent that the full obligations on members contained in chapter 40 and standing order 260 were detailed during a session of the new members induction program which I was not entitled to attend as the South Brisbane by-election result had not been declared at that stage.

**Government members** interjected.

**Madam SPEAKER:** Order! I would ask members to allow the member who has the call to be heard. I call the member for South Brisbane.

**Ms TRAD:** Thank you, Madam Speaker. To be clear, I did not speak on the workers compensation amendment bill during the second reading stage or the consideration in detail. But having regard for standing order 260(2)(b), as it has now been brought to my attention, I do acknowledge that I should have declared during divisions on the bill an interest in the matter, and I take full responsibility for the error. My omission in this regard was in no way deliberate or intentional, and I apologise to the House for any lack of compliance—

**A government member:** Just say sorry.

**Ms TRAD:**—with standing order 260(2)(b).

**Madam SPEAKER:** Order! I ask the member to resume her seat. Member for Kallangur, was that your interjection?


**Mr Ruthenberg:** It certainly wasn't, Madam Speaker.

**Madam SPEAKER:** I did not see who interjected but I will say to members that members should allow the person with the call in respect to a personal explanation to be heard, and I will not have interjections or they will be warned under the standing orders. I call the member for South Brisbane.

**Ms TRAD:** Thank you, Madam Speaker. I will repeat that point because I did apologise, for the benefit of whichever member interjected. My omission in this regard was in no way deliberate or intentional, and I apologise to the House for any lack of compliance with standing order 260(2)(b). Further, I request that my declaration be included and indexed in the *Record of Proceedings* of the relevant division.

I am enormously proud of my husband's professional success. His appointment to the WorkCover panel significantly predated our relationship. The firm in which he is a partner employs 25 Queenslanders and was recently reappointed to the panel. My husband and his firm do not deserve to be impugned in any way for the outstanding work they do for all their clients, including WorkCover Queensland.

### Palmer, Mr C

 **Dr FLEGG** (Moggill—LNP) (2.29 pm): The federal member for Fairfax, Clive Palmer, has repeated publicly on a number of occasions, including yesterday, that I made a mental health diagnosis with regard to the Premier and that I went to the Premier in company with the member for Gaven. The member for Fairfax has suggested that this had something to do with my decision to resign from cabinet. I want to record categorically that none of this is true. I can see the relief on the Premier's face! I want to record categorically that none of this is true. I take very seriously my professional responsibility as a doctor. To inject discussion of somebody's mental health into a political debate would, in my view, be highly unprofessional. Perhaps more importantly, I take very seriously the thousands of Queenslanders who live every day with a mental health issue. I am distressed that a concocted mental health diagnosis should be used for political mud-slinging.

A generation ago the term 'spastic' was used in the playground by children as a derisive term. It was not used in relation to the victims of cerebral palsy but was simply an insult to others. I had hoped that since those days we had grown up in relation to this area, particularly of disability and more particularly of mental health.

I have never made such a suggestion. I have never discussed—formally, informally or socially—any matters in relation to the mental health of any member here. What is more, I have not had a discussion with Mr Palmer about the Premier or, in fact, any other matter. I was approached by a third party and offered a meeting with Mr Palmer in relation to membership of his party. I did not accept that invitation. I have been a Liberal and now Liberal National Party member since 1975 and


that is how I will be staying. Thousands of Queenslanders and their families who have to live with mental health issues deal gallantly with those issues daily—getting themselves to work, dealing with their families—and many of them face considerable challenges to do so. They do not need the stigmatisation of a mental health diagnosis in this way for political purposes.

I would say to Mr Palmer and others who may be tempted: do not use mental health as an insult or political mud-slinging and most certainly do not try to justify that by verballing me as a medical practitioner. There are numerous critical issues facing us as a community not the least of which is helping genuine victims of mental health problems and the impending tsunami of diabetes complications. Forget the slanging match and keep the discussions in our parliaments to the important matters that are affecting Queenslanders.

## QUESTIONS WITHOUT NOTICE

**Madam SPEAKER:** Question time will finish at 3.33 pm.

### Redcliffe TAFE

 **Ms PALASZCZUK** (2.33 pm): My question is to the Minister for Education. I ask: will the minister remove the uncertainty surrounding the Redcliffe TAFE and ensure that the services and course options available to the local community, particularly young people, will not be reduced?

**Mr LANGBROEK:** I think that is a by-election question. That is what we have here from the Leader of the Opposition. When it comes to TAFE reform, this is the side of parliament that has taken it on and has said that we need to do more about our training system. We need to ensure that we have seamless connections between school and training and employment. As I said in this House yesterday, it is important for us to look at our TAFE infrastructure. That is why we have separated the purchaser from the provider. We have said that no longer does TAFE have to reside in the department. We have set it up as a statutory body, and that is to whom the honourable member should address the question. There is a body within that body that is looking at the infrastructure to ensure that our TAFE facilities are up to date and reflect the needs of 21st century students because for too long—

**Ms Palaszczuk:** What about the Redcliffe TAFE?

**Mr LANGBROEK:** I will come to the specifics of the member's question. In fact, I am discussing that as a generality. It does not matter whether it is Redcliffe or Mareeba, as the honourable member from Dalrymple asked yesterday of the Treasurer, we are absolutely aware of the need for decaying facilities that are falling down around students', teachers' and trainers' ears to be brought up to speed. We need to ensure that students in Queensland in the 21st century can study courses that will lead to real jobs—not undertaking courses for the sake of it—and can do so in facilities that are not underutilised. The task force review that was conducted last year showed that our TAFEs are utilised about 40 per cent of the time and after 5 pm or 6 pm the utilisation rate is as low as five per cent. No-one would suggest that we should not be spending the hundreds of millions of dollars on training—and we have heard this often before in this House—in a way that focuses on reinvigorating and turbocharging the Queensland economy. As I said yesterday, that means participation leading to more productivity. Whether it is with regard to the Redcliffe TAFE or other TAFEs, this infrastructure body within the new TAFE Queensland will look at all of the facilities to ensure we are providing the best possible solutions, will potentially allow third-party access so that these resources can also be used by members of the community and will ensure there is a proper contractual arrangement so that these facilities can be used and brought up to speed—and at the moment many are not up to speed. That is why our unashamed focus is on ensuring that our training dollars are going towards reinvigorating our economy and ensuring that our kids get jobs in the 21st century, and they need to be training in facilities that are up to date and up to speed.

### Redcliffe Hospital, Pain Management Service

**Ms PALASZCZUK:** My next question is to the Minister for Health. Will the minister explain what specialist pain management services will now be available to local residents at the Redcliffe Hospital—

**Government members** interjected.

**Madam SPEAKER:** Order, members!

**Ms PALASZCZUK:**—considering that the pain clinic has been closed?



**Madam SPEAKER:** I am going to ask the Leader of the Opposition to repeat the question.

**Ms PALASZCZUK:** My question is to the Minister for Health. Will the minister explain what specialist pain management services will be available to residents at the Redcliffe Hospital now that the pain clinic has been closed?

**Mr SPRINGBORG:** We have had an amazing voyage of discovery from the opposition in the last 24 hours. All of a sudden they have discovered that Redcliffe exists. All of a sudden they have discovered that Redcliffe actually exists. They have not been talking about Redcliffe in the last 18 months in parliament. Their interest is sparked by political self-interest; it was certainly not sparked by any concern for the people of Redcliffe. There is absolutely no doubt about that whatsoever. There is absolutely no doubt whatsoever about that.

I can indicate quite clearly here today that the Metro North Hospital and Health Service in which Redcliffe—a very important city in Queensland—is embedded, has been the beneficiary of an increase of \$49 million in the budget since the Newman government was elected in Queensland last year. How does that contrast with the cut from the Commonwealth government that saw \$22 million ripped out of the heart of health funding in Metro North of which Redcliffe is a part? Where was the Labor Party when those particular issues were occurring, stewarded by Wayne Swan and overseen by Yvette D'Ath? We know how the people of that particular electorate dealt with her regarding her dereliction of duty in refusing to stand up for the people of the Redcliffe peninsula in which her hospital was very much embedded.

The LNP remains absolutely committed to the provision of a whole range of services in particular areas—many of the services which the honourable member opposite talks about. If the member had actually read the national health reform document, she would find that it quite clearly indicates that the issue of primary care is very much a Commonwealth responsibility and much to do with pain management is a part of that.

I will seek some clarification for the honourable member but, as I understand it, there was an informal arrangement around a pain management clinic in that particular area some time ago which the hospital and health service has sought to deal with in a proper and more formal and engaged way, but I will seek some further information around that. What I will say today is that there has only been a significant increase in funding to the Metro North Hospital and Health Service—more than twice as much—by the Newman LNP government as what was taken away by the Rudd-Gillard government and overseen by the world's worst Treasurer, Mr Swan, who ripped \$22 million out of that particular hospital and health service. Notwithstanding that, it has continued to improve its performance for the people of Redcliffe.

*(Time expired)*

### **Crime and Misconduct Commission**

**Dr DAVIS:** My question without notice is to the Attorney-General and Minister for Justice. I refer the Attorney-General to today's *Courier-Mail* and specifically concerns regarding the capacity of the Crime and Misconduct Commission to meet the challenges it is facing in fighting major crime, and I ask: how is the Newman government responding to these issues?

**Mr BLEIJIE:** I thank the member for Stafford for the question, and it is a very important question following the observations that I made in the House earlier today. I have to say that I was concerned—I was gravely concerned—when I read the report in the *Courier-Mail* this morning and the information contained in that report with respect to a recent report conducted by a former commissioner of the Australian Federal Police, Mr Keelty. Mr Keelty conducted a review of the Crime and Misconduct Commission because one of its major elements and functions is of course to prevent major crime in Queensland. We have said many times in this place that the Campbell Newman LNP government wants to make sure the CMC is resourced effectively and appropriately to deal with major crime. That is why we give complete support to the CMC in terms of fighting major crime and criminal motorcycle gangs. That is why we bolster its legislative ability and financial capacity with just over \$7 million in terms of resources for fighting major crime.

It is sad though that over the last 12 months we have seen issues in the CMC and a culture in the CMC that is resistant to change. We have had arguments in this place with former chair Ross Martin, and colleagues will remember the issues associated with the CMC that was responsible for shredding some 4,000 pieces of Fitzgerald documentation and allowing unauthorised access to people who should not have had access to Fitzgerald documentation. This parliament had to deal with it, I think, at 1 am or 2 am in the morning. It is quite concerning that, as we have been

progressing with the reforms and the restructure of the CMC, the opposition has completely flip-flopped on this issue. One minute it does not want us to talk about the CMC and then three or four weeks ago the opposition leader announces a major restructure to the CMC if it was in government. It in fact would split the CMC. Despite the fact it joined the CMC together when last in government, it would now split the CMC.

We have appropriate reform. We had Callinan and Aroney conduct a review. I table a copy of a letter from Mr Keelty and the report he conducted into the CMC. I make these points: the report followed interviews with staff of the CMC and key stakeholders. The report is critical of the fact that the CMC appears unable or unwilling to respond to changing circumstances. As stated by Mr Keelty—

It is clear that there are entrenched attitudes as to how the CMC conducts its business and this is likely to be an extension of the culture that developed at the time of the inception of the CMC and its predecessor agencies. There is strong resistance to external influences, making progress and reform much more difficult than it needs to be.

His report goes on—

The problem is an organisational one coupled with a deficiency in effective leadership in some key positions ...

However, I note with approval the strong endorsement of Dr Ken Levy by Mr Keelty when he says—

Having said that, there are very positive signs indicating that the reforms identified by the Acting Chairperson will address this lack of effective leadership.

This government supports strengthening the CMC. There is a culture issue down there, and this government will sort it out once and for all.

*Tabled paper:* Letter, dated 19 November 2013, from Mr MJ Keelty AO to Mr John Sosso, Director-General, Department of Justice and Attorney-General, enclosing a report regarding reform of the Crime and Misconduct Commission [4088].

*(Time expired)*

### **Regional Community Association Moreton Bay**

**Mr MULHERIN:** My question without notice is directed to the Minister for Communities, Child Safety and Disability Services. I refer the minister to a letter from the Premier—and I table that letter—which states that her department jointly appointed PricewaterhouseCoopers to conduct a financial and governance audit of the Regional Community Association Moreton Bay, and I ask: will the minister provide the House with details of the progress of this audit?

*Tabled paper:* Letter, dated 8 May 2013, from the Premier, Hon. Campbell Newman, regarding the Regional Community Association Moreton Bay [4089].

**Ms DAVIS:** I thank the honourable member for the question. What is question time about today? Today is about those opposite posturing themselves for a by-election in Redcliffe. That is all it is about today. It is not about caring about the people in Redcliffe and what this government has done in order to provide services to those vulnerable people on the peninsula.

My department has been working very hard in order to continue to provide services to the people of Redcliffe. When we were advised that RCAMB was unable to continue to deliver services into the Redcliffe Peninsula, what did my department do? We put in a contingency plan—a contingency plan so that the people of Redcliffe could continue to receive services that were unable to be delivered by RCAMB. We went and spoke to the Pine Rivers community centre, and I know that the member for Kallangur and the member for Pine Rivers worked very closely with our organisation, that already had a standing relationship with RCAMB. I am really pleased to advise the House that I had the opportunity to go out to the Pine Rivers community centre and have a conversation with it about how well it was delivering services into the Redcliffe community.

**Mr Mulherin** interjected.

**Ms DAVIS:** This government is about providing front-line services—front-line services to people who need our support. That is what we will continue to do.

**Mr PITT:** I rise to a point of order. Madam Speaker, I ask for your ruling on relevance under 118(b). The question was specifically about an audit and report.

**Madam SPEAKER:** Minister, I ask you to address the question.

**Ms DAVIS:** I thank you, Madam Speaker. Madam Speaker, I will address the question, but first I think it is really important that the House understands that the people of Redcliffe who needed to access these very vital services are still able to do so, because that is what we are about. This government is about providing front-line services to those people in the community who need it, and

we will continue to do that. As I mentioned in this House earlier this year when a question was posed to me about this report, the Minister for Health was taking the lead on that. There is a report that had—

**Mr Mulherin** interjected.

**Madam SPEAKER:** I warn the Deputy Leader of the Opposition. Your interjections are not being taken. I ask the minister to continue answering the question.

**Ms DAVIS:** Thank you, Madam Speaker. What we know is that we needed to provide services to the people of Redcliffe. That is what we have done. We will continue to make sure that those services are delivered.

*(Time expired)*

### Education Infrastructure

**Mr RUTHENBERG:** My question without notice is to the Premier. Premier, how is the government ensuring that Queensland kids have access to a first-class education and learning environment?

**Mr NEWMAN:** I thank the honourable member for the question and I am delighted to answer, because my government is determined to ensure that Queensland schools are a place of pride for students to learn, teachers to teach and communities to gather. We want our schools to be safe learning environments. When we came to office Labor had left us a \$292 million school maintenance black hole that was only going to get worse if we did not do something about it straightaway, and that is why we moved very quickly to establish our advancing school maintenance fund to address problems like peeling paint, ripped carpet and cracked footpaths. Along with the education minister, I recently announced the second round of funding for this landmark program—and all 1,239 Queensland state schools will benefit. Last year schools were allocated up to \$160,000 each to fix maintenance issues. In this round we will be particularly targeting schools with the biggest maintenance backlogs. This will mean schools receive extra funds of up to \$70,000 plus 14 per cent of any remaining liability.

Such is the extent of the backlog that some schools were qualified to receive in excess of \$500,000. Apart from the funding itself the government has made changes to streamline maintenance procedures. The government is firmly committed to cutting red tape and making it as easy as possible for our schools to get on with the job of educating our future leaders. That is why, despite the bleats of those opposite, we have given the schools the ability to engage independent tradespeople to deliver planned and routine breakdown maintenance rather than being tied to QBuild. I am pleased to announce that, as a direct result of these changes, on average schools have achieved savings of \$20,000. That is five jobs for the price of four.

The Labor Party just does not get that stuff. I was delighted to be down at Mitchelton State School a week or so ago with the education minister to look at the work they had done repainting the entire school. The principal, Mr Roger Sheehan, said to us that if he had had to use QBuild the money would not have been sufficient to repaint the entire school. By going direct, he was able to get the whole school repainted and it looks a million dollars now. It looks absolutely sensational compared to the tired, run-down place that it was when I took over from the former state member for Ashgrove.

We are not only giving schools autonomy and saving them money but also stimulating local economies and creating jobs. This government pledged to revitalise front-line services for families. That is exactly what we are delivering. It is a can-do government.

### Regional Community Association Moreton Bay

**Mr PITT:** My question without notice is to the Premier. Now that the Regional Community Association Moreton Bay no longer provides community mental health services, where do people living on the peninsula living with schizophrenia or other mental illnesses now go for non-acute support?

**Mr NEWMAN:** I hear another question about Redcliffe. I might talk about Redcliffe. We are going to talk about health, are we? Let us talk about a little vignette from a few years ago called the superclinic down at Redcliffe. I have an article here from the *Courier-Mail* of October 2011—

**Opposition members** interjected.

**Mr NEWMAN:** Madam Speaker, if they do not want to hear I am happy to sit down. They ask the questions, but they do not want to hear the answers.

**Opposition members** interjected.

**Mr NEWMAN:** I heard health services. Let us talk about this. This was the article—‘Don’t blame me, I’m just a patron. Excuses but not many answers in the superclinic farce’.

**Mr PITT:** I rise to a point of order. This is a very specific question about mental health services. I ask the Premier to answer the question.

**Madam SPEAKER:** Please take your seat. The Premier still has nearly three minutes on the clock. In calling the Premier, I note that the line has not been crossed by anyone yet in respect to a motion before the House, but I remind members that there is a motion before the House and to be very careful and respect the motion. I now call the Premier.

**Mr NEWMAN:** If we are going to talk about health we have to talk about what was happening a few short years ago and what is happening now. That is what we have to do. If they do not like the contrast between our professionalism and service delivery and their ineptitude, waste and inefficiency, I cannot help them. I cannot help it if they do not like their history of their failures and ineptitude.

Let me read a few things from this article—

Ms Litsenburg—

we remember her—

was unable to explain how the Redcliffe Hospital Foundation ran out of money to complete a five-storey building on Anzac Avenue, despite being ‘patron’ of the foundation for the past five years.

‘A patron is a figurehead, patrons don’t actually do any of the day-to-day management,’ she said.

That was their approach to ministerial accountability, too—‘We’re only figureheads.’ That is what they said when they were ministers—‘The directors-general and public servants do all the work; we’re just there for the media opportunities and the smiles for the cameras.’ I shall move on. The article continues—

A total of \$10 million federal dollars and \$1 million raised by the community have been committed to building the Superclinic, which Ms van Litsenburg and other politicians have touted in the media and community newsletters. The foundation was created by State Parliament, state health ministers appointed foundation volunteer board members—

**Mr PITT:** I rise to a point of order.

**Madam SPEAKER:** What is your point of order?

**Mr PITT:** Under standing order 118(b) I asked a specific question. I ask you to rule on relevance. The Premier is not speaking—

**Madam SPEAKER:** I will ask you to take your seat. I remind the member that the Premier still has time on the clock to answer the question in respect to the matter. I call the Premier and ask him to answer the question.

**Mr NEWMAN:** The history is so important. I am sorry that they hate their history being read back to them, because the sad fact is that they are inept. They were inept. They were a hopeless government. They were pathetic. There was no accountability, clearly, from the comments of the former state member and—if I could get there—from the former health minister, Geoff Wilson, the dog ate his homework.

Earlier, the member for South Brisbane could not even read the rules. What an interesting day that a Labor member would come in here and say that they did not understand the rule book. A union hack, someone who has lived by the rules, fought by the rules, died by the rules in factional battles over the years, did not read the standing orders. Come on! I guess the member for South Brisbane knows how it feels now. What? Her family was impugned! How terrible! I reckon Professor Frank Monsour might have some sympathy for the member. Professor Frank Monsour and his family probably have a great deal of sympathy for the member for South Brisbane and her family. I have run out of time, but the answer was Richmond Fellowship.

### **Department of State Development, Infrastructure and Planning**

**Mr DILLAWAY:** My question without notice is to the Deputy Premier and Minister for State Development, Infrastructure and Planning. Can the Deputy Premier please outline some of the achievements of the Department of State Development, Infrastructure and Planning from 2013 and how they have been scrutinised by the opposition?

**Mr SEENEY:** I thank the member for Bulimba for the question, because as the final sitting week of this parliament draws to a close I think it is appropriate to reflect on the achievements of my department and our government over the last calendar year and also on the way those achievements or those processes have been scrutinised by the opposition. This year my department has taken great strides in state development and growing the four pillars of the economy and driving Queensland's economic growth. We have overseen a huge reform agenda. However, we have received very little scrutiny from the opposition.

For example, in the last few weeks we released four significant strategies. There was the Great Barrier Reef Strategic Assessment. Not one single question from the opposition. The Galilee Basin Development Strategy. Not one single question from the opposition. The Queensland Ports Strategy. No questions. The Economic Directions Statement Queensland Airports. No questions.

We have done a whole heap of stuff for regional Queensland. We have delivered \$100 million in Royalties for the Regions projects. No questions from the opposition—not a single one. We put in place the Mary Valley strategy to revitalise the Mary Valley. No questions—not a single question from the opposition. We have had the regional and resource town action plan. No questions from the opposition—not one. We have the economic and infrastructure framework for the Darling Downs and Central Queensland. No questions from the opposition.

We have overseen one of the biggest reforms of planning in Queensland's history. We have introduced the single state assessment agency that I spoke about yesterday. No questions from the opposition. We have released regional plans for the Darling Downs, Central Queensland and Cape York. No questions from the opposition. We have drafted a single state planning policy to replace the ad hoc policies that they had. No questions from the opposition.

**Opposition members** interjected.

**Madam SPEAKER:** Deputy Premier, take your seat. While I know the Deputy Premier is capable of being heard over the interjections, I think we are testing the ears of Hansard and our audience. I would ask for the interjections to cease.

**Mr SEENEY:** We have begun public consultation on a whole new planning bill. No questions from the opposition. We have commenced a review of the South East Queensland Regional Plan. No questions from the opposition. We have released the infrastructure charging and planning framework. No questions from the opposition.

We have put in place organisations and new entities like GLAM and EDQ. No questions from the opposition. We have completed the property asset utilisation review. No questions from the opposition. We have announced the Government Land for Accommodation and Support Services program to unlock the state's underperforming land parcels for the not-for-profit sector. No questions from the opposition.

We have delivered a number of major projects. We have begun the development of the government precinct. No questions from the opposition. We have requested detailed proposals for the Broadwater, for the cruise ship terminal. No questions from the opposition.

*(Time expired)*

### **Gas Rebates**

**Mr KNUTH:** My question without notice is to the Minister for Energy. Will the minister support extending the current reticulated gas rebates eligible to pensioners and seniors to include pensioners and seniors who rely on the purchase of bottled gas?

**Mr McARDLE:** I do thank the member for the question. This government spends an enormous sum of money in relation to subsidising people right across the state. Let us start with the issue of electricity. We follow the uniform tariff policy that was put in place back in the 1960s. This year this government will spend over \$600 million to make certain people in the Ergon sector pay no more for power than those in the Energex sector.

More than that, we have doubled the assistance for home emergency assistance and also increased the subsidies to pensioners by 22.6 per cent to mirror the increase in power prices that we have suffered in the last 12 months mainly because of the inadequacies and ineptitudes of the Labor governments of days gone by. This government has taken the issue of providing money for those in need, for those who are most vulnerable, who are most at risk, to ensure they get a better deal in its cost-of-living initiatives.

The government also understands that there are many people right across the state who do need other assistance. The government is looking at a concessions and hardship review to see what we can do. Do members know why? Because this government gets the basic tenet that people in this state are doing it tough and they are doing it tough because past Labor governments have done the wrong thing by all people right across this state.

Can I make the point, as I made yesterday, that the one thing that can happen right this second is to cut the carbon tax in Canberra. That is where we should be starting to assist every Queensland household to get a better deal of up to a \$177.40 reduction in their power bill. That is what is needed now, not sitting back and waiting for 1 July 2014, but get the Labor senators, the Greens senators and independent senators in the Senate in Canberra to vote in support of Tony Abbott's bill to cut the carbon tax. That is what we need this very second. If the mob opposite had any gumption they would have supported this government's motion earlier this year to cut the carbon tax. What those opposite need to do now is to contact their own Labor senators and tell them that the mandate given to Tony Abbott must be followed through by the senators in Canberra. Do not forget: Julia Gillard had no mandate to impose the tax; Tony Abbott has a clear mandate to repeal the tax. There is nothing clearer. The mob opposite have done nothing to ensure that the people of this state or the ALP get a better shake.

### Queensland Economy

**Mr HOLSWICH:** My question is to the Treasurer and Minister for Trade. Can the Treasurer please update the House on the Newman government's plans to continue building a four-pillar economy and give details of any recent economic news?

**Mr NICHOLLS:** Can I thank the member for Pine Rivers for his comment. As I have said a number of times when he has asked questions, he is someone who does care about growing the economy. Together with the member for Kallangur he initiated a buy local scheme before they were elected showing their commitment to supporting growing our economy and our business sector. I also thank him because the question he asks is important. When we stood for election to this place as a government and presented an alternative we said we would get on and fix up the state of the economy. We said we would grow a four-pillar economy and focus on those areas of strength around agriculture, tourism, property and resources. We have been getting on with that job over the last 20 months. I am pleased to say that a recent string of economic reports shows just how far we have progressed in that 20 months.

Consumers in Queensland are now spending more. Seasonally adjusted retail turnover rose .8 per cent in September, the strongest result since the flood related growth in February. We are 4.2 per cent higher over the year to September. That is a fantastic result considering that for two of the last three years of Labor retail turnover actually dropped. Under the LNP retail turnover has increased by 4.2 per cent September to September. In two of the last three years of the Labor Party retail turnover fell.

There are also signs of a sustained return to growth in the Queensland property and construction industry, one of our four pillars. We have seen 17 consecutive monthly increases in trend building approvals. Approvals are now 22 per cent higher than the low experienced under Labor in January 2012, just months before the last state election. We are also seeing increased property investor activity, with the value of finance commitments totalling \$33 billion in the September quarter, almost 15 per cent higher than the same period a year earlier.

Queensland relies heavily on exports for its economic health. That is why it is pleasing to report that the nominal value of Queensland's overseas merchandise exports increased by \$340 million in the year to September. We also saw growth in rural exports, as the minister for agriculture knows, of just over 12.9 per cent, another encouraging sign in another important economic pillar.

This data should be seen for what it is: positive news for Queenslanders and a sign that the Newman government's policies are having an impact. We are a can-do government determined to deliver on our promises. But our job is far from over. Part of our success has been our determination to work every day for the people of Queensland. We will not lose sight of our goals. We will continue to deliver on our five pledges to the people of Queensland.

### Alcohol Consumption

**Mr HOPPER:** My question is to the Minister for Health. Minister, the *ABC News* reported today that one in eight deaths of Australians aged under 25 is now related to alcohol consumption. What is the minister's department doing to fix this problem?

**Mr SPRINGBORG:** As the honourable member would know, I am certainly a person that has never actually contributed to any of those statistics and do not intend to be. I certainly do take this issue exceptionally seriously, as does the can-do Newman government in Queensland, as we work through the issues to address this not only now but also in the longer term.

**Mr Hopper** interjected.

**Mr SPRINGBORG:** I do not know what the honourable member is uttering on about. It is actually, amazingly for him, quite a serious question that deserves a serious response and he is basically up there interjecting and tearing down the veracity of his own question. It is a serious issue and it is a very, very significant issue that does need to be addressed in our community. Only this week we have seen some of the skylarking and risk taking on the Gold Coast amongst young people where they are seriously putting themselves at risk not only of harm now but also in the long-term. If you are not responsible with alcohol then you certainly do have a circumstance where you can put yourself at serious harm and risk. If anyone wants to attend our EDs in Queensland, if anyone wants to speak to our ambulance officers in Queensland, if anyone wants to speak to the emergency services and the police, they will see the practical manifestation of this. Whilst it is true that we are now seeing a reduction in alcohol as a contributing factor in road accident trauma in Queensland and Australia, we are seeing a significant increase in alcohol as a contributing factor in the presentation at our EDs in Queensland.

One of the real concerns is that it is quite manifestly obvious amongst young people in particular because they think they are invulnerable, they think they are absolutely bulletproof when it comes to this and they are not because there are serious consequences. Obviously the government is working around awareness campaigns. Obviously the government is working to ensure that we can put that peer pressure on those young people to change their habits. Obviously government through education continues to work. Obviously government through community organisations continues to raise awareness in these particular areas. Only recently we passed the Mental Health Commission legislation through this parliament which very, very importantly and intrinsically links alcohol and drug policy to mental health in Queensland because it is a major contributing factor. By and large that will also assist us in addressing this in a holistic way.

In the short, medium and long term the most significant way to address this, as with obesity and other lifestyle issues, is self-responsibility. You know what causes the harm. The responsibility is on the individual to take up the information and do something about it personally.

### Road Safety

**Mr STEWART:** My question without notice is to the Minister for Transport and Main Roads. Can the minister please outline what the Newman government is doing to help keep Queenslanders safe on our roads?

**Mr EMERSON:** I thank the member for Sunnybank for the question on a very serious issue. I know that he takes road safety very seriously. The reality is that one death on our roads is one death too many. So far this year there have been 248 fatalities, which is two behind where we were this time last year, but as I said one death on our roads is one death too many. As many members would be aware, recently we launched our Join the Drive campaign. It is an innovative campaign to try to reduce the road toll, particularly over the Christmas period. Through many campaigns over many years, we have focused on the blood-and-shock style of campaign, but research shows that such campaigns have limited effect, particularly with the crucial young male market. Maybe they are becoming desensitised to those images, because of video games and such things. Research shows that, with those campaigns, there is only about 50 per cent recall of the campaigns. That is why we launched the innovative Join the Drive campaign, which members will already have seen on TV.

Crews are going around Queensland, involving Queenslanders and getting out the message about road safety over the Christmas period. Queenslanders themselves star in the campaign. They tell about their own experiences in terms of road safety. They tell their own messages about how to improve road safety over the Christmas period. I thank many of my colleagues here in the chamber who have involved themselves in that campaign by promoting it in their communities and making sure

that members of their communities are involved in getting their messages out. This is a \$2.2 million campaign and it is part of our record \$350 million Road Safety Action Plan, which we announced in the budget. It is an important campaign.

While I have the chance, I want to talk about one issue that has come up in recent times in the media, although we have been aware of it for some time. It is the issue of distraction. My good friend and colleague the Minister for Police and I together increased the fatal four to the fatal five, to include the issue of distraction, particularly relating to mobile phones. The use of phones while driving is a growing problem in our communities. We do have laws in place. It is illegal to use mobile phones in cars. Offenders face fines of \$330 and the loss of three demerit points. Of course, if the offender is involved in an accident the consequences could be worse than a fine, not only for the driver but also for others involved in the accident. I urge people who may not have the willpower to turn off their mobile phone or not answer it to put it away. They should work out a strategy. Maybe they could put it on the back seat. The reality is that last year 28,000 fines were issued to people illegally using mobile phones. It is a real risk. I know that all of us here will join in the Join in the Drive campaign and hope that our roads are safer over this crucial Christmas period.

### **Medical Contracts**

**Dr DOUGLAS:** My question is to the health minister. Can the minister please explain why very financially lucrative medical contracts for endoscopy, in the absence of a competitive tendering process, were handed out by the Gold Coast University Hospital's new CEO?

**Mr SPRINGBORG:** I acknowledge the question from the honourable member. I also note that the honourable member would be as enthusiastic as I am about the can-do government's contribution of an additional \$204 million to the Gold Coast Hospital and Health Service, which is a 27 per cent increase in its budget since we have come to office in Queensland. That is notwithstanding the significant cut of \$9 million to the Gold Coast Hospital and Health Service budget by the Labor Party in Canberra, an organisation of which the honourable member seems to be absolutely embedded and joined to today, like Siamese twins, so that on a day-to-day basis he seems to be consenting to that particular privation as well. I do not accept the proposition that is put forward by the honourable member. Indeed, like anything the honourable member says here, it needs to be treated with an abundance of caution and a grain of salt. As we have seen with so many things, all bar about one thing that he has asked of me in this place, there has been virtually no veracity or a great stretch is needed with regards to the proposition of the question.

I can indicate quite clearly that, prior to the strategies being put in place by the Newman government, we were looking at average long waits for endoscopy on the Gold Coast of two years. That is now down to six months or below. The honourable member should get over the trauma that he continues to suffer over the fact that he was passed over by Campbell Newman as the putative health minister in Queensland. The fact is that he just cannot get over that. He thinks he should now be running vicariously the health system in Queensland.

In order to be taken seriously in anything to do with health in Queensland, you need to do some research; rather than run out there flying so many kites, you need to establish some credibility. By accident or by design, one day the honourable member may actually stumble across something that might be right. However, because he has put forward so many bizarre propositions, nobody will listen. Basically, it is like the *X Files* at Gaven. I wish the honourable member would get up in this place and actually praise the operation of Ian Langdon, Ron Calvert and the fantastic staff on the Gold Coast who have done so much to meet the national emergency access targets on the Gold Coast. Theirs is one of the best performances in Australia with regards to elective surgery and reducing the endoscopy waiting list. Not once have we heard praise, recognition or support from the honourable member with regards to that. If he wants, he can go through his normal process of taking that up and writing about it, but I doubt there would be any substance whatsoever because there never has been.

*(Time expired)*

### **Red Tape Reduction in Queensland State Schools**

**Mr PUCCI:** My question without notice is to the Minister for Education, Training and Employment. Can the minister please inform the House what the Newman government is doing for Queensland teachers and principals and if there are any alternative policies?

**Mr LANGBROEK:** I thank the honourable member for the question. As members will know, the Newman government has a relentless focus on high standards in Queensland schools. The government and I keep speaking about lifting student outcomes. To that end we continue to focus on



three key priorities: boosting teacher quality, increasing school autonomy and improving student discipline. As the Premier said earlier in question time, we want more teachers and principals spending less time on red tape and more time teaching our kids. I have been to more than 30 principal forums around the state. The most recent was this morning, which I attended with the honourable member for Mount Ommaney. Without fail, at those forums excessive red tape was raised as an issue that they would like dealt with.

Today, I have released this booklet, *Red tape reduction in Queensland state schools*, which lists 30 actions that we are taking to allow principals to spend more time in the classroom and less time tied up in paperwork. Importantly, there is now a portal for teachers and principals to directly submit their red-tape-reduction ideas on an ongoing basis. I will receive a quarterly report to keep the downward pressure on unnecessary red tape. I table this for the benefit of the House.

*Tabled paper:* Booklet, Education Queensland, titled 'Red tape reduction in Queensland state schools' [\[4090\]](#).

I notice the second part of the question was whether there are any alternative policies. I want to compare our efforts with the actions of the Queensland Teachers Union, because tonight supposedly they will be outside this place to, according to them, reclaim the profession. Let us look at the things that have appeared in their *Newsflash* newsletter about the issues that they are complaining about: potential performance bonuses and principal contracts. We are speaking about an extra \$50 million going to teachers, directly into their pockets, by way of bonuses. It will not go to every teacher; it will go to our best teachers. We make no apologies for that. The QTU wants a system that is geared towards protecting underperforming teachers; we want a system that retains and rewards our best. In other notes, it is unbelievable that under our initiative no teacher will lose a cent. Thousands of teachers will receive bonuses, but the QTU supposedly wants to deny its members that \$50 million per year, which could be potentially in professional development or in cash. It wants to deny its members master scholarships. It wants to deny its members higher paying master teaching positions and it wants to deny its members leadership and management qualifications. What a wonderful organisation to be part of! You have to wonder why teachers would pay 600 bucks a year for such a helpful membership.

In relation to principal contracts, they could not be more out of touch. In Queensland, nearly one-third of our 750 schools have principal contracts. We have 80 in the state system and, of course, nearly 500 in the non-state system. The non-state sector cannot understand why it has taken so long for the state sector to catch up. If union bosses want to protect their fiefdoms at the expense of our kids, they will get short shrift from this government.

### Gas Industry

**Mr KATTER:** My question without notice is to the Minister for Natural Resources and Mines. Given the looming gas shortage on the east coast of Australia and acknowledging support from the federal member for Groom, Ian Macfarlane, prior to the federal election for expansion of the gas network into North-West Queensland and having regard to the strong support for a gas development area, how does the minister plan to address this gas shortage so that any federal initiatives benefit Queensland?

**Mr CRIPPS:** The day after the Queensland government has announced a plan for the future of the Queensland resources sector I am absolutely delighted to have the opportunity to stand up and talk about how the Newman government is planning to promote investment and development in the state of Queensland for our world-class resources sector. I am absolutely delighted to say to the member for Mount Isa that yesterday the Premier of Queensland, at the Queensland Resources Council lunch, outlined our intention over the next 12 months to develop a 30-year plan for the future of the resources sector in Queensland, including our great coal sector, our great minerals sector and, of course, the gas sector.

It is not just planning for the future through the document that we released yesterday, ResourcesQ, where the Newman government has contributed. In the state budget earlier this year we announced the \$30 million Future Resources Program to encourage investment and new investment in the development of the mining and gas sector in Queensland. That will help with initiatives such as new exploration in new precincts right around the state. In particular, I say to the member for Mount Isa that it includes programs in the North West Minerals Province. It includes not only projects in terms of mineralogy but also prospectivity for petroleum and gas products.

He should take heart from that. After 20 years of Labor neglecting regional and rural Queensland and taking the resources sector for granted, Queensland finally has a government that considers it a pillar of the economy. It is investing in the future of jobs, particularly in regional and rural communities in Queensland.

We have taken remedial action over the last 18 months in government to restore confidence amongst local communities throughout the state in the environmental sustainability of the gas industry. We have addressed issues such as providing baseline data for groundwater. We have commenced our statutory regional planning processes. They were recently gazetted for the Darling Downs and Central Queensland. We are reviewing our land access arrangements. We are also looking for new prospective precincts for gas extraction in places like the Cooper Basin. In developing our western rivers strategy we have also addressed the fact that there is high prospectivity in the Cooper Basin. While we will protect the core environmental values of the rivers in Western Queensland, we will also be making sure that we put in place a high level of conditioning on environmental authorities so that gas extraction in that region is done in a safe and sustainable fashion.

The member for Mount Isa should be assured that in this government we have a government that is planning for the future of gas supplied not only to this state and this country but also to our overseas trading partners.

*(Time expired)*

### **Agriculture Industry**

**Mr HOBBS:** My question is to the Minister for Agriculture, Fisheries and Forestry. Can the minister provide an update on how the Newman government has supported Queensland farmers over the last 12 months?

**Dr McVEIGH:** I thank the honourable member for his question. I can confirm that 2013 has been an extremely tough year for Queensland's farmers right across this great state. While we achieved significant milestones this year with the release of the Newman government's agriculture strategy, land audit, horticultural and research, development and extension plans, extreme weather events have dominated 2013.

At the start of the year ex-Tropical Cyclone Oswald hit Queensland bringing excessive rainfall and flooding, as we all know, and seriously damaging agriculture across many parts of the state. We quickly activated the Natural Disaster Relief and Recovery Arrangements program through QRRA and administered more than \$68 million in natural disaster recovery loans and grants to more than 5,900 primary producers, business owners and not-for-profit organisations.

From one extreme to the other, Queensland is now suffering from a severe drought across 62 per cent of our state. On 30 May the Premier and I announced \$11.2 million in drought package enrichment, with measures to assist producers in drought declared areas, which include freight and fodder subsidies, along with a rebate for the cost of the purchase and installation of emergency water infrastructure.

Back then, we said if more assistance was needed we would provide it. That is exactly what we have done. After visiting drought affected properties from the northern gulf right down through to the south-west we announced an increase in drought funding for producers who produce a drought management plan. These producers can now access up to \$30,000 in assistance under the DRAS program. We have temporarily extended the water cartage subsidy to help those producers with cattle on stock routes.

The extremes in weather have dominated the headlines, but in the meantime we have got on with the job of delivering on our election promises. We have released the Queensland agriculture strategy, which marks a major milestone in the Newman government's plans to revitalise agriculture across the state. Sixty initiatives across government, 31 of which come from my department, strengthen biosecurity systems, implement workforce development plans and implement agricultural research, development and extension plans across the state.

We continue the fight against biosecurity threats, unlike the former government. It is important to remember where we have come from. I refer to the front page of *Queensland Country Life* two days prior to the last election, where it stated—

After two decades of being belted and demonised by Labor, a new dawn is finally rising for rural Queensland.

That is exactly what has happened under the Newman government. I can confirm that that support will continue.

### Gladstone Fire Station

**Mrs CUNNINGHAM:** My question without notice is to the Minister for Police, Fire and Emergency Services. In relation to asbestos removal and other works being carried out at the Gladstone Fire Station, are processes in place to protect firefighters, staff and equipment throughout that work?

**Mr DEMPSEY:** It is a pleasure to answer the member's question which relates to our hardworking emergency service workers and the great work they do. Recently, I had the privilege to attend a community cabinet in Gladstone. We engage with the community on a monthly basis right across this great state. We look at what opportunities there are, particularly for regional and remote areas.

Whilst in Gladstone I had occasion to visit the ambulance station where a further six officers will be employed and to see a number of firefighting facilities. I had occasion to talk to our hardworking rural firefighters, who do such great work and provide security and peace of mind to those in our rural areas. They are volunteers. They give of their time without payment. They are the real heroes in the emergency services family. They go out and help other people when many times their families and their homes are at risk as well. It is a great credit to them. I know that the member for Gladstone has mentioned them a number of times and recognises the great work they do. The same can be said of our auxiliary firefighters and urban firefighters.

In relation to the member's question about asbestos, I can say that there is no risk. The contractor provides a clearance certificate at the end of each working day. Work does not commence unless clearance is given. That is also the case for electrical lines and so forth. I have been reassured about this by the contractors who are doing a number of renovations on that station to make the facilities better for our hardworking firefighters.

The UFU union bosses really need to start concentrating on representing their members properly. They look after their own selfish interests in their constant attacks and lack of negotiation for their members. We are currently going through an enterprise bargaining process. Tens of millions of dollars are waiting to be paid to their members. I encourage the UFU to sit down with the independent bodies that we have in place and work for their members so that that money can be put into their workers' pay packets, which will assist them and their families. Queenslanders want to see our emergency service workers, our front-line workers, out in the community. We will ensure as a government that we get rid of the red tape and bureaucracy.

*(Time expired)*

### Environment and Heritage Protection

**Mr SYMES:** My question without notice to the Minister for Environment and Heritage Protection. Could the minister outline some of the many environment and heritage achievements the Newman government has delivered during 2013?

**Mr POWELL:** I certainly can. It has been a big year and it has been a great year. In January we saw the commencement of the first mine water release pilot program for the Fitzroy Basin, which I am pleased to say was, after scientific analysis and independent review, expanded for this coming wet season. In February I joined the member for Hervey Bay and delivered on our election commitment with the Ecosure report into the Fraser Island Dingo Management Strategy.

Unlike Labor, the Newman government is committed to a holistic approach to protecting Queensland's koalas, which is why in March we saw the first of the \$800,000 koala rehabilitation grants awarded to those people who really are on the front line when it comes to rescuing this precious species. It is part of our \$26.5 million commitment to protecting the koala. While we appreciate the need to protect our environment, we on this side of the House are also aware that it is equally important to deliver sustainable economic growth, which is why in April we moved to significantly reduce the impost of environmental licences on small businesses by cutting green tape and removing ERAs, saving nearly 10,000 businesses some \$6 million in fees each year.

In May I joined the member for Gympie as we delivered on another election commitment when we announced the continuation of dolphin feeding at Tin Can Bay. In June I accompanied the member for Barron River and the member for Cook to the first meeting of the North Queensland Crocodile Management Advisory Group. The people in the Cairns region and North Queensland in general told us loud and clear that they wanted real crocodile management. While Labor failed to

deliver, we recognise the importance of the Far North as a tourism destination and home to more than 160,000 people. That is why we are committed to making these waters as safe as we can to ensure this important pillar of the economy remains a priority.

In July we partnered with leading rural body AgForce to launch a new land management website for Queensland landholders who are getting the balance right and turning parts of their property into nature refuges. In August we appointed the first Indigenous rangers for the Ayr region, expanding the program and showing that we do really care and deliver real outcomes for Queensland's Indigenous people.

In September we sprang into action and became the first jurisdiction to meet with the new Abbott government on environment and planning priorities and came away with an MOU for a one-stop shop. At the same time we delivered \$3.4 million to some 83 projects across the state in the second round of Everyone's Environment grants. In October we extended that grants program to our precious heritage.

While the favourite Fiorente was the centre of attention on the first Tuesday in November, the world's favourite reef was the centre of my attention, alongside the Deputy Premier and my federal counterpart, in releasing the Great Barrier Reef strategic assessment plan. We also announced that month the Gladstone Healthy Harbour Partnership.

The year may be drawing to a close, but we are saving some of the best for last. Today we announced the protection of the Steve Irwin Wildlife Reserve, an indication that the environment will remain front and centre of this can-do government.

*(Time expired)*

### **National Rental Affordability Scheme**

**Mr CHOAT:** My question without notice is to the Minister for Housing and Public Works. Will the minister update the House on the progress of the National Rental Affordability Scheme in Queensland and advise of any other significant milestones in his portfolio over the past 12 months?

**Madam SPEAKER:** You have one minute. I call the Minister for Housing and Public Works.

**Mr MANDER:** The National Rental Affordability Scheme is an important part of the government's Housing 2020 Strategy. We believe in revitalising front-line services for families, and I think that is particularly important when we are talking about families with low or modest incomes.

NRAS is a joint state and federal government scheme providing properties that must be rented at no more than 80 per cent of the market rate for that area. So far NRAS has delivered more than 6,000 affordable dwellings across the state—4,000 since the Newman government was elected. NRAS fills an important gap in the housing system between social housing and the private market. There are plenty of people who are not 'high needs' enough to qualify for social housing but still struggle to find an affordable place in the private market. NRAS is targeted directly at that demographic. The best thing about NRAS is that there is plenty more to come. We will deliver an additional 3,500 properties under this scheme by the end of the year.

**Madam SPEAKER:** The time for questions has expired.


### **SPEAKER'S STATEMENT**

#### **School Group Tours**

**Madam SPEAKER:** I wish to acknowledge schools visiting today: Toowoomba Preparatory School in the electorate of Toowoomba North, Hillcrest Christian College in the electorate of Mudgeeraba, Kilcoy State High School in the electorate of Nanango and Allentown State School in the electorate of Rockhampton.

## **REGIONAL PLANNING INTERESTS BILL**

### **Introduction**

 **Hon. JW SEENEY** (Callide—LNP) (Deputy Premier and Minister for State Development, Infrastructure and Planning) (3.34 pm): I present a bill for an act to manage the impact of resource activities and other regulated activities on areas of the state that contribute, or are likely to contribute,

to Queensland's economic, social and environmental prosperity. I table the bill and the explanatory notes. I nominate the State Development, Infrastructure and Industry Committee to consider the bill.

*Tabled paper:* Regional Planning Interests Bill 2013 [4094].

*Tabled paper:* Regional Planning Interests Bill 2013, explanatory notes [4095].

The Regional Planning Interests Bill 2013 is a clear demonstration of the Newman government's common-sense approach to land use planning across Queensland's regions. Fundamental to this bill are new generation regional plans that address critical issues affecting regional Queensland. These new generation regional plans have been compiled through extensive consultation with the regions that have been affected. The bill gives effect to the policies in those statutory regional plans to deliver diverse and prosperous economic futures for our regions.

Statutory regional plans deliver on the promise made by the Newman government to ease land use conflicts in regional Queensland, particularly between important resource projects and existing agricultural land uses. The first two of these new plans—the Central Queensland and Darling Downs regional plans—took effect on 18 October 2013. The regional plans restore equity for landholders and they allow for critical local input into planning for growth in all of Queensland's regions. The plans provide a framework for successful co-existence between the agricultural and resources sectors. With these plans we are creating an incentive for resource companies to arrive at an acceptable outcome with landholders. We have empowered landholders, giving landholders certainty through the planning process.

The regional plans influence planning and development activities under the Sustainable Planning Act 2009, including the preparation of local government planning schemes. Currently, as statutory instruments under the planning act, it is not a requirement that regional plans be considered when assessing resource activities and other activities not regulated under the planning act. However, since the gazettal of these new regional plans, approvals are now being conditioned to comply with them. Consequently, I have prepared a bill to provide the necessary regularly framework to implement the policies in regional plans to activities not regulated by the planning act, as well as integrating regional interests contained in other legislation. That bill is the Regional Planning Interests Bill that I introduce to the House today.

The bill will manage the impact of resource activities and other identified activities on areas of the state identified in the bill as being areas of regional interest. Under the proposed act, a resource activity or other identified activities cannot occur in an area of regional interest unless a regional interest authority has been given for that activity. Four types of area of regional interest are defined in the bill. These are: priority agricultural areas, priority living areas, strategic environmental areas and strategic cropping areas. The first three of these areas relate directly to policies included in the new generation of regional plans. The criteria is that a resource activity or other identified activity proposed in a regional interest area will be assessed against a regulation under the act.

The bill integrates the policy objectives of the Strategic Cropping Land Act 2011 by identifying strategic cropping as an area of regional interest. The Regional Planning Interests Act will repeal the Strategic Cropping Land Act 2011 upon commencement.

The bill provides for a regional interests authority to be obtained prior to or post the issuing of an environmental authority or resource tenement for a resource proposal. This enables the resource applicant to avoid potential delays in the approvals process, as in many cases it is unlikely that a regional interest decision can be made until the detailed information at the property level is available.

The bill also provides for an application to be referred to a third party to assess a particular aspect of an application. This is for use in the case of priority living areas identified in a regional plan where the application would be referred to the local government. Any conditions imposed by the local government must be added to the authority. This may include a condition that prohibits the resource activity in all or part of the priority living area.

These reforms initiated through the bill follow more than 18 months of consultation with the agricultural sector, landholders, the resources sector, local governments, and business and community groups. Each regional plan's policies were developed in close consultation with a regional planning committee made up of a broad cross-section of local people. The policies were subject to consultation and the consideration of submissions before the regional plans were finalised.

Stakeholders will continue to be involved in the development of these assessment criteria for inclusion in the Regional Planning Interests Regulation. In the case of the Cape York region, this public consultation is about to begin. Today I have released the Cape York Regional Plan, and formal

consultation will commence and be available for public comment until 25 March next year. We are extending the consultation period from the standard 60 business days to 80 days to take into account the potential onset of the wet season and the holiday period.

As I have previously stated on a number of occasions, a key priority of the government in the Cape York region is to enable sustainable economic development opportunities, balanced with the protection of the cape's natural environmental areas. In committing to resetting this balance, we are repealing the emotive and arbitrary wild river declarations in the region, as we said we would, and are addressing the land use planning aspects through the regional planning process designed by local communities. Revoking these declarations will result in the removal of the current prohibitions, allowing proposals to be subject to merit based assessment.

The government's environmental impact statement process will continue to provide the most appropriate framework for assessing and mitigating impacts on an individual project and settlement basis. Yet to ensure that strategic natural areas such as the Wenlock River and the Steve Irwin Reserve are provided appropriate levels of protection from activities that may impact on their strategic conservation values, we need to ensure that state policy regarding land use planning applies to the resources sector. The Regional Planning Interests Bill and Cape York Regional Plan will ensure the land uses for the Wenlock River and the Steve Irwin Reserve, as decided by former Liberal Prime Minister John Howard, will continue.

They will do this by the declaration of a strategic environmental area—a new instrument that will be created by the introduction of this legislation. A strategic environmental area will be mapped under the strategic plan as a regulated area within which certain activities will be regulated. It goes without saying that activities such as mining and other activities that would threaten the environmental values of areas such as the Steve Irwin Reserve will not be allowed in the strategic environmental area that we will declare for that area. As the environment minister indicated in his ministerial statement this morning, we have sought to protect this area as the first strategic environmental area that our government will declare under this legislation.

The Regional Planning Interests Bill will give legal protection from open-cut and strip mining, and other activities that risk irreversible and widespread impacts to the ecological integrity of the entire Cape York, but we will begin with the Irwin property. Despite all its grandstanding, these types of legal protections were not afforded to this important area by the previous government. The Regional Planning Interests Bill is the culmination of a long process for the Newman government and brings to life planning concepts central to our philosophy that economic development and protection of the environment are not mutually exclusive outcomes. Unlike Labor, our government is not captive to the radical green movement. We do not make these decisions based on Greens preference deals. We make these decisions based on common sense and close and extensive consultation with the local community.

The Cape York region has been subjected to numerous government planning processes over the decades that have failed to appropriately tackle some very difficult issues. The previous government failed to tackle these issues across the Darling Downs and in Central Queensland. But there is a determination in our government to ensure these issues are addressed in both cases. In the case of Cape York, there is a determination led personally by the Premier to do whatever we can to address the economic disadvantage in Cape York communities, especially for the Indigenous population of those communities.

My department has led the preparation of the Cape York Regional Plan in consultation with the local governments from the region, key industry and community representatives as well as state agencies. This, along with the preparation of a strategy by my colleague Minister Cripps to enable appropriate water resource planning and allocation, will open up more opportunities for Indigenous and non-Indigenous people within the Cape York region and give local communities greater control of their own economic future.

But we will not be stopping there. The new South East Queensland Regional Plan is the next cab off the rank. Later this month I will be chairing the second meeting of the SEQ Regional Planning Committee, and I intend working towards having the new plan finalised by the end of 2014. Equally, we will be working on new generation regional plans for other areas in Queensland. This bill and our new regional plans are critical steps in our overhaul of Queensland's planning system. The preparation of the new regional plans and this legislation that gives them effect have been a long process. It has needed to be a long process because of the consultation that has been required with the communities that have been affected. It has also needed to be a long process because it has

introduced some new concepts to the people of regional Queensland. The concepts of priority agriculture areas, priority living areas, a strategic environmental area and what those determinations mean have been worked through in a consultation process that has been extensive. But I expect that with the introduction of this legislation into the House it will provide an opportunity for further consultation and discussion about those concepts. They are new concepts. The introduction of land use planning in regional Queensland is a new concept, but the need for it is imperative because of the land use conflicts that originated on the Darling Downs and Central Queensland between the resources industry and the agricultural industry.

The concepts that we have developed and will be implementing in this legislation will have a far wider impact than in those two particular areas. While they will go a long way to resolving those land use conflicts that have caused such community disaffection with the rapid expansion of the coal seam gas industry primarily and the resources industry generally, the concepts that will become law with the passage of this bill will provide regional Queensland with a greater degree of certainty—a certainty that land use planning can protect our living areas in regional communities. Land use planning can protect our vital, high-quality agricultural areas from dislocation. Land use planning can also protect our important environmental areas and protect the environmental values that are unique to those areas through regulation that can be unique for each one of those areas.

This legislation has been the product of an enormous amount of work by a lot of people in my department. It has been something of a crusade for many of us on this side of the House. It was a proposition that began a long time before we won government to introduce statutory regional planning for regional Queensland to address these issues that had been causing grave concern for so many of our constituencies and so many of our communities. It gives me enormous gratification to introduce the bill into the House today. I commend the bill to the House.

### First Reading

**Hon. JW SEENEY** (Callide—LNP) (Deputy Premier and Minister for State Development, Infrastructure and Planning) (3.48 pm): I move—

That the bill be now read a first time.

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

Motion agreed to.

Bill read a first time.

### Referral to the State Development, Infrastructure and Industry Committee

**Madam SPEAKER**: Order! In accordance with standing order 131, the bill is now referred to the State Development, Infrastructure and Industry Committee.

### Portfolio Committee, Reporting Date

**Hon. JW SEENEY** (Callide—LNP) (Deputy Premier and Minister for State Development, Infrastructure and Planning) (3.49 pm), by leave, without notice: I move—

That under the provisions of standing order 136 the State Development, Infrastructure and Industry Committee report to the House on the Regional Planning Interests Bill by 17 March 2014.


Question put—That the motion be agreed to.

Motion agreed to.

## LIQUOR (RED TAPE REDUCTION) AND OTHER LEGISLATION AMENDMENT BILL

Resumed from 15 October (see p. 3145).

### Second Reading

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (3.49 pm): I move—

That the bill be now read a second time.

I thank the State Development, Infrastructure and Industry Committee for its consideration of the Liquor (Red Tape Reduction) and Other Legislation Amendment Bill 2013. I note that the committee tabled its report on 14 November 2013. I thank the stakeholders who took the time to make submissions to the committee's inquiry. I want to particularly thank Tigers Leagues Club, Wynnum Manly Leagues Club, Nambour Heights Bowls Club, Coolangatta Surf Club, Norths Leagues & Services Club in Kallangur, Capalaba Sports Club, Brothers Leagues Club Townsville and Queensland Lions Club at Richlands for their submissions of support of the bill before the House. These are the very types of organisations that we as a government are trying to assist to make their lives easier. It falls under the broad banner of revitalising the tourism industry in Queensland but also under my approach to red tape and regulation, which is that common sense should prevail in all circumstances.

The committee has made one recommendation about the bill, which is that the bill be passed. I thank the committee for that particular recommendation as the bill essentially will be passed tonight, and it will reduce red tape, making it easier for the liquor and gaming industry to operate in Queensland. This will be of great benefit to our tourism, clubs and hospitality industries, which will lead to greater opportunities and revenue for Queenslanders and the state as a whole.

Along with the red-tape-reduction initiatives in this bill, we have brought about a total of 44 changes thus far as we continue on our red-tape-reduction crusade. This includes streamlining the application process by abolishing the former liquor and gaming commission, which only met once a month to consider variations or applications, and implementing a single commissioner model that can hear and determine matters on a daily basis. In response to concerns raised by participants at the inaugural DestinationQ forum in June 2012, the government is undertaking the reduction of red tape and regulatory reform in the liquor and gaming industry in a phased approach. In September 2012, the government appointed an expert panel comprising business, community and government representatives to review liquor licensing and gaming laws. The expert panel contributed to the creation of a government discussion paper titled 'Red tape reduction and other reform proposals for regulation of liquor and gaming', which was released for public consultation on 15 February 2013.

In consultation with the expert panel, the government identified a number of phase 1 red-tape-reduction initiatives which were subsequently implemented in the Liquor and Gaming (Red Tape Reduction) and Other Legislation Amendment Act 2013, which was passed by Parliament on 22 May 2013. This bill responds to recommendations made by the expert panel, and I want to take the chance now to thank the voluntary members on that panel for their work and for their commitment to working together to make a difference for the state. The best thing we can do for business in this state is to get back to a common-sense approach to regulation and get out of their way. We are a can-do government delivering on our promises to get the state's finances back on track because Queensland is a great state with great opportunities. I commend the bill to the House.



**Mr MULHERIN** (Mackay—ALP) (Deputy Leader of the Opposition) (3.52 pm): I rise to make a contribution to the debate of the Liquor (Red Tape Reduction) and Other Legislation Amendment Bill 2013. At the outset let me inform the House that the opposition will not be opposing the bill. There are, however, a number of concerns we hold that I will raise during the debate.

The explanatory notes provide that one of the objectives of the bill is to make further reductions to the regulatory burden on the liquor and gaming industries. The passage of the Liquor and Gaming (Red Tape Reduction) and Other Legislation Amendment Bill earlier this year saw the first tranche of red-tape-reduction measures for these industries. This bill follows on from that with the work conducted by the liquor and gaming red-tape-reduction expert panel. The opposition supports the notion of red-tape reduction where it eliminates unnecessary duplication and where red tape puts an unnecessary burden on businesses that hinders productivity and reduces competitiveness. However, we cannot support red-tape reduction which results in increased danger to the public and to workers in the industry.

I will now turn to the amendments relating to the process for adult entertainment permits. I will deal with the second one first. This allows adult entertainment permit controllers to transfer between venues. At present the venue is licensed and the controller is licensed for that venue. As many controllers work in more than one venue and the skills and training are the same, this will allow the controller to be licensed for any venue rather than restricted to one only. The current licensing system already includes the Prostitution Enforcement Task Force undertaking probity and criminal history checks on each applicant, which provides the necessary protections. This is a sensible amendment and the opposition supports it.



I now turn to the other amendment which extends the maximum period for which permits are granted from one year to three years. In most cases there will be no problems with this. The application process is stringent and, despite this, no applications were refused in the past 12 months. The vast majority of people involved in this industry are reputable and will act responsibly in relation to their responsibilities under the permit. However, the adult entertainment industry is one where there is well-known and documented involvement by outlaw criminal motorcycle gangs. I note the section currently says—

An adult entertainment permit—

(a) is issued for the term stated in it, not longer than 1 year ...

This is to be amended to say 'not longer than three years'. For the majority of operators the period of three years will not be an issue. Where operators have been trading without incident for a period of time, a three-year renewal will not pose a problem. In fact, as the checking process takes four months, a renewal application must be commenced six months before the renewal is due, which means operators are subject to the renewal process for half of every year. But to ensure that new operators coming into the industry are not involved in criminal organisations, it might be a little dangerous to treat all new applicants in the same way as existing permit holders. The section has the three-year renewal as a maximum, and I would hope that that does not become the default position for all applicants. The opposition is of the view that more stringent checks should be made of new entrants into the industry to ensure the integrity that has so far been evident. The yearly renewal could apply to persons until they have reached a certain period without incident. This could be achieved as a matter of policy. I ask the Attorney-General whether he might be prepared to take that suggestion on board. Perhaps he could respond to that suggestion during his speech in reply.

I turn now to the next set of amendments, which relate to expanding the provision of liquor licensees to make payment of fees by instalment. This was an issue which was raised at the public hearing on the bill held by the State Development, Infrastructure and Industry Committee. The act as it currently stands allows a licensee who is unable to pay the fee in full by the due date to make an application to pay the licence fee in instalments. The instances when this is possible are in the event of a natural disaster or in the case of personal hardship. However, personal hardship expressly excludes financial hardship. These amendments remove that exclusion so that financial hardship can be taken into account. The explanatory notes give an example of a situation which might be captured as the pilot strike in 1989. When asked for examples at the committee hearing, Mr David Ford, the Commissioner for Liquor and Gaming volunteered a severe drought or the 1890 shearers strike. At the hearing he said—

It is not intended to provide ready credit in an environment where there is just competitive business pressures or in an environment unfortunately where an area might be just in a gentle decline. They are commercial business decisions that really are best made by the operators of the site rather than by government.

His evidence was that in the last year there were about 15 applications under the existing hardship provisions and he expected that to perhaps double. So the number of people who would benefit from the amendment would be in the tens. However, that is not the meaning of the amendment. By including financial hardship, it is difficult to see how an area being in 'gentle decline' might result in financial hardship.

The member for Mount Isa told the committee of the situation involving publicans in some remote areas of the state. They have an annual net profit of around \$50,000 and an annual licence fee of \$3,400 to \$3,900. By being required to pay the licence fee upfront there could be significant financial hardship. Allowing such operators to pay by instalment could mean the difference between making a go of their business and being sent to the wall.

The commissioner advised the committee that one of the concerns was—

... to be really honest, not wanting to create an administrative overburden for us where we are following up monthly debts with hundreds and hundreds of licensees.

I can understand the concerns of the department in not creating such a situation for itself. However, the act, if this bill is passed, will allow all financial hardship to be taken into account. The commissioner advised that the guidelines will be established under the act for the exercise of this discretion. I ask that perhaps there should be some consideration given to the suggestion that, where the annual turnover of a business is under a particular threshold and some consultation could be undertaken to determine that amount, that businesses could apply to pay by instalment. The act as it stands refers to payments of the fee under a schedule of instalments decided by the commissioner. That need not be by monthly instalment. Even quarterly instalments would assist business operators and would reduce that perceived burden by a third. The real concern for licence holders who are having trouble paying the annual licence fee upfront is that the consequences are so severe. If they

fail to pay the licence fee on time, the licence is immediately suspended. If it is not paid within 28 days, it is cancelled and the licensee has to apply again for a licence. This process could take months. This can have a dramatic effect in a small community. The licence holder may well be able to operate financially if paying the licence fee by instalments but just not being in a position to pay the full amount upfront. I ask the minister to consider whether such a matter might be included in the guidelines, particularly to help out businesses in smaller regional and remote communities.

I want to consider the proposal to remove the requirement for licensees to keep a responsible service of alcohol register. Currently under the act a licensee is required to maintain a register which contains copies of current training course certificates or statements of attainment for staff, the expiry date of all Office of Liquor and Gaming training course certificates, and information relating to training staff involved in the service and supply of liquor at the licensed premises. Queensland is now moving to national accreditation for RSA certification. That national model will not have any expiry for RSA training. This will therefore make the need for a register to contain the expiry date of the RSA certificate redundant. The explanatory notes provide that the requirement for licensees to maintain a training register is considered an unnecessary regulatory burden as it duplicates information already kept by licensees—for example, employment records. If this is the case, the need for the register will largely be the duplication of these requirements.

It is imperative that licensees still be required to have available a copy of the RSA of staff and that this be required to be available on the premises for inspection by the staff of the Office of Liquor and Gaming Regulation. I note that clause 31 of the bill which amends section 141C provides that, even though the keeping of the register is no longer mandatory, it is a condition of the licence that a licensee keeps a copy of the training certificates of staff and to make those copies available for inspection by an investigator at the premises. That appears to ensure that there is no reduction in the accountability of licensees. A somewhat related provision is the removal of the requirement for persons trained in responsible management of licensed venues to complete RSA training. At present, licensees and approved managers are required to complete both the responsible management of licensed venue and an RSA certificate. The RMLV certificate already contains the significant aspects of the RSA course plus additional material and is considered a higher level course. Once Queensland moves to the national framework, all aspects of the RSA are going to be included in the RMLV training, in which case the RSA will be redundant for people with RMLV training. The opposition would support this amendment, as it removes what will become an unnecessary duplication with no lessening of standards.

The bill also contains amendments to remove the requirement of tour operators who supply a limited amount of alcohol to clients as part of a tour to be exempt from liquor licensing requirements. There are similar provisions in the Liquor Act relating to hairdressers and limousine drivers, and in the amendments passed earlier in the year these were extended to nursing homes and hospitals. The supply of alcohol is limited to two standard drinks. It will be restricted to prebooked tours and liquor will not be able to be sold on Christmas Day, Good Friday and before 1 pm on Anzac Day. The opposition did not oppose the amendments made earlier this year and the risk for these events seems in line with the provision of alcohol by limousine drivers. We therefore do not oppose these amendments. I note that further amendments are being made to clarify that, under these provisions, liquor is only being sold to adult clients and the liquor is not sold or consumed within a relevant restricted area.

Other amendments contained in the bill relate to the removal of the requirements for an approved manager to be available for low-risk venues which do not trade after midnight such as cafes, restaurants, small clubs and maritime vessels. The opposition has some concerns about removing the need for a so-called low-risk venue to have an approved manager on duty. This would include premises such as Aura Tapas and Loungebar at Broadbeach. Despite being considered a low-risk venue by the OLGR, the premises showed it was anything but low risk. We are somewhat comforted by the fact that the bill will still allow the commissioner to impose conditions on the licence notwithstanding that they are low-risk premises. The explanatory notes state—

As a precautionary measure, further amendment is made to allow for the Liquor and Gaming Commissioner to impose conditions on a licence under certain circumstances, requiring an approved manager to be present or reasonably available during an otherwise exempt trading period.

I would hope that premises that have proven to be troublesome in the past will automatically have such a condition imposed. The explanatory notes go on to add—

The amendments will reduce the legislative burden on the operators of these low risk premises, whilst not contributing to any harm or adverse effects on public safety and maintaining appropriate safeguards in relation to potential 'problem premises'.

I ask the Attorney-General if he might explain what measures will be undertaken by OLGR to identify what might be potential problem premises during his reply. The real concern with removing the requirement for an approved manager to be on duty is that it might leave a young, inexperienced person in charge of the premises by themselves. In the Tattoo Parlours Bill, amendments were made to the Liquor Act 1992 making it an offence for the licensee or permittee, an approved manager or an employee or agent of the licensee working as a licensed premises to allow a person who is wearing or carrying a prohibited item to enter or remain in the premises. Once this amendment is passed, an 18-year-old employee armed with nothing but an RSA would be responsible for ensuring no such person entered or remained on the premises. Given the incident which sparked this crackdown started in the Aura Tapas and Loungebar at Broadbeach—just the type of premises envisaged by this amendment—it makes it very dangerous for those employees. An 18-year-old employee could be responsible for ensuring a member of a criminal organisation leaves the premises. They are also responsible for recognising and identifying the club colours and insignias or, even more than that, any symbol that could indicate membership of or association with an organisation, whatever that might be. Under that bill—

**prohibited item** means an item of clothing or jewellery or an accessory that displays—

- (a) the name of a declared criminal organisation; or
- (b) the club patch, insignia or logo of a declared criminal organisation; or
- (c) any image, symbol, abbreviation, acronym or other form of writing that indicates membership of, or an association with, a declared criminal organisation, including—
  - (i) the symbol '1%'; and
  - (ii) the symbol '1%er'; and
  - (iii) any other image, symbol, abbreviation, acronym or other form of writing prescribed under a regulation for this paragraph.

Declared criminal organisations can change regularly. The organisations originally prescribed contain the Scorpions, which no-one appears to have heard of. Yet this weekend we have heard of the arrest in Sydney of several members of Brothers 4 Life after shootings and an alleged murder. This organisation might appear at first blush to come within the definition of a criminal organisation. However, only outlaw motorcycle gangs appear to have been prescribed thus far as criminal organisations. We all know that there are many other organisations that could be classed as criminal organisations other than outlaw motorcycle gangs. The Office of Liquor and Gaming Regulation has provided a list of all colours of organisations, but there are claims that this is inaccurate and will necessarily never be assured of being up to date as changes can be made simply by regulation. These amendments have placed an onerous burden on what can sometimes be young, inexperienced staff. I also ask the Attorney-General to please explain what steps he will take to ensure that appropriate guidance is given once the need for an approved manager is removed to ensure the safety of both business patrons and staff.

The bill also contains a number of changes in relation to gaming machine licences. The first relates to the provisions in the Gaming Machine Act that currently prescribe the documentary information that is required to be included in a gaming machine licence application. These amendments will allow the requirement for particular information to be requested by way of an approved form. That means that it will be easier to change the information required by just changing the forms rather than requiring legislative amendments, which is required at the moment. There is some degree of protection afforded because section 57 of the Gaming Machine Act will still prescribe the matter that a commissioner must consider before making a decision on a licence.

Another amendment relates to the removal of the requirement that licensed monitoring operators and other entities require the written approval of the commissioner before destroying a gaming machine. This provision was inserted into the act during the transition from government ownership of gaming machines to private ownership in 1997. It allowed the government to keep track of each individual gaming machine. This is no longer necessary because of technological advancements that prevent a gaming machine from being operated unless it is connected to an approved monitoring system. It is similar in nature to an amendment made earlier in the year to remove the requirement for a person to seek the commissioner's written approval to acquire or dispose of gaming machines.

The commissioner gave evidence at the public hearing as to the process for clubs to acquire and operate an increase in gaming machines. He said—

They have to buy a right to have a machine and then they have to go and buy the machine. That machine cannot function until they have a contract with a licensed monitoring operator. The licensed monitoring operator's staff or subcontractor will come out and connect that machine to the network and then test it. The licensed monitoring operator reports to us routinely on what is connected and how they are performing.

The commissioner also gave evidence that, as machines are moved from one club to another, that might be a big club selling to a smaller club, which then perhaps gives it to a local club that is perhaps struggling to survive. He stated further—

... they are connected through the system. They all have an individual serial number and that is recorded and that has to be logged as part of our system and, yes, that serial number has to be moved from one site to another.

I am satisfied that there are sufficient safeguards in place to ensure that the removal of the requirement for written permission before a machine can be destroyed will have no adverse impacts on the capacity to monitoring gaming machines.

I turn now to the consideration of what can be referred to as the Catholic Church amendments. For the record, I state that I was baptised a Catholic. These amendments were made at the request of the Archbishop of Brisbane. In respect of the Roman Catholic Church (Incorporation of Church Entities) Act 1994, civil law and canon law have been operating in tandem for centuries. However, because the corporate structure of the church does not mirror the usual corporations or incorporated association models, separate legislation has been necessary. This is to allow civil law to apply to property rights of the church. It simplifies the process where church property or church entities are tested through civil legal procedures.

During the public hearings I asked the commissioner whether similar legislation exists in relation to other churches, particularly non-Christian churches. The Department of Justice and Attorney-General responded to the committee as follows—

Other Churches are availed the level of recognition or protection of their laws, and arrangements, that they have sought from Parliament over the years: Examples include; the Anglican Church of Australia Act 1977; the Anglican Church of Australia (Diocese of Brisbane) Property Act 1899; the Uniting Church of Australia Act 1977; and the Presbyterian Church of Australia Act, 1971.

The amendments to the Roman Catholic Church Land Act 1985 are merely to include St Michael's Church at Pine Ridge, which was erroneously omitted from schedule 1 of the act. As the commissioner told the committee—

**Mr Ford:** It got forgotten.

**Mr MULHERIN:** As simple as that?

**Mr Ford:** That is my understanding. I do not think it is any more sophisticated than that.

The last of the amendments that I wish to comment on in any detail are the amendments to the Wagering Act. In Queensland TattsBet Ltd, which is a subsidiary of Tatts Group Ltd, hold both the race wagering and sports wagering licences in Queensland. TattsBet's race wagering licence is valid for 99 years from 1 July 1999 while the term of its sports wagering licence, which was originally due to expire on 30 June 2014, was recently extended and now will expire on 30 June 2037. The Wagering Act 1998 provides for an exclusive race and sport wagering licence in Queensland for a period of 15 years from the commencement of the act. Both of these exclusivity arrangements are due to expire on 30 June 2014. The Attorney-General extended the TattsBet sports wagering licence on 16 July 2012 for a period of 25 years. However, it is unclear whether the Attorney-General has direct legislative authority under the act to extend the terms of a wagering licence. This amendment operates retrospectively to ensure that the extension to the licence granted by the Attorney-General is valid.

It would be a considerable embarrassment for the first law officer of this state if, in relation to a contract that he purported to enter into, he was found to not have the requisite capacity to do so. It would be similar to the situation in the Court of Appeal where he purported to lodge an appeal and then had to hurriedly withdraw the application because he did not have the requisite capacity to bring the appeal. So the Attorney-General has decided that retrospective legislation will protect him from this embarrassment.

I am reminded of the Attorney-General's statement in relation to retrospective legislation. On 2 July 2013 the Attorney-General told journalists that retrospective legislation was 'repugnant and did not work'. He must have had a change of heart since then. It has been quite a flip-flop on this issue. He did not think that retrospective legislation was repugnant last year when he introduced at least four bills that had retrospective operation. He clearly does not believe it now, either, when he needs legislation to validate past actions, which were probably invalid. He certainly has no objection to retrospective legislation when it takes away the industrial rights of workers or impose requirements on trade unions, but not other industrial organisations such as employer organisations. These amendments highlight the absolute hypocrisy of the Attorney-General in relation to the issue of retrospectivity.

The only other amendments that I wish to raise are fairly minor in nature. There had been an issue identified in the current drafting of the Security Providers Act 1993 concerning whether an applicant having a conviction for a disqualifying offence that is not recorded means a mandatory disqualification from holding a licence. It is unclear whether that is the case or whether unrecorded convictions must merely be considered by the chief executive in exercising their discretion in deciding whether a person is an appropriate person to hold a licence under the Security Providers Act. The bill proposes to make some minor amendments to the Security Providers Act to clarify that unrecorded convictions do not result in automatic disqualification from holding a licence, but the chief executive must still consider them among other matters when determining whether a person is an appropriate person to hold a licence.

There are a number of amendments which clarify certain ambiguities in the legislation and correct some unintended consequences of some previous amendments. The most significant would be the change, in certain provisions of the Liquor Act, from references to 'assistant commissioner' to 'police district officer'. These changes merely reflect changes made during the recent organisational restructure of police districts in Queensland. Overall, this bill gives effect to a number of red-tape-reduction measures that will improve efficiency for Queensland businesses and remove unnecessary duplication and paperwork that businesses have complained have become a burden. They expand on the work in this area that was initiated by the previous Labor government.

As I said previously, the Labor opposition supports measures to reduce red tape, provided this is not done at the expense of the safety of patrons and staff of licensed premises. I have raised a number of issues during my speech that I would be keen to have the Attorney's feedback on during his speech in reply and I look forward to his advice in relation to those matters.



**Mr HART** (Burleigh—LNP) (4.20 pm): I rise to add to the debate on the Liquor (Red Tape Reduction) and Other Legislation Amendment Bill. Can I start by congratulating the Attorney-General for bringing this bill to the House and for his ongoing efforts in reducing the red-tape burden in Queensland. This legislation continues the reforms assented to on 3 June 2013 in the Liquor and Gaming (Red Tape Reduction) and Other Legislation Amendment Act 2013. Some of these amendments stem from recommendations coming from the expert panel appointed by the government to consult with community and business on reducing red tape in the liquor and gaming industries and delivers on the Newman government's commitment to slash red tape with a range of further liquor licensing reforms, including common-sense changes that will help business and support tourism, one of Queensland's four pillars.


A few examples of this are that up until now tour operators have had to apply for special licences for every single one of their vehicles or vessels and require approved managers just to serve one or two drinks. This is obviously a costly, complex, burdensome and unnecessary impost on those businesses. Tour operators will now be allowed to serve small amounts of alcohol without requiring a licence. Another example is the removal of the requirement for licensees to keep a responsible service of alcohol training register. At present the Liquor Act requires as a condition of the licence two things—that is, to keep a copy of the employee's RSA certificate and to keep a training register to record the expiry date of that certificate. Under the new national framework for RSA accreditation, from 1 July 2013, once you have an RSA it never expires. Therefore, there is no need to keep that particular register that lists the expiry date. It is just common sense. That is a wonderful red-tape-reduction initiative. Another example is to remove the requirement for persons trained in responsible management of licensed venues to complete responsible service of alcohol training. Currently you must hold both for the approval as an approved manager and, as we have heard from the previous member, when you do RMLV training it incorporates most of the relevant aspects of RSA training. So that again is a duplication that we really do not need. Another example is reducing the regulatory burden for licensees by allowing them to make payments of fees by instalments if they are facing financial hardship. There are approximately 6,730 licences in Queensland and previously a licence was automatically suspended if payment was not made before a 28-day period had elapsed. This will benefit a lot of clubs, restaurants and cafes in the communities around my electorate—clubs such as the Miami Surf Club, the Mermaid Beach Surf Club, the North Burleigh Surf Club, the Burleigh Mowbray Park Surf Club, Tallebudgera Surf Club, Palm Beach Surf Club, Pacific Surf Club, the bowls clubs, Palm Beach Soccer Club, Burleigh Bears, Burleigh Bombers. These are the types of venues that will no longer require an approval for a manager to be on site if they do not operate past midnight.

Moving to the adult entertainment industry, this legislation will also extend the term of adult entertainment permits from one year to three years. As it stands now, the application process takes about four months due to the strict probity and compliance checks carried out by the Prostitution Enforcement Task Force. Obviously if it takes four months to complete this particular application and it only lasts for one year you basically have to get your licence in place and then start that process all over again for the following year. That adds a significant burden to the department that is managing that. This is another one of those great red-tape reductions that the Attorney-General is bringing before this House. Basically this is all about overregulation and bureaucracy of low-risk venues. It is unnecessary and hinders small business in our great state.

I was on the committee that looked at this particular piece of legislation. We considered the policy outcomes to be achieved by this legislation, as well as the application of fundamental legislative principles to the legislation, including whether it has sufficient regard to the rights and liberties of individuals and to the institution of parliament. On 16 October the committee called for written submissions. On 30 October we held a public briefing. The committee received 19 submissions. Some of those submissions came from the Tigers Leagues Club, the Capalaba Sports Club, the Security Providers Association of Australia and Clubs Queensland, as well as Broadbeach Licensed Venues Association and the surf club of Coolangatta. The bill was supported by the majority of the submitters and those who were opposed to the bill generally held their position on the basis that the bill does not address matters relating to late-night trading hours, an issue the government has highlighted in its discussion paper on red-tape reduction in the liquor and gaming industry. The committee made one recommendation and that was that the bill be passed.

Along with the changes in this bill, a total of 44 red-tape-reduction initiatives have been implemented for the liquor and gaming industry since this government was elected, revitalising the tourism industry in Queensland. The Newman government is continuing to deliver tangible benefits for business and the community by reducing burdensome red tape. The government has now progressed more than 400 specific red-tape-reduction initiatives with almost 250 of these reforms now fully implemented. The government has also taken an important step in its regulatory reform agenda with the release of the response to the Office of Best Practice Regulation's final report on the framework for measuring and reducing the burden of regulation. The framework is importantly aimed at creating a culture across government of reducing red tape and alleviating the frustration and burden faced by business, community organisations and individuals dealing with onerous and unnecessary regulation.


The best thing we can do for business in this great state is to get back to a common-sense approach to regulation and get out of their everyday business operations. We are a can-do government delivering on our promises because Queensland is a great state with great opportunity and I applaud the Attorney-General for bringing this bill to the House.

 **Mr YOUNG** (Keppel—LNP) (4.28 pm): I rise to speak briefly to the Liquor (Red Tape Reduction) and Other Legislation Amendment Bill 2013. After industry consultation which commenced in September 2012 the government appointed a panel comprised of business, community groups, government representatives and, naturally, police made up a component of that consultation owing to amendments to the Liquor Act. The culmination of these meetings created a government discussion paper which was released for public consultation in mid-February 2013. The first liquor red-tape-reduction bill was passed in the House in May 2013 and this bill continues on that reform process.

The bill will amend seven acts to achieve a number of initiatives for regulatory red-tape reduction. The bill's primary purpose is to reduce red tape to ensure that the state's liquor and gaming industry can operate more freely by removing impediments to low-risk areas of a licensed premises. The objectives are to make additional miscellaneous amendments to the liquor and gaming acts to ensure clarity and effectiveness so that they can continue to achieve their original policy intent, amend the Wagering Act 1998 to allow for the minister to approve the extension of wagering licences, and also amend the fair trading legislation.

The committee received 19 submissions on the bill and a public briefing from officers of the Department of Justice and Attorney-General. The bill displays this government's commitment to cutting red tape, allowing business to be more competitive. Submissions were predominantly from sporting and service clubs, which supported the amendments. Industry representative groups such as Clubs Queensland, the Queensland Tourism Industry Council and others were generally supportive, except for some concerns around BYO cafes and restaurants. The Local Government Association of Queensland also supported the bill.


I wish to thank the committee chair, my fellow committee members and the committee research directorate and research officers for their work. I also commend the Attorney-General for his ongoing commitment to red-tape reduction for businesses. I support the bill.

 **Mr HOLSWICH** (Pine Rivers—LNP) (4.30 pm): This afternoon I rise to offer a short contribution to the debate on the Liquor (Red Tape Reduction) and Other Legislation Amendment Bill 2013. As other speakers have already done, I certainly commend the Attorney-General for introducing this legislation into the House. I commend him for his ongoing crusade to reduce red tape for Queensland businesses and community groups. It is particularly important to note that prior to the last election our government made a commitment to build a strong four-pillar economy. With this bill, we are strengthening the tourism pillar of Queensland's economy. It is important for small business that we reduce those particular red-tape items. Again, I commend the Attorney-General for having small businesses in mind with this legislation.

As has already been mentioned, this bill proposes a number of particular reforms, including extending the term of adult entertainment permits from one to three years. That is certainly a significant red-tape reduction for those adult entertainment precincts. It provides for individual licences for adult entertainment permit controllers to allow them to transfer those between venues. It allows liquor licensees to make fee payments by instalment if suffering personal or financial hardship. I think it is important that we allow that provision, so that businesses that are experiencing genuine hardship have the option to pay fees off over time. The bill removes the requirement for licensees to keep a responsible service of alcohol training register. As came out during the committee process, that was a doubling-up of the administrative process. It exempts from liquor licensing requirements tourist operators supplying a limited amount of liquor to clients as part of a tour. It removes the requirement for approved managers for restaurants, cafes and small clubs for trade prior to midnight. It removes the requirement for persons trained in the responsible management of licensed venues to complete responsible service of alcohol training, which again was a double-up. That is not required, so that is a sensible adjustment. The bill removes the regulatory requirements for gaming machine licence applications and removes the requirement that licensed monitoring operators, approved financiers, licensees and gaming trainers require written approval before destroying a gaming machine.

Those sorts of changes are particularly applicable and particularly beneficial to many local community clubs and businesses in all of our electorates. We heard from some of those in the submissions on this bill. They will be particularly appropriate for the wonderful clubs in my electorate. I specifically want to single out Club Pine Rivers, the Pine Rivers Memorial Bowls Club, as one that will benefit from this legislation. Coincidentally, this week Club Pine Rivers is hosting a fantastic national bowls tournament, the Australian Premier League bowls. That may not sound exciting to many, but it is exciting enough that it is receiving live coverage on Fox Sports this week. That is fantastic for Club Pine Rivers. The broadcast will be in prime viewing time as well, from 5 pm to 9 pm each night this week. If members are not doing anything at that time, they can jump on to Fox Sports 2 and have a look at the fantastic bowls from Club Pine Rivers. These reforms will benefit fantastic clubs such as that one. I am very pleased to see that we are taking some of the administrative burden from those local clubs. I know that the management of Club Pine Rivers will be equally thrilled to see that happening.

We are continuing to deliver on our commitment to slash red tape and build the tourism pillar of our economy. I thank my fellow committee members and our committee secretariat for the work that went into reviewing this bill. Certainly I am pleased to offer my support to it.


 **Ms MILLARD** (Sandgate—LNP) (4.34 pm): Today I rise in the House to make a contribution to the debate on the Liquor (Red Tape Reduction) and Other Legislation Amendment Bill. The Newman government has declared its hand: it is officially the enemy of overbureaucratized government, waste and red tape. The Newman government is the friend of responsible mindful economic development and the Newman government understands that a strong, well planned economy is the mainstay of future prosperity and it knows the difference between a guiding hand and suffocation. The Liquor (Red Tape Reduction) and Other Legislation Amendment Bill will have a positive impact on one of the four pillars of Queensland's economy, that being tourism. It is a pillar where we enjoy a natural competitive advantage yet, sadly, with years of economic mismanagement under the previous government, we have not fully developed nor experienced the fruits of this. While our natural attractiveness has made us beautiful one day, it is the Newman government's guiding hand that will make it perfect the next.

A few basic statistics would provide an easy enough justification for why the Newman government is prioritising tourism. Firstly, population growth projections for Queensland in the 20 years between 2006 and 2026 show an increase of approximately two million. That exceeds the growth of the previous 20 years, which was approximately 1.5 million. We are a fast-growing population, which means overall we need to have more services, good food and hospitality and places to visit, whether we are talking about daytrippers, holiday-makers or explorers looking for somewhere amazing.

The Liquor (Red Tape Reduction) and Other Legislation Amendment Bill will enable smaller tour operators to serve a couple of alcoholic drinks to their guests without a special licence, promising a boost to the tour industry generally. Our many restaurants, cafes and community clubs will also be able to serve alcohol without requiring an approved manager onsite, enabling them staffing flexibility and hiring power. Other amendments increasing flexibility include removing the requirement for responsible service of alcohol training and the enablement of liquor licence fees to be paid in instalments where there is supported hardship. We are not about unfair revenue raising measures, but rather we want to stimulate the private sector to perform through innovation, employment and productivity. I add that there is no intent to increase the irresponsible consumption of alcohol, as the same rules and constraints apply to consumption in licensed premises. Simply, these measures will give the tourism industry and supporting businesses some room to breathe, grow and hopefully thrive.

I know this is very welcome news for my electorate of Sandgate, where I have watched at least two new licensed premises spring up during my time as the local member of parliament. In the 15-odd years that I have lived there, my community has been supportive in terms of the number of festivals and small businesses wanting to support a tourism sector that has been growing too little, too slowly, to say the least, under a Labor regime. In this context, innovation has not always been rewarded with commercial success. There are many areas and pockets of my electorate that boast centres of activity and are raring to see more development and a greater share in the tourism dollar.

I commend the Liquor (Red Tape Reduction) and Other Legislation Amendment Bill for its contribution to Queensland's tourism sector. This bill will assist the Newman government in its delivery of yet another promise, making sure that tourism is a pillar, a powerhouse, of the Queensland economy and the pride of our state. For the people of the Sandgate electorate, this is a long time coming.

 **Mr KATTER** (Mount Isa—KAP) (4.38 pm): I rise to make a contribution to the debate on the Liquor (Red Tape Reduction) and Other Legislation Amendment Bill 2013. I was happy to serve the committee overseeing this bill. Generally I agree with the ethos or the intent of the bill, which is to reduce red tape. I sympathise with all small businesses, which face so many challenges. It seems in the past few years that a wave of regulatory burden has built up and the momentum has gone in only one direction. It is always pleasing to see these sorts of things rolled back. I am very supportive of that.

There are a number of ways that this bill attempts to reduce the regulatory burden. I am supportive of all those measures. There are some in particular that I would like to focus on. Without harping on too much with what has already been said, the bill provides a provision for holders of liquor licences to enter into payment plans in times of hardship. The government suggests that this will lift the financial burden on struggling businesses. I think that is an excellent initiative and takes into account economic conditions at the moment.

There is one area of the bill that I would like to focus on and where I think it could go a bit further. There has been a lot of cause for concern in my electorate about the small pubs in remote areas which are the pillars of the community. They fulfil a social function for the community. Quite often they are not very good businesses commercially. Most of the owners are running these pubs out of love rather than to earn an income.

One owner wrote to me about this the other day. I know that the pub is central to the community. Particularly given the climate in the cattle grazing industry at the moment, it is a big thing for people to have somewhere social to go to discuss their problems or talk to other people. The turnover for this pub was about \$150,000 to \$200,000 last year. Usually the net profit for smaller pubs is 10 or 20 per cent of turnover. That meant that that owner was earning \$30,000 net profit for that year. That is before he takes a wage. He is paying himself out of that \$30,000 a year. It shows how close to the wind these people are sailing. We can stand by and watch them all fall over, but this is one way that will really help them.



During consideration in detail, I will seek leave to move an amendment outside the long title of the bill. I table the amendment and the notes to the amendment. The amendment seeks to take this provision a bit further. It provides a sliding scale in terms of licence fees for smaller pubs.


*Tabled paper:* Liquor (Red Tape Reduction) and Other Legislation Amendment Bill 2013, to be moved during consideration in detail by the member for Mount Isa, Mr Rob Katter MP [\[4096\]](#).

*Tabled paper:* Liquor (Red Tape Reduction) and Other Legislation Amendment Bill 2013, to be moved during consideration in detail by the member for Mount Isa, Mr Rob Katter MP, explanatory notes [\[4097\]](#).

Restrictions have been eased for restaurants and cafes operating under a subsidiary on-premises licence, for small community club licences, for community other club licences and for restricted liquor permit holders. I think that is a good thing for rural and remote areas. I am a big fan of that provision. When I was campaigning for election someone said to me, 'Can you do something about the red tape. We try to have community events and we labour through the red tape and getting RSAs. That has closed some events down in smaller areas.' I give credit where credit is due. I compliment the minister for bringing that provision in.

Another issue for people was the burden of having a person trained in RSA on staff. This issue was brought up by a licensee of one of the major establishments in Mount Isa. This person said that it is very difficult to comply with and it in no way compromises safety or the management expertise that they have on staff. He said it was very difficult for them to comply with the existing act and attract staff to Mount Isa. He said that the changes proposed in the bill are excellent. He is very supportive of the provisions.

All in all, this is a very good bill for my area. I flag that it could go a bit further in terms of the liquor licensing fees and payments. Other than that, I am fully supportive of the bill.

 **Mrs RICE** (Mount Coot-tha—LNP) (4.44 pm): I rise to make a brief contribution in support of the Liquor (Red Tape Reduction) and Other Legislation Amendment Bill 2013. Firstly, I would like to commend the Attorney-General for this common-sense approach and I know that the changes within the bill will directly benefit cafes and restaurants in my electorate of Mount Coot-tha, as well as many Queensland tourism operators.

As the Attorney-General has outlined, regulatory inefficiency is a critical priority for Queensland businesses, disadvantaged by a large volume of red tape and its associated regulatory burden. The liquor and gaming industries particularly have been subject to an underlying microregulatory philosophy. These industries play a crucial role in both providing services to the community and attracting tourism to the state.

As part of the Queensland government's red-tape-reduction focus, we are determined to get off the back of business and let them get on with doing what they do best. Unlike the Labor Party, we trust Queenslanders to do the right thing and will always ensure that the appropriate safeguards are in place. Our overarching commitment is to slash red tape by 20 per cent by 2018.

To address red tape in the liquor and gaming industries, the government appointed a liquor and gaming red-tape-reduction expert panel in September 2012, comprising business, government and community representatives, to review liquor licensing and gaming laws. This bill responds to an interim report handed down by the expert panel.

I am very aware of Labor's red-tape issues strangling businesses that have been raised with the expert panel both because of the number of businesses in the liquor and gaming industries in my electorate but also because of the very positive engagement I have with Mr Sarosh Mehta, owner of Casablanca on Caxton Street in my electorate, representative of the Caxton Street Development Association, President of Cabarets Queensland and a member of the liquor and gaming red-tape-reduction expert panel. I acknowledge him in the public gallery this afternoon.

This bill follows a number of other initiatives passed by this parliament in May this year to remove unnecessary red tape and regulation in this area. I know that many of my school P&Cs and P&Fs and other community organisations are very grateful for those common-sense measures passed earlier in the year.

In relation to the measures in this bill, as my colleagues have outlined, the objectives are to make further reductions to the regulatory burden on the liquor and gaming industries by: amending the Liquor Act 1992 and the Gaming Machine Act 1991; making additional miscellaneous amendments to the liquor and gaming acts to ensure clarity, effectiveness and that they continue to achieve their original policy intent; amending the Wagering Act 1998 to allow for the minister to approve the extension of wagering licences; and amending fair trading legislation, which is the

Roman Catholic Church (Incorporation of Church Entities) Act 1994, the Roman Catholic Church Lands Act 1985 and the Security Providers Act 1993, to reduce red tape, correct omissions and improve legislative clarity and integrity.

To summarise, the bill will reduce the regulatory and red-tape burden on business and support one of Queensland's four pillars—tourism. This bill removes the requirement for persons trained in the responsible management of licensed venues to complete RSA training and removes the requirement that licensed vessels have an approved manager on board. Until now, tour operators would have to apply for special licences for every single one of their vessels or vehicles and require approved managers just to serve one or two drinks. That was costly, complex, burdensome and unnecessary. Under these changes, tour operators will be allowed to serve small amounts of alcohol to their guests without requiring a licence. It will be limited to two standard drinks per adult and will be a convenient gesture of hospitality to holiday-makers.

Our reforms will also free Queensland's restaurants, cafes and small community clubs of burdensome red tape. These types of licensed venues will no longer require an approved manager to be on site or reasonably available if they do not operate past midnight. To support small business, these reforms also allow payment of liquor licence fees by instalment in circumstances of financial hardship and they remove the requirement for licensees to keep responsible service of alcohol training registers.

Overregulation of low-risk venues is unnecessary and simply stifles small business. I have heard from small businesses—low-risk venues like cafes and restaurants—in my electorate in relation to the frustrating and costly red-tape burden they face regarding the requirement to have an approved manager on site or reasonably available as well as the duplication for approved managers to be required to hold both a responsible management of licensed venues certificate as well as an RSA certificate.

The requirement for approved managers to be trained in both RMLV and RSA is unnecessary and imposes significant burden and cost on licensees. As the RMLV course currently contains significant aspects of RSA training and other additional materials, it is therefore considered a higher level course.

As a result, very sensibly, the bill amends the Liquor Act to remove the requirement for approved managers and individual licensees to hold a current RSA certificate. Rather, approved managers and individual licensees will only be required to hold a current RMLV certificate. To enable approved managers and individual licensees to continue to perform multiple duties at the premises in regard to the service of alcohol, a further amendment is made so that persons involved in the service and supply of liquor at the premises must hold either a current RSA or RMLV certificate.


In addition, as I have already mentioned, under the current legislation, at least one approved manager is required to be reasonably available or present during ordinary trading hours. As the explanatory notes to the bill outline, the requirement for an approved manager to be reasonably available or present during trading hours prior to midnight is onerous for small, low-risk premises such as cafes, restaurants, small clubs and maritime vessels. When key staff are on holiday or ill, this requirement can be difficult to comply with.

The approved manager's role is to ensure that the sale of liquor in the licensed premises complies with the requirements of the Liquor Act and the authority of the licence. In low-risk premises, a licensee can still ensure these things without necessarily having an approved manager present or reasonably available. This message has been heard loud and clear, and the bill excludes restaurants and cafes operating under a subsidiary on-premises licence and small community clubs, amongst others, from the approved manager requirements where, regardless of approved trading hours on a given day, the premises do not operate beyond midnight.

To demonstrate the impact of Labor's legacy, I would like to quote one cafe owner who made a submission to the expert panel which really highlights these issues and the impact Labor's overregulation has had on small business. They said—

The ... added expense of having to have a Staff member holding a RMLV at the business at all times is just so hard for small business operators such as myself. I have to be within one hour of the shop at all times. We operate 7 days a week and even though I am there 6 of these days, sometimes 7, it is an extra burden which is just not needed for small cafes like mine. Our clients would have no more than one Wine/beer each whilst they are in our venue, our clientele mainly ask for non-alcoholic drinks. I would have a weekly alcohol bill of approx. \$200 for the entire week. Yet I myself am expected to hold a RMLV at a cost of \$1000 (including 2 day course and government fees) and also another member of my staff if I ever wanted to go further away than an hour! Who is making the money out of this? It is just another impost on small businesses which we cannot afford.

We know that under Labor Queensland had some 70,000 pages of regulation—the most of any Australian state or territory. The quote I just outlined is a very real example of the impact of that regulation or rather strangulation on small business. In conclusion, the government made a very significant commitment to Queensland at the last election to reduce red tape for business and revitalise the tourism industry in Queensland. This bill goes a long way to continuing to deliver on that commitment, and I have no hesitation in supporting the passing of this bill.

 **Mrs FRECKLINGTON** (Nanango—LNP) (4.52 pm): I rise to speak in support of the Liquor (Red Tape Reduction) and Other Legislation Amendment Bill 2013. I would also like to take this opportunity to acknowledge the tireless efforts of the Attorney-General and applaud him for his ongoing commitment in the reduction of red tape for all Queenslanders.

The proposed reforms contained in this bill are aimed at assisting the liquor and gaming industries—industries which play a crucial role in employing people in our economy and attracting tourism to our state. This bill, combined with the range of other reforms already introduced by the Newman government, bring to more than 40 the total of individual red-tape-reduction reforms implemented just in the liquor and gaming industries over the last 18 months. This is on top of the 400 other reforms that have been implemented by this government.

Like many of the reforms already undertaken by our can-do government, the reforms outlined in this bill are common-sense reforms—reforms aimed at removing unnecessary and burdensome red tape for licensees and businesses. For example, tour operators currently have to jump through a range of bureaucratic hoops, applying for special licences for every individual vessel or vehicle and ensuring they have ‘approved managers’ on board just to serve one or two drinks. These reforms will instead allow tour operators to serve small amounts of alcohol to their guests without requiring a licence.

There will still be sufficient safeguards and limits in place to protect our communities, but it will allow for a welcome gesture of hospitality to the tourists and holiday visitors, particularly, for example, if they were to take a tour bus to the wonderful Nanango electorate. We have wonderful vineyards and wineries around the South Burnett, so this would be a wonderful opportunity to open up this tourism destination to the rest of Queensland.

The bill also seeks to assist Queensland’s restaurants, cafes and small community clubs. These types of licensed venues will no longer require an approved manager to be on site if they do not operate past midnight. What common sense. I am sure you will agree with me, Madam Deputy Speaker Barton. What common sense from this can-do LNP government.

Many of these businesses, whether they are in the restaurant or cafe business, are small businesses. They are family run and owned businesses most of the time or they might be local clubs like the Wandoan Bowls Club—which is not in my electorate but it is in the member for Callide’s electorate. My mother runs around tirelessly for this local club. It is a not-for-profit club.

**Mr Mander:** Are they playing in the Prime Minister’s tournament?

**Mrs FRECKLINGTON:** They probably are. It is a low-risk venue where the time and costs incurred in complying with red tape such as the previous liquor licensing is just ridiculous and onerous. For these poor hardworking community members, like my mum and dad, who actually do what they do for the rest of the community, it is just so exciting, and I cannot wait to give my mother a call and the rest of the ladies at the Wandoan Bowls Club and let them know that this legislation is before the House.

Another good example of common-sense reforms included in this bill is removing the requirement for licensees to keep a responsible service of alcohol training register—another piece of paperwork. Common sense now prevails; we do not need it.

**Mr Johnson:** Do you want me to say it for you?

**Mrs FRECKLINGTON:** No, thank you, Mr Johnson. So they will no longer need to keep this piece of paper detailing the training course certificates held by all staff involved in the service and supply of liquor at the premises. Whether they are a local family business or hardworking community people, they do not need to be treated like idiots. That is why our government has stepped in and the Attorney-General has said, ‘Enough is enough. Let’s get rid of this ridiculous red tape.’ I am so excited to be standing here today to support this bill for common sense.

The current requirements under the current Liquor Act for licensees to maintain this training register are simply unnecessary and have been determined so. They duplicate either information already held by the licensees or details already recorded on the responsible service of alcohol certificate. So this is a perfect example of, I imagine, another Labor idea to create another piece of

paper just for the sake of another piece of paper. It is just onerous and burdensome. Whoever invented it did not think about the end result for the poor mum-and-dad business or the poor community member.

**Mr Bleijie:** The Labor way.

**Mrs FRECKLINGTON:** I take that interjection from the Attorney-General; it is the Labor way. Thankfully our government has considered all of this onerous red tape and we are getting rid of all these ridiculous pieces of paper.

The time and cost savings to these businesses that I have outlined will result in a boost to the Queensland tourism economy. This ultimately means a stronger and more productive state economy. The best thing we can do as a government for the state of Queensland is to get out of the way of businesses. We need to take a common-sense approach to regulation and simply let businesses do what they do best—and that is just get on with business. Indeed, the signs are that the actions of our can-do Newman government are putting this state back on the right course. People are spending more and businesses are generally more optimistic about the outlook.

This can be seen in the latest Westpac Group-CCIQ Pulse Survey of business conditions, which had confidence in Queensland at its highest level in 19 months. Importantly, 58 per cent of businesses think economic conditions in Queensland will continue to improve over the next 12 months. What a wonderful boost to the state of Queensland. Almost 40 per cent of businesses reported that they expect general business conditions to improve over the December quarter. By no means do we as a government take all of the credit for this return to confidence. I do, however, view this as a sign that we are on the right track and that our policies aimed at lowering the cost of living and growing our four-pillar economy are working.

A lot of work still remains to be done and I am sure the Attorney-General will continue to bring these great red-tape reform bills before the House. That is why this government remains so committed to doing things like reducing red tape and regulation and increasing the business opportunities throughout the state of Queensland. I support this bill.

**Madam DEPUTY SPEAKER** (Miss Barton): Order! Before I call the next speaker, there are a number of conversations occurring in the chamber. I appreciate that there are discussions that need to be had, but they can happen outside. I was struggling to hear the member for Nanango. The member for Sunnybank has the call.



**Mr STEWART** (Sunnybank—LNP) (5.01 pm): Thank you, Madam Deputy Speaker. I am glad that all members will now be completely attuned to the contribution I have to make today to the debate on the Liquor (Red Tape Reduction) and Other Legislation Amendment Bill.

**Mr Rickuss:** You have a great bowls club in your area, too.

**Mr STEWART:** I take that interjection. I have not only bowls clubs but a lot of great community clubs right across the electorate of Sunnybank.

This government is committed to building a four-pillar economy. One of these pillars is tourism, and a selling point of our great state has been our liquor and gaming industry. Unfortunately, in past years the industry has seen a proliferation of red tape, so much so that it has begun to seriously impact upon the industry's profitability. This government has recognised this problem. That is why it has taken it upon itself to improve efficiency in the liquor and gaming industry through our staged red-tape-reduction incentives.

A total of 44 red-tape-reduction initiatives have been implemented to get this industry back on track and performing at its best. Collectively, these changes have saved, and will save, the industry thousands and thousands of dollars. The liquor and gaming industry contributes enormously to the economic and social health of our local communities. In my electorate of Sunnybank alone there are seven not-for-profit community clubs as well as myriad restaurants and cafes. The largest community club is the Sunnybank Community and Sports Club, with 280 gaming machines. This club, under the general management of Michael Callaghan, has certainly been a success story in Sunnybank. In April this year the Sunnybank Community and Sports Club won a raft of awards including Queensland Club of the Year 2013 and Best Community Service by a Licensed Club under the Keno and Clubs Queensland Awards for Excellence.


This club and others like it will benefit from the reform to allow gaming machines to be destroyed without the commissioner's written approval as well as from reforms to reduce gaming licence application requirements. With further red-tape reductions to allow these clubs to get on with what they do best, I have no doubt that these Sunnybank clubs could reach new heights and become even bigger agents of community service in the future.

In the big picture, these clubs are already contributing annually to an industry worth \$1.9 billion in revenue and \$380 million in state taxes and levies. On the other side, I am very pleased that the smaller community clubs as well as the licensed restaurants and cafes that future so prominently in Sunnybank will no longer require an approved manager to be on site if they do not operate past midnight. This is great news for many of the local businesses that I know. I am sure these reforms will be well received by the industry in general. It is no surprise that the Queensland community club industry has given strong endorsement to these amendments.

It would be hypocritical of this government to publicly champion the interests of small business while maintaining a web of regulations that severely restrict the operating capacity of these businesses. We are not giving clubs unbridled liberty to serve unlimited alcohol at all hours. Rather, we are simply making low-risk and small scale enterprises more efficient and more attuned to public expectations, as demonstrated by the determinations of the red-tape-reduction expert panel.

Finally, I also support the reform to allow tour operators to be allowed to serve two standard drinks per adult without any paperwork. To require tour operators to apply for a licence for every single vessel or vehicle they manage and to require approved managers just to serve one or two drinks is unnecessarily cumbersome. Such small recreational amounts of alcohol consumed largely by holiday-makers should be available as a matter of course without the need for special protections. These changes are in keeping with phase 1 of the liquor and gaming reforms passed by this parliament on 22 May, which saw the implementation of more permissive laws in relation to the service of alcohol at not-for-profit fundraising events.

I applaud this government for continuing to offer real solutions for Queensland clubs, Queensland businesses and local Queensland communities by delivering on our commitment to slash red tape wherever possible. We are rightly becoming a minimalist government that steps out of the way and allows free enterprise and innovation to flourish. I thank the Attorney-General and Minister for Justice, the Hon. Jarrod Bleijie, for introducing this bill which will reduce complex, cumbersome and unnecessary regulations. I support the bill.

 **Mr PUCCI** (Logan—LNP) (5.06 pm): I rise today to contribute to the debate in favour of the Liquor (Red Tape Reduction) and Other Legislation Amendment Bill 2013. When our government was given an overwhelming mandate in March 2012 to rebuild Queensland after years of Labor neglect, business, development and bolstering our tourism sector were high on our agenda. To date our government is excelling in its commitment to bring stability back to our economy and return confidence to our business and tourism sectors. Our achievements in fiscal reform must be matched with a reduction in the myriad ineffective bureaucratic constraints afflicting growth in the public and private sectors.

Our government is well on its way to achieving our target of 20 per cent reduction in red tape by 2018. This amendment bill plays a crucial role in achieving this objective by alleviating the regulatory burden on the liquor and gaming industry to support tourism as one of the four pillars of the Queensland economy. Along with the changes in this bill, a total of 44 red-tape-reduction initiatives have been implemented for the liquor and gaming industry since this government was elected. This includes streamlining the application process by abolishing the former liquor and gaming commission, which only met once a month to consider various applications, and implementing a single commissioner model that can hear and determine matters on a daily basis.

The best thing we can do for business in this state is get back to a common-sense approach to regulation and get out of their way. As I said in my maiden speech, we have to let business get on with business, step aside and let them do what they know how to do. We are a can-do government delivering on our promises to get this state's finances back on track because Queensland is a great state with great opportunities.

The government continues to deliver on its commitment to slash red tape with a range of further Liquor Licensing reforms. These are common-sense approaches and changes that will help businesses and support tourism. Until now, tour operators had to apply for a special licence for every single one of their vessels or vehicles and require approved managers just to serve one or two drinks. This was a costly, complex, burdensome and unnecessary process that stifled growth within the business and tourism sectors. This bill will see changes that enable tourism operators to serve small amounts of alcohol to their guests without requiring a licence. It will be limited to two standard drinks per adult and will be a convenient gesture of hospitality to holiday-makers.

The bill also brings about reforms that alleviate licensing regulation on Queensland's restaurants, cafes and small community clubs. These types of licensed venues will no longer require an approved manager to be on site if they do not operate past midnight. Licensed vessels will also no longer have this requirement.

The amendments outlined in this bill will encourage a greater sense of freedom of enterprise and generate a competitive market for tourism operators of all sizes. The amendments will come as a great relief to the 6,730 licence holders throughout Queensland. To aid licensees who suffer hardship, the bill amends the Liquor Act to allow the payment of fees by instalment in those instances where the licensee is able to demonstrate financial hardship. A guideline detailing what constitutes significant hardship will be published by the commissioner. To be eligible to enter into an instalment plan, the licensee will be required to demonstrate that the hardship is the result of forces of a temporary nature that are beyond their control. It is not anticipated that hardship would include the impacts of normal market forces which have resulted in a decrease in patronage at a licensed premises.

The greatest benefits of this amendment bill will be felt by our small tourism operators. This is evidence of our government's unequivocal support for communities and small businesses and of enriching local opportunities. I commend the Hon. Attorney-General and Minister for Justice along with his ministerial and departmental staff for their ongoing efforts in reforming bureaucracy and ensuring that Queensland businesses can achieve their full potential, free from unnecessary red tape. I also commend the efforts of the Legal Affairs and Community Safety Committee throughout the legislative process. I support the passage of this bill through the House.



**Hon. JA STUCKEY** (Currumbin—LNP) (Minister for Tourism, Major Events, Small Business and the Commonwealth Games) (5.10 pm): I rise to speak to the Liquor (Red Tape Reduction) and Other Legislation Amendment Bill 2013, introduced into this place by the Hon. Attorney-General and Minister for Justice and member for Kawana on 15 October of this year. The objectives of this bill are numerous. However, I wish to address amendments that will result in further reductions to the regulatory burden on the liquor and gaming industries.

In March 2012 the Newman government was elected on a clear platform of reducing red tape and regulation and growing our four-pillar economy. At the inaugural DestinationQ forum in Cairns in June 2012—the first Queensland government tourism forum since the mid-eighties, I might add—the issue of liquor licensing for tourism operators was a recurring theme. Subsequently, the Newman government appointed a red-tape-reduction expert panel to review liquor licensing and gaming regulation in order to reduce the burden on licence holders and businesses. The expert panel has consulted extensively since its creation in September 2012 and has now provided a range of recommendations to reduce the regulatory burden to support the tourism and hospitality industries, some of which are contained in this bill.

I congratulate the Attorney-General for foreshadowing the changes in this bill at this year's DestinationQ forum on the Gold Coast. I am sure he will remember that these changes were welcomed with great applause by a large number of delegates. As the Attorney-General outlined in his second reading speech—

This bill's primary purpose is to reduce red tape to ensure that the state's liquor and gaming industries can operate more freely and be competitive both nationally and internationally.

The aim of this bill is to remove impediments to low-risk areas of licensed premises and gambling operations and address those areas that have been overregulated for many years. This is in stark contrast to those members opposite, who smothered Queensland businesses in over 92,000 pages of red tape and regulation at a cost to businesses of \$7 billion per year through taxes, fees and other charges. The Newman government, on the other hand, with their pro small business policy, pledged to change the red tape culture by delivering a can-do business environment. That is why we are cutting red tape and regulation by 20 per cent by 2018. Small business and tourism are intrinsically linked, with nine out of 10 tourism businesses being small businesses. That means red-tape reduction for small business is also red-tape reduction for the tourism industry. Large and small businesses in the hospitality and restaurant industry such as cafes, clubs, hotels and resorts and, more broadly, tour operators will benefit from this bill.

The liquor and gaming industries play a crucial role in servicing tourism throughout the state and a number of provisions in the bill will directly support this fine pillar of Queensland's economy. For example, it will allow tourism operators to supply small amounts of liquor to their clients as part of a tour without a licence or permit. Under current arrangements, a person must not sell liquor unless the


sale is made under the authority of an appropriate licence or permit. Importantly, particular parties such as limousine drivers are exempt from this requirement provided the amount of liquor supplied is limited and is a subsidiary element of their business. Although tour operators provide a similar style of service to limousine drivers, albeit over a longer distance and period of time, they are not currently exempt. I am aware that the expert panel considered a number of submissions from tourism operators and groups about this matter. To address this inequity, the bill includes an exemption provision for tour operators, allowing them to offer a more inclusive and attractive hospitality package to their clients by selling and/or supplying up to two standard drinks to adult clients during a charter or tour without the need to obtain a liquor licence.

The bill also removes the requirement that approved managers of maritime vessels as well as restaurants, cafes and small clubs must be present on site. Currently, there is a requirement that at least one approved manager be available or present at a licensed venue while a venue is open for business. The approved manager's role is to ensure that the sale of liquor in the licensed premises complies with requirements of the Liquor Act 1992 and the authority of the licence. As members would appreciate, this requirement can be onerous for small, low-risk premises, particularly when key staff are on holidays or have taken ill. The bill will amend the Liquor Act 1992 to exclude from the approved manager requirements the provision that restaurants, cafes and small clubs with 2,000 members or fewer that do not operate past midnight. In their submission to the State Development, Infrastructure and Industry Committee, the Queensland Tourism Industry Council called for these changes along with the removal of the requirement for tourism operators to have a permit to sell small amounts of alcohol. I would like to thank QTIC for their representation of the industry in putting forward a submission to the committee.

Coolangatta Surf Club in my electorate of Currumbin made a submission to the committee on this bill, stating their full support for these amendments. As a relatively small club, they were particularly pleased with the proposed removal of certain red-tape requirements, including the need for an approved manager of small clubs that do not trade beyond midnight to be on site. They also commended the government's move to allow clubs to make payment of the annual liquor licence fees by instalment. These small steps can have really significant impacts on these local community clubs. The Coolangatta Surf Club's submission is just one example that demonstrates the practical assistance that this legislation will provide to small businesses right around Queensland.

As mentioned briefly in the Coolangatta submission, this bill does alter the payment system for liquor licences by expanding payments of licence fees by instalments. There are approximately 6,730 licensees in Queensland who pay these licence fees. Under the Liquor Act 1992 a licensee can seek to pay the annual liquor licence fee under a schedule of instalments if the commissioner is satisfied the licensee is unable to pay as a result of being adversely affected by a natural disaster or personal hardship. Financial hardship is currently not recognised as personal hardship. Unlike Labor, the Newman government acknowledges the enormous contribution that small businesses make to our economy. This bill recognises businesses may from time to time, through no fault of their own, experience temporary financial setbacks. The ability of these businesses to pay their licence fees in instalments during the tough times will be of great assistance to them and will help prevent unnecessary closures of small businesses.

Along with the changes in this bill, a total of 44 red-tape-reduction initiatives have been implemented for the liquor and gaming industry since this government was elected. That is something to be very proud of. This includes streamlining the application process by abolishing the former liquor and gaming commission, which only met once a month to consider variations or applications, and implementing a single commissioner model that can hear and determine matters on a daily basis. The suite of measures outlined in this bill demonstrates the government's ongoing commitment to a common-sense approach to regulation. It ensures that regulation is only applied where necessary. Low-risk liquor and gaming enterprises that are dotted right throughout the electorates of everybody in this House can be free to develop without unnecessary government interference. This is just one small part of what this can-do government is doing to grow jobs and build a prosperous Queensland into the future. I wholeheartedly support the bill.

 **Mr RUTHENBERG** (Kallangur—LNP) (5.19 pm): In rising to contribute to debate on the Liquor (Red Tape Reduction) and Other Legislation Amendment Bill, I offer a hearty congratulations to the Attorney-General and Minister for Justice. This bill continues to introduce common-sense reforms that are in line with our commitments from the last election—red-tape busters! Through these reforms we also continue to improve the economic conditions under which clubs and restaurants and pubs are

able to operate. What a revelation—getting out of the road and letting people do their job. Fantastic! The liquor and gaming industry plays a significant role in Queensland and the community. In my electorate hotels, restaurants and cafes are important to the economy of my community and they provide crucial employment and recreational opportunities.

I declare that I am a member of a great community club in my electorate called Norths Leagues and Services Club. Norths, as we call it in Kallangur and Pine Rivers, provides valuable services to our local community. Norths provides employment to over 100 Queenslanders in Kallangur. Norths also provides significant support to groups like the RSL where on Anzac Day and Memorial Day it holds functions and Norths does not make a cracker out of it; where groups like the over 50s can gather every week and get free rent for the room; where social and sporting clubs get supported by the club for things such as uniforms and annual subscription fees. Norths is a cornerstone business in my electorate, and my community is a better place because of this club.


Generally speaking, the liquor and gaming industry suffers from high levels of red tape which stifle its development and the opportunities it has. I can tell members that Norths is most certainly affected by this, and I have worked closely with that club and its chairman, Mr John Ribot, to represent its concerns to the minister. This minister and his staff have certainly made themselves accessible and available to listen to those concerns, and I thank the minister and his staff for being available for that purpose. Recently Norths invested \$4 million into our club—and I say ‘our club’ very specifically—substantially increasing its commitment to our club. It expanded the cafe and the restaurant, but unfortunately Norths has found that in recent years its overheads have gone up but its ability to maximise its income has not improved. This bill provides an opportunity for Norths to start to recoup the advantage of that significant investment in our community.

I want to read the short but succinct submission that Norths made to the inquiry on this bill. It said—

Having reviewed the above noted legislation and the relevant notes to the amendment, I wish to express the support of the Board of Directors and Management team of Norths Leagues & Services Club, Kallangur for this Bill.

We have previously made submissions to the Committee that considered the issues proposed for the reduction of red tape earlier in the year and believe this Bill to be a fair representation of those submissions and to be in the best interests of both our business and our patrons in the long term.

This bill is good for the Queensland economy, it is good for those being employed at Norths and it is good for the groups that will benefit as a consequence of that. I thank the minister for his stewardship of this bill and I congratulate him and his staff for an outcome that will greatly benefit Norths and my community.

 **Dr DOUGLAS** (Gaven—UAP) (5.23 pm): The Liquor (Red Tape Reduction) and Other Legislation Amendment Bill effectively focuses on the reduction of the regulatory burden of small business through this series of legislative amendments. This is admirable. The specifics of the legislation have been detailed very well by most of the previous speakers—I will not go through them—mainly government speakers but also some non-government speakers. There appears to be a decision to focus efforts on low-risk areas. That is admirable as well. There are additional changes that do concern me. I have raised these previously, and these are the TITO technology—that is, ticket in, ticket out so-called cashless gaming—and the cancellation of the Community Investment Fund. This is the guaranteed distribution of revenues from specific gaming taxes to provide for community groups. The decision to divert these funds to consolidated funds is fraught with great concern. I appreciated many of the sentiments directed here today mainly for not-for-profit organisations, clubs and community groups. There are a variety of them through my community and they are all very good, particularly the Nerang RSL club and the entities associated with it. There are also a variety of other smaller clubs and outlets that do a very good job for the community. These are very admirable causes and they largely do not give me any concerns. However, I have raised the issues which do give me concern and then there is also the issue of alcohol.

Every time people want to increase access to alcohol, we have to realise the problems that go with it. Certainly as a doctor I have seen many issues related to it during my 30-year career. Whilst we read about its effects in the paper, when you do not interact with it on a day-by-day basis you may not really understand how serious it is. It is one of the greatest problems in our society today. It rates with dementia, obesity and mental illness as the top four and it is indirectly related to all of those. So it causes a direct problem and it causes indirect problems and it is directly related to increasing all of those things. It is also related to the effects of diabetes and is affecting other racial groups throughout the state disproportionately. So its growth is increasing our rate of problems and increasing the health burden on our society. It has a compounding problem beyond its own primary issue.



I am not a teetotaler and I very much understand those people who would say that we have to be careful about things, particularly when looking at much lower end problems than what they decide is low risk. But we have to remember that we have wider responsibilities and those responsibilities are very significant, because when we increase access to alcohol we effectively have to look at what that might imply. As I said, as a doctor I probably realise that the responsibilities are even greater. But the problem with alcohol is that in excess it is very dangerous and ultimately it does kill people. That is not to say that in the types and amounts being proposed under this bill that is going to happen, but we have to remember that every time we increase access we do get these problems. The major problems are availability, access, cost—in other words, it has been said to be even cheaper than water and it has certainly been cheaper than soft drinks—and the hours of operation. They are significant. In some ways this bill is looking at all of those issues.

I ask people to consider that these are the major issues and they need to be addressed in a very comprehensive way. So when you are talking about increasing access, availability and hours of operation, you have to really say to yourself, 'Am I actually building a bigger hole than one I really want to have?' People need to look closely at the effect of increasing access to alcohol, because we say that alcohol kills our young people. There have been lots and lots of things going on with meetings here about people saying that we have a massive issue of violence and its secondary effects, the toll on our roads and in our homes with domestic violence. That is not to say that people who go to clubs who consume small amounts of alcohol are going to cause problems. No, they do not. However, when we are increasing the range of availability—increasing the access—that is what we tend to get.

We are saying that we need to effectively do something about managing that problem but at the same time decreasing our regulatory burden. We have to get that balance right. If people are saying that alcohol is too cheap, the access is too great and the availability is too strong, why would we be doing something that is ultimately going to give us a problem? It is very easy to say that we should leave these things and just see how it goes. A 'suck it and see' model may be appropriate, but it may be that it ultimately leads to a problem that we did not foresee. In other words, there are unintended consequences. These are big issues for the public and they expect people to take them very seriously. I am not a nanny state person and I do not think that we should have regulations that make it unfair, but we have to consider that every time we increase availability—that is access and hours of operation and we make it cheaper—significant problems will follow.

Certainly, we have seen that occur widely throughout our communities. Alcohol is a growing problem; it is not a declining problem. It has wide effects on the public. It has wide effects on all parts of our lives. The big problem currently is that there is a massive growth in women's consumption of alcohol. People do not realise that there are debates going on about trying to get women who are having babies to reduce the amount of alcohol they drink—in other words, getting their consumption of alcohol down to zero if we can.


A huge amount of violence is associated with alcohol. For those who may not realise, most alcohol fuelled violence occurs within one hour of the closing time of the takeaway shops throughout the state. If you want to do a set of graphs and you want to know when the peak of the violence occurs, I can say that it occurs within one hour of the closing time of the takeaway bottle shops. Some people have said that if you close the bottle shops half an hour—maybe even an hour—earlier, you will see those peaks decline. There is compelling evidence to show that. For some reason people do not think until the last minute that they have to go and get takeaway.

The other concern I had was about the TITO technology, which is the so-called cashless gaming. For those who do not realise, cashless gaming is an enormous temptation to people who are addicted to gambling. Certainly, we do not want to see more people become gambling addicts than we have already. Gambling is a major problem for the state. It costs us a lot, and not just in relation to fraud. I worked in Corrective Services for between 15 and 20 years and I can assure members that I saw far too many people be convicted for fraud and go through the prison system because of their gambling addictions. It was really tragic. It is a lifelong problem. If we increase their access to gambling we will see a greater problem.

I know that the clubs and the pubs certainly want to push this type of gambling because it increases the revenues of venues and, to some extent, it does not deter the serious gamblers—and I am referring to those gamblers who want to play poker machines, so-called anonymous gambling. It is a serious problem. There is then the issue of the Community Investment Fund. The reality of gambling is that we want to try to get the returns from gambling to people who are on the fringes of society and community groups, such as sporting groups, that do not have the capacity to actively

raise the amounts of money that they need for significant purchases, which really are not large amounts of money but for them are really significant. These types of grants that have come from these gambling funds, which are guaranteed funds, have really kept a lot of these groups going. They are small groups. They are very needy.

The funds are distributed in everyone's electorates. If you did some research on it—and I have not done so but I would not mind knowing what the numbers are—it really is a fairly significant contribution to making those organisations a success. To some extent, to move those funds into the Consolidated Fund whereby they are basically at the whim of the government, you are not going to see the equitable distribution of those funds that you really want to see. I think that is not to the benefit of the state. When you are governing, you are governing for everybody. With those comments, I want to say that I support parts of the bill but certain parts of it are deeply concerning to me.

 **Mr JOHNSON** (Gregory—LNP) (5.33 pm): It is with much pleasure that I want to make a short contribution to the debate on this legislation. First and foremost, I congratulate the Attorney-General and the Newman LNP government for such legislation. I represent a far-western, remote electorate. The current legislation that is amended by this bill has been a real impost on the small publicans in western Queensland, especially those who live in remote areas two, three or four hours drive away from a major centre. This legislation reduces the regulatory burden on them by removing the requirement for persons trained in the responsible management of licensed venues to complete responsible service of alcohol training. In the past, the licensing compliance meant that the publican or the managers of those licensed venues had to stay within an hour's drive of those premises, otherwise their licence could be declared null and void. That was an absolute impost on those people. I know that from experience, because my daughter and her husband ran a pub in western Queensland. Somebody always had to be in close proximity to their pub. It was a near impossibility to drive for two or three hours to a larger centre to pick up supplies, or whatever, unless they had somebody at the pub who had had the proper training.

So this legislation is going to be a joy not only to those people but also to many tourist operators in Western Queensland. I notice the Minister for Tourism is in the House. Whether it is Western Queensland or any other part of this great state, Queensland has so much to offer with ecotourism and personalised drive-tour operations. This legislation is going to be very beneficial to their clientele. They may be travelling for a couple of hundred kilometres and some of the ladies or the blokes might want to have a wine, a champagne or a beer or two at lunch. This legislation is going to be able to allow those tourists to do that. I think this is a fantastic initiative. It is going to enhance the attractiveness of these types of tour operations, especially in my part of Queensland and I think in other parts too.

This afternoon in this House I heard somebody say that this amendment is going to increase businesses. I notice that hairdressers will now be able to serve a couple of glasses of wine or a couple of beers to their clients. That might encourage me to get a haircut more often. I will check out Gaby Janho's at Longreach when I go home and see if he has a fridge in there with a few stubbies in it. If you see me with shorter hair in future you will know that Gaby has beer in the fridge.

I think this is very good legislation. Although I am a Catholic, I have not touched on those amendments in this bill that relate to the Catholic Church. I do not know a lot about that part of this legislation, but I will say that I did not see anything in there about liquor licensing in relation to the Catholic Church. I know the Catholics like a drink. Most of us come from Irish stock—

**An honourable member:** And the Proddos—


**Mr JOHNSON:** The Proddos too.

**An honourable member:** But not the Lutherans.

**Mr JOHNSON:** The Lutherans too? I heard that. The point I make is that years ago my wife, my mother-in-law, my brother-in-law and his wife went on a trip to Ireland. They had a bit of a look around and then come Sunday morning the women went to mass and the men went to the pub. I thought, 'Well, that's the Catholic way.' However, not all of us blokes go to the pub. Sometimes I go to church.

I think that this legislation has put a bit of fun back into life. It has taken that red tape, that regulation, that restriction out of living. It has made socialising in my part of the world a lot easier and a lot better. It has put a smile back on the faces of a lot of people—and is that not what we need in 2013 instead of having big brother looking over your shoulder to see whether you are doing the right thing or the wrong thing? I say to the Attorney-General that this legislation is going to bring a lot of joy to a

lot of people. It is not only going to advantage the people who go on these tours or go to these venues that we are talking about but also going to make life a lot easier and probably more profitable in the long term for these people who have not been able to make profits in the past. I support the legislation in its entirety.

 **Mr WATTS** (Toowoomba North—LNP) (5.40 pm): I rise to make a brief contribution as someone who has been a licensee under legislation here in Queensland, has had his RMLV, has had his RSA, and has been absolutely put through the ringer by Labor's knee-jerk legislation in this area that had very little effect apart from to drive good people out of the industry and encourage fewer and fewer people to even consider being involved in the industry because of the amount of regulation and the compliance cost of that regulation. The life was just choked out of small businesses. My colleague from Gregory talked about hairdressers. How many people on a Saturday morning before their wedding go and get their hair and make-up done and want to have a glass of champagne? Lo and behold the killjoys in the Labor Party would have that outlawed. It would be against legislation to do that without having training, a register, an RSA, a licensed manager on the premises, a liquor licence application and many, many other pieces of regulation. It was absolute nonsense they came up with. Knee-jerk regulation was the Labor way when it came to the liquor industry. We are now trying to reduce that red tape with the Liquor (Red Tape Reduction) and Other Legislation Amendment Bill.

I think the Attorney-General has done a good job in getting the balance right and ensuring that low-risk businesses, such as restaurants and cafes that are opening and closing before midnight, where people might want to have a couple of drinks with a meal, are not put through the ringer. The industry that I was involved in, the nightclub industry, does need some higher thresholds of regulation and training and everything else. When I was involved in that industry I would have to go and do my responsible management of licensed venue course, which would be renewed on a different time schedule to my responsible service of alcohol, which of course was included in the other qualification.


You would find yourself constantly taking days off work to go and do qualifications that you have done maybe 12 times before, and at the same time the following year you would have to go and do a different qualification that included the first one, pay for the course, take time off work, so that you can responsibly serve alcohol which, of course, the first course covered. I know it sounds like I am talking double-dutch. The reason for that is simply because that is the legislation that Labor put together. It was absolute double-dutch. Small business owners out there trying to interpret it and do the right thing would often find themselves in breach of legislation for no other reason than the legislation was so inconsistent and so confusing for them to follow.

We have a sensible situation now where a small community club, such as a small RSL or a small bowls club, has a lower threshold of regulation than a nightclub. Clearly that is common sense. A few people having a few drinks after bowls—they are all members, they all know each other—why would they have to go through some of the ridiculous red-tape protocols that were put in place for these small community clubs? It was strangling small business. The bars at these community clubs are often manned by volunteers. I had situations at the university where we would be training 20 to 30 people every quarter to do their RSAs so that they could volunteer to man a bar for an hour or two at a particular function that might come up annually or bi-annually at a small sporting club.

I am not saying that people should not be sensible with alcohol. They absolutely should. I am not saying people should not be trained with alcohol. They absolutely should. I am not saying we should not have regulation in high-risk areas. This piece of legislation identifies some low-risk areas. It removes the double-dutch that was put in the legislation, quite frankly, by people who I do not think have ever left the south-east corner or ever understood what it takes to serve a drink in regional Queensland. The one-hour threshold they had for arriving at businesses for the registered licensed venue manager was just absolutely ridiculous for some of the businesses in Western Queensland where they might have a race day or something like that and they cannot even attend because they own a pub that is too far away. They have no concept of what it takes to make legislation that is appropriate for the whole of Queensland and certainly no understanding of what it takes to run a small business. If they did they would not have strangled them to death with overregulation, compliance costs and training costs that just made it more and more difficult for people to provide the services that their community wanted such as a little drink at a community club that wants to have a little bit of a fundraiser or a P&C that wants to operate a bar for a short period of time.

I think the Attorney-General is doing a great job in attacking the red tape in the liquor industry. It needs to be done in a very considered manner, which is in stark contrast to some of the knee-jerk and reactionary legislation that was put out by the Labor Party that basically had no effect in addressing any of the issues that they were trying to address at the time, all it did was choke good

operators out of the industry. I think the Attorney-General is doing a good job in this area and I will support him going forward looking for other areas of low risk where we can reduce red tape, compliance costs and training costs on the industry. It is a great industry that people in Queensland should be able to enjoy in a safe and measured way. It is great for our tourism industry and I am sure the cafes and small community clubs in my area will greatly appreciate what the Attorney-General has done here. The only thing I would say is that I am not sure that it will help any maritime vessels in my electorate because there aren't any. But thank you very much, Attorney.

 **Mr KAYE** (Greenslopes—LNP) (5.45 pm): I rise in support of the Liquor (Red Tape Reduction) and Other Legislation Amendment Bill. This bill represents the end result following a consultation process with both industry and the community. These changes will help bring our liquor licensing laws into reality with community expectations by reducing the red tape associated with excessive overregulation by the Liquor Act 1992. This bill delivers on the Newman government's fundamental election promise to reduce red tape and builds upon the Liquor and Gaming (Red Tape Reduction) and Other Legislation Amendment Bill 2013 which was passed in this parliament in May this year to the same effect.

Our ever important tourism industry in particular has suffered significant deterioration as a result of overbearing, complicated legislation which has seen small operators pushed out of the market or simply unable to compete against similar offerings interstate. As such these changes are of key importance to Queensland since by reducing red tape we are enabling businesses to grow to their full potential. Under the proposed legislation the state's liquor, gaming and entertainment industries will be able to operate more freely, making them more competitive both nationally and internationally. The result will be a stronger economy benefiting all Queenslanders.


The particular focus of this bill is to enable low-risk venues such as community sporting clubs and small licensed venues to be able to grow without fear of running afoul of overbearing regulatory requirements and the excessive costs required to ensure compliance. The premises being targeted by this legislation are low-risk establishments and as such I am satisfied that this reduction in red tape will not pose any significant threat of increased alcohol related issues within the community. My confidence in this legislation reflects my faith in the liquor and gaming red-tape-reduction expert panel by whom these reforms have been recommended. The panel was formed in 2012 and combined representatives from industry, government and the community, ultimately culminating in the 'Red tape reduction and other reform proposals for regulation of liquor and gaming discussion paper' which was released for public consultation on 1 February this year.

This bill fulfils its objectives by removing the requirement that an approved manager must be present or reasonably available while the premises are open for business. This requirement is unnecessary in most small low-risk premises such as cafes, restaurants and sports clubs that do not trade past midnight. I am certain that removing this requirement will provide a significant boost for many small businesses within my electorate that have been affected adversely by the current regulations, particularly when key staff are sick or on leave. The bill further assists small businesses by removing administrative requirements for licensed premises to keep a responsible service of alcohol training register. The information found on such a register merely duplicates information available on training certificates which will still be required to be kept on the site.

This bill will help bring Queensland's well established gaming industry into the 21st century by recognising that it is no longer necessary for the government to track individual gaming machines. At present to replace an existing machine an operator must apply to the commissioner to seek written approval to destroy the existing machine, followed by submitting an application for a new machine licence to be processed. Under the bill the government will provide a more flexible regulatory environment by reducing such cases of duplication. This action will represent a major step in reducing the regulatory burden in particular for small community based operators.

The bill also contains a number of amendments to the Roman Catholic Church (Incorporation of Church Entities) Act. These changes seek to harmonise legislative recognition with certain legal entities and arrangements made under canon law pertaining to three main facets of church property: civil law recognition of the creation of canon law trusts, extending consent provisions to include certain judicial persons and pooling of investments. The bill contains an amendment in relation to the reference to assistant police commissioners and receiving advice from them about local issues. That has been pushed down to the district officer, which is a much more common-sense approach. Certainly, district officers are a lot more in touch with what is happening in their local area from a policing point of view.

Overall the bill can be described as a common-sense approach by reducing duplication and removing the excessive micromanagement of small businesses within the liquor and gaming industries. It is part of a suite of legislation that this government has already introduced, aimed at ensuring that small businesses have the ability to offer a competitive product unhindered by the costs associated with red tape. I remain fully committed to our plan to revitalise the Queensland economy by helping to make Queensland more attractive for small business owners to invest in and grow their full potential. I support the bill and I congratulate the Attorney-General for bringing this bill before the House.

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (5.50 pm), in reply: I thank all members for their contributions and I take pleasure in following the contribution of the member for Greenslopes this afternoon. I thank all members for their important debate of the Liquor (Red Tape Reduction) and Other Legislation Amendment Bill 2013, particularly those who expressed support for the bill. I also thank the various stakeholders who have made a valuable input into the policy development stage. In particular, I thank the industry and community representatives who are members of the liquor and gaming red-tape-reduction expert panel, which provided advice on red-tape-reduction opportunities for the consideration of government. Additionally, I thank those members of the Queensland public who made submissions to the public discussion paper released by the Newman government earlier this year on liquor and gambling regulatory reform. More than 300 submissions were received in response to this discussion paper.

As noted in previous statements I have made to this parliament, the liquor and gaming industries play a significant role in the Queensland economy and community. Casinos, hotels and restaurants are important to tourism, and clubs provide valuable services to their local communities. They all provide employment opportunities for Queenslanders. The primary purpose of the bill is to remove unnecessary red tape as part of this government's commitment to reducing the regulatory burden on the liquor and gaming industry and supporting tourism as one of the four pillars of the Queensland economy. The bill is the second red-tape-reduction bill for the liquor and gaming industry that I have put before this parliament. As with the first bill, assented to in June this year, this bill reflects the government's desire to have a balanced and responsible approach to the regulation of liquor and gambling. This approach maintains necessary safeguards to protect community health, safety and amenity, but also removes the unnecessary regulatory burden on industry to foster conditions in which business can prosper and provide benefits for all Queenslanders.

The needs and interests of both industry and the wider community were taken into account during the consideration of the policy to which the bill gives effect. For example, the bill provides a number of amendments to reduce the unnecessary burden on low-risk premises. It amends the Liquor Act 1992 to exempt low-risk restaurants, cafes and small community clubs of 2,000 or fewer members from the requirement to have an approved manager present or reasonably available when the premises do not operate beyond midnight. Marine vessels operating under a subsidiary on-premises licence will also be excluded from the approved manager requirements, regardless of trading hours, due to the low-risk nature of tour vessel operations and strict controls that a captain has over conduct on a ship. These amendments will reduce the legislative burden on the operators of those venues, which are not generally associated with high levels of harm. However, in accordance with our balanced approach, it is the intention to retain the provisions requiring all employees selling liquor to be RSA trained in association with appropriately trained licensees. Further, the Commissioner for Liquor and Gaming will retain the ability to require an approved manager be present or reasonably available should licensees not operate in accordance with the conditions of their licence or where they create problems in their community.

The bill also provides for an exemption for tour operators from the Liquor Act 1992. This exemption will allow tour operators to sell a maximum of two standard drinks in a day to adult clients during a pre-booked tour without a licence as a convenient gesture of hospitality. It is consistent with the current laws for hairdressers and limousine companies. I note the member for Gregory spoke about now having the ability to get a haircut. I suggest that is probably a good thing, although I would not suggest he—

**Mr Johnson:** Are you insinuating that I do not get one often enough?

**Mr BLEIJIE:** Absolutely.

**Madam DEPUTY SPEAKER** (Miss Barton): Order! Member for Gregory, you are not in your seat.

**Mr Johnson:** But I am right next to it.

**Mr BLEIJIE:** I think he had a cheek each side. I was going to suggest that when the honourable member for Gregory goes and gets his haircut, he does not go to the Grosvenor Hotel opposite the State Law Building because the Grosvenor Hotel is currently offering cheap haircuts by topless waitresses.

**Ms Trad:** So you have been informed.

**Mr BLEIJIE:** It is opposite the State Law Building, which I go to every day. They do a lunch as well. I would not suggest that the member for Gregory travels to that particular establishment.

The bill also provides flexibility for licensees experiencing significant financial difficulty to enter into an instalment plan with the Commissioner for Liquor and Gaming in order to avoid having their licence suspended or cancelled due to non-payment of their fees. Guidelines will be drafted by the Office of Liquor and Gaming Regulation to ensure that the financial difficulty is in relation to matters beyond the licensees' control, such as a major economic downturn in a region rather than the normal fluctuations in demand that businesses would be expected to manage.

Additionally, the bill removes the legislative requirement for licensees to keep a responsible service of alcohol training register about course certificates held by crowd controllers and staff involved in the service or supply of alcohol in premises, as the register duplicates information already held by licensees. The bill also removes the requirements for approved managers and licensees to hold a current responsible service of alcohol certificate where they already hold a current responsible management of licensed venues certificate. This is because the responsible management course contains significant aspects of responsible service of alcohol training and is considered a higher level course. These amendments will further reduce unnecessary duplication and regulatory burden on approved managers and individual licensees.

Amendments in the bill will extend the term of an adult entertainment permit from the current one year to three years. Given the complexity of the approval process, licensees need to commence reapplying for a permit six months before the permit is due for expiry, creating a continuous application cycle. These amendments will provide both time and cost savings for industry and government, and will provide industry with more business certainty as they can obtain a longer approval period. Amendments in the bill will also allow individuals to apply for their own approval as an adult entertainment permit controller for a period of five years, rather than being tied to an approval made under a particular adult entertainment permit. This amendment will provide controllers with greater flexibility to work across multiple venues, and will reduce red tape and costs for licensees and government associated with approving controllers who work across multiple venues. However, the same high level of probity and compliance assessment currently undertaken when considering the suitability of any adult entertainment related application and the applicant will remain in place.

The bill will reduce the administration burden on licensees, licensed monitoring operators, approved financiers and gaming trainers, as it will allow for the destruction of a gaming machine without first obtaining the Commissioner for Liquor and Gaming's written approval. In light of current technological safeguards and legislative provisions, it is no longer considered necessary for the government to track the destruction of gaming machines. In accordance with best practice regulation, the bill also removes licence application requirements from the Gaming Machine Act 1991 and provides for them in an approved form. This will allow for a more flexible regulatory model and reduces duplication of requirements in the legislation.

The bill will also make a number of miscellaneous amendments to liquor and gaming legislation to reduce red tape, correct omissions and improve legislative clarity and integrity. This includes amending the Wagering Act to give direct legislative authority under that act for the relevant minister to extend the term of a sports wagering licence. This provision clarifies the existing ministerial power under the act to ensure the flexibility of the minister in making decisions on extensions of licences and retrospectively confirms previous ministerial decisions in regard to licence extensions.

The bill also amends fair trading legislation to reduce red tape, correct omissions and improve legislative clarity and integrity. These amendments include: amendments to the Roman Catholic Church (Incorporation of Church Entities) Act 1994 to provide for more formal legislative recognition of existing legal entities and arrangements established under church canon law, relating to canon law ownership of church property; amendments to the Roman Catholic Church Lands Act 1985 in order to correct the inadvertent omission of a block of land vested to the trustees of the Roman Catholic Archdiocese of Brisbane; and amendments to the Security Providers Act to clarify that unrecorded convictions do not result in automatic disqualification from holding a licence.

I will address a couple of the issues that the member for Mackay raised with respect to the retrospective nature of the amendments with respect to the Wagering Act. The reason we are putting that in place is that, as I recall, I extended by ministerial prerogative one of the licences. Crown Law advice at the time said that it was the ability of the minister to do that. Crown Law then provided further advice that clarified the position and said it would be a better legislative mechanism to do it, hence why it is retrospective in terms of the licence extension.

Another matter the member raised was in relation to the adult entertainment permit. He said it should be one year for new applicants and three years for renewals. I advise the member that there is already a high threshold, stringent probity and permits can be cancelled by the commissioner. If there are any issues or complaints, the commission actually has direct responsibility and they can terminate a licence anyway. To get into the permit application there is a very high threshold—and more so than for liquor applications. There are probity checks and licensing checks.

In terms of criminal motorcycle gangs, there is an amendment in the bill we are going to be debating tomorrow involving a fit and proper test under the liquor legislation. That will mean that anyone involved in the liquor industry will have to be a fit and proper person. If they are a criminal motorcycle gang member they will not satisfy that test and they will not be able to hold a licence. The commissioner can automatically terminate their licence without any problem.

The Security Providers Act issue that the member for Mackay raised related to disqualifying offences. If it is a recorded conviction under 10 years old it is a disqualifying offence. The member also raised the issue of having no approved managers in low-risk venues and the concern about inexperienced 18-years-old being left in charge. The answer to that concern is simply that the liquor and gaming commission will be able to condition problem venues accordingly, as is currently the case.

We trust business will do the right thing. We do have a couple of potential prosecutions about to commence involving licensees in Brisbane who are not doing the right thing. We afforded all the opportunities to licensed venues to cooperate. These ones I am referring to are particularly noise related. They are not doing the right thing. We will now proceed with potential prosecutions.

The member for Mackay raised the issue of financial hardship. He wanted the commissioner to have greater flexibility when it comes to the threshold for instalment payments for smaller venues, particularly in smaller and rural communities. I understand the sentiments of that in terms of rural and regional communities and the financial hardship they face. We will develop the guidelines and they will be very flexible following these changes.

The issue with the threshold is that as soon as we put a threshold in place someone will always miss out because we draw a line in the sand. When we develop the guidelines it will be done on a case-by-case basis. We want to make sure that the guidelines are as flexible as possible to make sure that anyone, particularly those rural and regional communities, have access to instalment plans for the payment of their licence fees.

The other point I will make is that we were in Emerald recently for community cabinet and I talked to some of the publicans there. We went to Thursday Island and I talked to both the publicans up there. They are excited by the opportunities that amendments provide. One of the issues raised by those publicans was the issue of instalment plans. We want to develop the guidelines to make it as easy as possible for rural and regional communities. I take on board the notes that the member for Mackay raised. When we develop the guidelines we will make sure we attempt to do that. Thank you to all members for their contributions.

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

Motion agreed to.

Bill read a second time.

### **Consideration in Detail**

Clauses 1 to 68, as read, agreed to.

Schedule, as read, agreed to.

**Third Reading**

**Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (6.03 pm): I move—

That the bill be now read a third time.

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

Motion agreed to.

Bill read a third time.

**Long Title**

**Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (6.04 pm): I move—

That the long title of the bill be agreed to.

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

Motion agreed to.

**NORTH STRADBROKE ISLAND PROTECTION AND SUSTAINABILITY AND  
ANOTHER ACT AMENDMENT BILL**

Resumed from 17 October (see p. 3421).

**Second Reading**

 **Hon. AP CRIPPS** (Hinchinbrook—LNP) (Minister for Natural Resources and Mines) (6.04 pm): I move—

That the bill be now read a second time.

I will begin by giving some history behind the North Stradbroke Protection and Sustainability Act 2011, the Bligh government legislation that is being amended by this bill. North Stradbroke Island is the second largest sand island in the world and is located approximately 40 kilometres from Brisbane. Sandmining began on the island in 1949. Sibelco Australia Ltd is now the only sandmining company operating on the island. All mining leases held by Stradbroke Rutile Pty Ltd are owned by Sibelco.

Mining has played a significant role in the economy of the island. It is estimated that Sibelco currently injects close to \$130 million annually into the state's economy. The population of the island in 2011 was, and still is, highly dependent on sandmining for employment and income. As well as providing jobs for residents of the island, Sibelco has also contributed over a million dollars for community development projects. In 2011 Sibelco started the Straddie Sand Mining Community Fund with \$1 million in seed funding to be invested for the benefit of the community on the island.

In 2010 Sibelco participated in good faith negotiations with the Bligh government to determine the best way forward for the island and its residents. Sibelco's first proposal was presented to the former government in March 2010 and provided for continued investments and operations until 2050. This represented a loss to Sibelco in potential future earnings for 20 years of the mine's life in relation to mineral sands and 200 years in relation to silica sands. This first proposal was obviously rejected by the Bligh government.

Sibelco then went back to the drawing board and provided another proposal. This proposal provided for continued investments and operations until 2038, by compressing the time line of mineral sand operations at Enterprise mine down to 2038. This second proposal was also rejected by the previous government. Sibelco and the previous government then had further discussions about a potential end date of 2032. Again, Sibelco entered into these discussions in good faith believing the former government would reciprocate. Alas, rather than continuing discussions and finding a position that Sibelco and the government could agree on, the Bligh government walked away not just from Sibelco but from the best interests of the community on North Stradbroke Island. Not to be deterred, Sibelco then developed yet another proposal, but the Bligh government would not entertain any further discussions.



Instead, the former government began developing the North Stradbroke Island Protection and Sustainability Act 2011 without the input of Sibelco—the only miner on the island. In response to a call for public submissions, Sibelco then released the sustainable Stradbroke vision—the fourth proposal—detailing how the 2027 commitment could not deliver an economically sound and environmentally and socially responsible solution. Ignoring Sibelco's vision and genuine efforts, the Bligh government had the audacity and arrogance to develop a bill which legislated an end to sandmining on the island without consulting with the mining lease holder.

The regulatory restrictions placed on Sibelco, such as the denial of access to a resource, imposed closure dates and reduced lease areas and ignored all commercial considerations that drive mine management and investment decisions. Then on 22 March 2011 then Premier Bligh announced that North Stradbroke Island's main mine, the Enterprise mine, would shut down by 2019. That decision by the Bligh government broke the 2010 commitment to allow mining to continue on the island until 2027.

As the LNP pointed out during debate on the North Stradbroke Island Protection and Sustainability Act 2011, the Bligh government went back on its word under pressure from Greens groups that had done political deals to support the Labor Party at the 2009 state election. This was a desperate and ultimately futile attempt to again shore up Greens preferences ahead of the 2012 state election so that Premier Bligh and Labor could cling to power as long as they possibly could. Labor and the Greens were up to their old tricks, doing dirty rotten deals.

The Newman government supports the general intent of the act. What we do not support is the dirty deals done by Labor with the Greens and the betrayal of the local community on North Stradbroke Island that it represents. Speaking of which, let me take a moment to respond to the spurious claims made by the member for Bundamba, who had the audacity to suggest during estimates this year that the passage of this bill is the result of a dirty deal between the government and Sibelco. She alleges that the government is not acting impartially in introducing this bill because Sibelco spent \$90,000 on postage in the 2012 election campaign to make their point.

**Ms Trad** interjected.

**Mr Crisafulli** interjected.

**Madam DEPUTY SPEAKER** (Miss Barton): Order! Member for South Brisbane, if you wish to have a conversation with the Minister for Local Government, you are more than welcome to take it outside rather than have it across the chamber. The minister has the call.

**Mr CRIPPS:** Thank you, Madam Deputy Speaker. The proposition put forward by the member for Bundamba during the estimates process was a ridiculous accusation. It was just a smokescreen designed to divert attention away from the inadequacies of Labor's 2011 act. Let me make it perfectly clear that this was not a donation from Sibelco to the LNP, as has been alleged by the opposition, but was in fact a third-party campaign run by Sibelco which was disclosed, and there is a big difference. A third-party campaign is defined by the Electoral Commission as occurring where an entity publicly canvasses issues relevant to the election for consideration by electors voting at that election. Any person or organisation had a democratic right to run a third-party campaign if it so chooses. It is not uncommon for an industry group, or indeed another type of group such as a trade union, to run a third-party campaign during an election.

Sibelco ran advertisements to make the voters aware of the implications of the North Stradbroke Island Protection and Sustainability Act 2011, which was somewhat ironically introduced by the former member for Ashgrove, Kate Jones, who was at the time the environment minister. Sibelco had every right to run a third-party campaign just as any other party, such as the green groups involved, had the right to run a third-party campaign if they had chosen to do so. It is extraordinary that I need to provide that context and that information to the House for the benefit of the Labor opposition, given it was Labor that introduced the relevant legislation dealing with third-party campaigns.

North Stradbroke Island does need to transition away from sandmining towards other suitable industries such as nature based tourism and recreation. To do this, the Newman government is providing for the protection of environmental values and the comprehensive rehabilitation of mining sites. However, in its desperate haste and political manoeuvring, the Bligh Labor government rushed through a shoddy piece of legislation in 2011 that was fatally flawed in several key respects. It is time to set the record straight and dispel a number of myths that have been circulated in the media and on the island by the Labor opposition, green groups and others with vested interests. I will start firstly with native title and the Indigenous land use agreement with the Quandamooka people.

On 4 July 2011, the Quandamooka people had their native title rights and interests over North Stradbroke Island recognised in a consent determination made by the Federal Court of Australia. This was the first native title determination in South-East Queensland. This native title determination gave the Quandamooka people exclusive native title rights to approximately 2,200 hectares of land and non-exclusive native title rights over approximately 22,600 hectares of land on North Stradbroke Island and surrounding islands.

In December 2011, an Indigenous land use agreement between the state of Queensland and the Quandamooka people was registered with the National Native Title Tribunal. The area subject to the ILUA covers approximately 569 square kilometres and includes all of North Stradbroke Island, Peel Island, Bird Island, Goat Island, Crab Island, Stingaree Island and surrounding waters. The ILUA is a confidential document between the state of Queensland and the Quandamooka people. However, some elements of the ILUA have already been publicly disclosed. As such, I would like to provide the House with some background on the ILUA including what it does and what it does not do and confirm the commitment of the Newman government to meeting all of its obligations under the ILUA.

At its heart, the ILUA provides the Quandamooka people's consent to agreed acts, validation, consultation and compliance processes for state projects and activities. This includes consent to a permanent surrender and extinguishment of all native title rights and interests over approved areas including development and sale sites in the Dunwich, Amity Point and Point Lookout town expansion areas. In the ILUA the Quandamooka people agreed to surrender and limit their ability to exercise some native title rights in exchange for compensation and other benefits. This compensation includes land ownership opportunities for the Quandamooka people as well as income and revenue sharing opportunities.

For example, where any native title rights and interests have not been previously extinguished over town expansion areas, the Quandamooka people have consented to surrender their native title rights over these areas in consideration for the state paying 50 per cent of the net proceeds of sale of these areas to the Quandamooka Yoolooburrabee Aboriginal Corporation, known as QYAC. Importantly, the ILUA also facilitated the dedication of the protected areas as Aboriginal land under the Aboriginal Land Act 1991 and national park under the Nature Conservation Act 1992. This part of the ILUA gives the Quandamooka people a role in joint management of various protected areas in accordance with management principles under the Nature Conservation Act 1992 and an Indigenous management agreement.

The Indigenous management agreement sets out the joint management relationship between the state of Queensland and the Quandamooka people. The Quandamooka people will be permanently involved in the management of the national park, which covers approximately 50 per cent of North Stradbroke Island, as well as the national park on Peel Island. The Queensland Parks and Wildlife Service works in a partnership arrangement with QYAC to jointly manage the national parks in accordance with the Nature Conservation Act 1992. This includes the employment of traditional owners from the Quandamooka community as rangers on the island. Joint management with the Quandamooka people includes advising the department about matters concerning Aboriginal tradition and liaising with the department about day-to-day management of the national parks.

QYAC also facilitates and promotes business and commercial opportunities for the Quandamooka people. Many of the land tenure actions and state obligations under the ILUA are still in the process of being implemented, and to this end I agreed to start quarterly round table meetings between senior government representatives from several departments and QYAC. These meetings facilitate the ILUA implementation and give QYAC a whole-of-government forum in which to raise and discuss issues about the ILUA.

For the benefit of the opposition, green groups and other vested interests, I will now outline what the ILUA does not do. I want to correct once and for all the misleading, inflammatory, alarmist and disingenuous claims that have been made. It does not provide for any specific end date to sandmining on North Stradbroke Island. It does not prevent the parliament of Queensland from amending the North Stradbroke Island Protection and Sustainability Act 2011 as proposed by the bill. It does not prevent the government from amending the act to allow the renewal of mining leases on the island as proposed by the bill.

The current government is bound by what is in the ILUA. It is the government's position that there is nothing in the ILUA that prevents the parliament from amending the current act to extend sandmining on North Stradbroke Island as outlined in the bill before the House. The proposal in the bill does not extend sandmining over any areas that are within national parks or Indigenous joint

management areas. If the proposal was to extend mining in these areas, then Quandamooka consent and amendments to the ILUA would be absolutely required, but it does not. The amendments proposed in the bill are in compliance with the ILUA and the Commonwealth Native Title Act 1993.

There has also been some suggestion that the government's proposal will be in breach of the Quandamooka's native title determination. This is also false. The Quandamooka people's native title is recognised subject to other interests. These other interests include the mining leases proposed to be affected by the bill before the House. While the Quandamooka's native title has been recognised, it is open for the government and others to deal with interests on North Stradbroke Island such as mining leases as long as those dealings comply with the Commonwealth Native Title Act. The Native Title Act is Commonwealth legislation and, as such, Queensland laws cannot override it. As I have said before, the government's position is that the proposal in the bill, including any renewals of mining leases, will be done in accordance with the processes under the Native Title Act.

The second myth I will address today is that passage of the bill will adversely impact on the island's environmental values. The bill removes the hastily put together, ill-conceived and unnecessary restricted mine path introduced by the Bligh government and instead will rely on an appropriate environmental authority under the Environmental Protection Act 1994. The Environmental Protection Act is the most appropriate tool for the protection of the environment. The environmental authority attached to the bill will provide for well-considered, comprehensive protection of the island's environment including its Ramsar wetlands.

**Ms Trad** interjected.

**Mr CRIPPS:** The replacement environmental authority includes a range of safeguards and conditions including buffer zones of up to 100 metres to protect some environmentally sensitive areas and a monitoring program that must be conducted and results provided to the Department of Environment and Heritage Protection annually. The monitoring program facilitates assessment of any changes in environmental values that could be caused by mining activity. The monitoring plan must include trigger levels and processes for dealing with the exceedence of the trigger levels and an obligation to notify the Department of Environment and Heritage Protection of the trigger level exceedence. Other safeguards and conditions include a site investigation report under the Environmental Protection Act 1994 for any area likely to be contaminated land and carry out the work required by that report to ensure the land is suitable for its final land use; financial assurance as security for compliance; development and implementation of a risk management system; and notification of emergencies.

It is important to note that, while the proposed environmental authority does expand the approved area available for mining from the current restricted mine path, it is substantially less than the area available to the mine operator prior to the introduction of the North Stradbroke Island Protection and Sustainability Act 2011. The proposed environmental approval together with the two environmental authorities for the glass sands projects restrict active mining operations to just six mining leases on North Stradbroke Island: three leases at Enterprise mine, one at Vance, one at Amity, which is currently being used for rehabilitation, and one at Yarraman mine until 2015. Additionally, having regard to the pre-North Stradbroke Island Protection and Sustainability Act 2011 approval, mining operations up to the Ramsar mapped boundary were considered appropriate with suitable safeguards put in place. Sibelco cannot operate within the Ramsar wetlands and cannot cause environmental harm outside of the approved area including any significant impact on the Ramsar wetlands. Additionally, ongoing monitoring of water quality and water levels, as well as appropriate management following trigger level exceedences, ensures that any impacts will be quickly addressed.

In developing the proposed replacement environmental authority, the Department of Environment and Heritage Protection has sought to utilise model mining conditions where appropriate. However, a number of site-specific conditions have been applied in recognition of the particular environmental values that exist on North Stradbroke Island. In addition, the proposed environmental authority only authorises mining activity within the proposed project area. Blue Lake is not within the mining lease or proposed project area. As such, any significant impact to the lake is not permitted. It should be noted that the closest area within the proposed project area is about two kilometres from Blue Lake. Unfortunately, these are not the only myths that have emerged, fuelled by ill-informed commentators with political agendas.

**Ms Trad** interjected.

**Mr CRIPPS:** Another myth is that closing down mining activity abruptly will not have an adverse impact on the island community. The Labor government led by the former Premier was either extremely naive or simply did not care about the community on North Stradbroke Island. Under its act, a significant part of the economic activity on North Stradbroke Island was to cease in six years. Who were they trying to fool? Let us look at some of the facts.

At the time of the 2011 census there were 848 employed persons residing on North Stradbroke Island. Mining is the second largest employer of North Stradbroke Island residents. The top three employing industries by share of employment were accommodation and food services, mining, and health care and social assistance. Specifically there were 115 persons on the island directly employed in mining, accounting for around 14 per cent of the island's employment. This is more than four times the three per cent share of mining employment across Queensland.

The Department of State Development, Infrastructure and Planning has undertaken an economic regional impact report on the contribution of mineral sands mining which was provided to the Agriculture, Resources and Environment Committee. That report shows that extending the Enterprise mining leases from 2019 to 2035 will provide considerable economic benefits to North Stradbroke Island and to Queensland through increased economic activities in terms of production, royalties and jobs and, in particular, extra mineral production of \$1.5 billion, royalties to the state of around \$75.7 million and approximately 107 full-time equivalent positions from 2015 to 2035. There are simply no alternative industries that can come anywhere near matching those economic benefits under the time lines set out by the smoke and mirrors framework put in place by the Bligh government in 2011.

**Ms Trad** interjected.

**Madam DEPUTY SPEAKER** (Miss Barton): Order! Member for South Brisbane, the minister is clearly not taking your interjections. To borrow a line from the Leader of the Opposition, you will have a chance to make your own contribution later and you can put questions to the minister then. The minister has the call.

**Mr CRIPPS:** The Department of State Development, Infrastructure and Planning's economic impact report is consistent with the concerns expressed by many local community organisations and individuals on North Stradbroke Island who have expressed concern about the impact of the current abrupt end to sandmining. In its submission made to the Agriculture, Resources and Environment Committee during its hearing on this bill, those concerns were expressed possibly most clearly by the Stradbroke Island Chamber of Commerce.

The fact is that there are many factors at play in relation to alternative industries. The longer transition time provided for in this bill represents a sensible balance between how long it will take to develop and establish alternative industries and ensuring that sandmining continues until further industries are established. Even more alarming is the fact that not only did the Bligh government put the economy of North Stradbroke Island at extreme risk; it failed in its indecent rush to secure Greens preferences to do enough to facilitate the establishment of alternative business enterprises on the island. Opportunities to establish alternative industries were constrained by the proposed future footprints of national parks and Indigenous joint management areas on the island. So there would have been very limited areas available for future development.


The Bligh government did not even undertake any amendments to facilitate a future that included ecotourism in national parks. The Newman government has addressed this enormous oversight by amending the Nature Conservation Act to allow for the authorisation of commercial ecotourism facilities in national parks. The Newman government has also amended the Nature Conservation Act to broaden the object of the Nature Conservation Act to provide for recreation and commercial uses in protected areas while continuing to retain a focus on nature conservation.

Not only did the Bligh government in its indecent haste treat the North Stradbroke Island community with contempt; as I have already pointed out, it treated Sibelco like a doormat given the company was employing hundreds of Queenslanders. The regulatory restrictions placed on Sibelco, such as the denial of access to a resource, imposed closure dates and reduced mining lease areas, and ignored, as I have mentioned before, all commercial considerations that drive mine management and investment decisions in the resources sector.

Debate, on motion of Mr Cripps, adjourned.

## MINISTERIAL STATEMENT


### Error in Answer to Question; National Rental Affordability Scheme

 **Hon. TL MANDER** (Everton—LNP) (Minister for Housing and Public Works) (6.29 pm), by leave: I wish to correct something that I said today in answer to a question from the member for Ipswich West that was incorrect. In my enthusiasm, I mentioned that we would deliver an additional 3½ thousand properties under NRAS before the end of this year, which is four weeks away. That is obviously incorrect. That should have been by the end of next year.

Sitting suspended from 6.30 pm to 7.30 pm.

## DISABILITY SERVICES (RESTRICTIVE PRACTICES) AND OTHER LEGISLATION AMENDMENT BILL

### Introduction

 **Hon. TE DAVIS** (Aspley—LNP) (Minister for Communities, Child Safety and Disability Services) (7.30 pm): I present a bill for an act to amend the Disability Services Act 2006 and the Guardianship and Administration Act 2000 for particular purposes. I table the bill and the explanatory notes. I nominate the Health and Community Services Committee to consider the bill.

*Tabled paper:* Disability Services (Restrictive Practices) and Other Legislation Amendment Bill 2013 [\[4098\]](#).

*Tabled paper:* Disability Services (Restrictive Practices) and Other Legislation Amendment Bill 2013, explanatory notes [\[4099\]](#).

This bill proposes amendments to the legislative framework that regulates the use of restrictive practices by funded disability service providers. To understand the bill, it is important to understand what restrictive practices are and why they are regulated. Restrictive practices are practices that are used by disability service providers on adults with a cognitive or intellectual disability to respond to behaviour that may cause physical harm or serious injury to the adult or others. This type of behaviour is known as challenging behaviour.

Legislation to regulate the use of restrictive practices was first introduced in 2008 in response to a report by the Hon. William Carter. This report identified an overreliance on the use of restrictive practices by service providers. It also identified that restrictive practices may infringe on the rights of the person subject to them. Legislation was subsequently put in place to regulate restrictive practices so that these practices are only used when absolutely necessary. The key objectives of the bill are to reduce the use of restrictive practices and safeguard adults subject to these practices. However, since the legislation was introduced in 2008, issues have continuously been raised by a broad range of stakeholders regarding the complexity of the legislative framework, with some questioning whether the framework actually achieves its objectives.

The Queensland government is committed to providing a contemporary and quality disability service system that responds to the needs of Queenslanders with disability, their families and carers. Therefore, earlier this year the Queensland government publically released a discussion paper to seek feedback on the restrictive practices framework. Submissions were received from service providers, families and carers of adults subject to restrictive practices, clinicians, disability support workers, consumer and advocate organisations, and statutory advocates. The submissions identified a number of areas where the legislation was not achieving its objectives. However, submissions were clear that regulation of restrictive practices by legislation is still necessary to ensure that disability service providers provide safe places for vulnerable adults. Submissions showed strong support for both reducing red tape for service providers to allow them to focus on providing quality front-line services and improving safeguards for adults subject to restrictive practices. I would like to thank everyone who took the time to make a submission.

In response to the feedback, and following further consultation with statutory advocates and service providers, the Queensland government is proposing a number of amendments to the legislative framework to address the issues raised. These amendments, which are laid out in the bill I have tabled today, are aimed at fixing the deficiencies of the legislative framework that was introduced by the former Labor government. The amendments in the bill focus on three key areas: reducing red tape for funded disability service providers, enhancing safeguards for adults subject to restrictive practices and the workers who support them; and improving the care and quality of life for

adults with an intellectual or cognitive disability who exhibit challenging behaviours. These three key areas work together to create a more practical and effective framework for the use of restrictive practices without infringing on the rights of adults with disability.

The bill reduces red tape through a number of amendments. The first change which will create a significant reduction in red tape is to amend the definitions of restrictive practices that are in the current legislation. This amendment is about reducing the confusion that service providers have identified around understanding when a restrictive practice is classed as a restrictive practice and, therefore, requires authorisation. The lack of clear definitions has resulted in some service providers applying for unnecessary approvals which is time consuming and takes resources away from front-line client services. The amendments will make it easier for service providers to determine the practices that require approval, thus saving time and resources which can instead be channelled into direct service provision. Amending the definitions will, therefore, have benefits for both service providers and their clients.

Another key amendment in the bill which will reduce red tape and streamline processes is the reduction in the prescriptive requirements for positive behaviour support plans. The aim of positive behaviour support plans is to provide a set of strategies and supports that an adult with challenging behaviour requires to help address their needs and decrease the frequency and severity of their behaviour. This improves their safety and quality of life as well as the safety of disability support workers. Unfortunately, the current legislation has been drafted in such a way that positive behaviour support plans are more of a paper based, time and resource intensive written exercise, rather than the practical tool that they should be. The bill makes amendments to the requirements to reduce the time taken to draft the plan and turns the focus back to where it should be: on the client. Plans will become practical and useful tools that can be used by all disability support workers who are working with clients with challenging behaviours.

The bill additionally makes amendments to emphasise the need for a positive behaviour support approach to all adults with challenging behaviour, not just those adults who are subject to restrictive practices. The amendments in the bill to reduce red tape and administrative burdens for service providers will enable service providers to focus their time and resources on front-line client care. This, in turn, will have a significant positive impact on the care and quality of life for adults who are subject to restrictive practices in funded disability services. These amendments will enhance client safeguards and support.

Another amendment to reduce red tape in the bill focuses on providing flexibility for the Queensland Civil and Administrative Tribunal to approve the appointment of a restrictive practice guardian for up to two years. Currently, guardians can only be appointed for one year, which means that every year service providers must go through the application process, thus channelling resources away from service provision. Submissions noted that a longer appointment time would be more practical as long as safeguards were in place to support this. The bill makes the change to the appointment time of restrictive practice guardians while maintaining important safeguards—safeguards which allow QCAT to set a suitable time frame for the appointment of a guardian. An appointment can also be revoked if this is necessary.

The bill also contains amendments that will make it easier for an adult who is subject to a restrictive practice authorisation to transition to a new service provider. This will be invaluable under the National Disability Insurance Scheme as an adult with a disability or their family or guardian will be able to choose to move to another service provider. Further red-tape amendments in the bill include: clarifying that the use of medication such as a sedative to facilitate the provision of a single instance of health care is not a chemical restraint, and providing time limited immunity from criminal and civil liability where a service provider has sought a short-term approval or the consent of the Adult Guardian as the guardian for restrictive practice matters and there is a delay in the approval or consent being decided. This amendment addresses feedback from service providers that delays in obtaining authorisations in the use of restrictive practices have meant that there are periods where a service provider and their workers will not have immunity from prosecution in the use of restrictive practices, making it difficult for providers to ensure the safe operation of their services.

It is clear that the amendments contained in this bill to reduce red tape and streamline administrative processes will have a resultant positive impact on service provision and enhance the lives of adults with challenging behaviours. The bill also proposes specific amendments to strengthen protections and safeguards for clients, thus ensuring their human rights continue to be upheld. The bill enhances safeguards for adults subject to the framework through a number of amendments to the current legislation.

First and foremost, the bill will be clear that restrictive practices should not be used for punitive reasons. Given this was one of the key objectives for introducing the legislation in the first place, it is astonishing that it was not specifically outlined in the legislation. That is a substantial oversight from the former Labor government!

Another significant blunder by the former Labor government in drafting this legislation was the omission of any requirement for service providers to report on their use of restrictive practices. This lack of reporting provisions means that there is no way of knowing when and how often restrictive practices are being used and whether the implementation of positive behaviour support plans are improving the quality of life and reducing the challenging behaviours of adults subject to restrictive practices in Queensland. Given that these are key objectives of the legislation, it does defy belief that reporting was not covered in the original legislation.

The lack of reporting is a real concern, especially given the potential risks and deprivations associated with the use of restrictive practices. Service providers themselves have noted that a lack of formal reporting is an issue and are supportive of amendments to introduce reporting on their use of restrictive practices. In order to rectify this significant oversight by the former Labor government, the bill will require funded service providers to report on their use of restrictive practices. Amending the current legislation to include reporting on the use of restrictive practices will significantly enhance safeguards for adults subject to restrictive practices.

This amendment will also support Queensland's smooth transition to the National Disability Insurance Scheme, as early indications are that reporting on restrictive practices is likely to be a requirement for providers under the national scheme. Some other jurisdictions already have successful reporting requirements in place. In Victoria, for example, reporting is done online without placing time-consuming administrative burdens on service providers. This is what we want for Queensland. The bill also proposes amendments to ensure that families of adults subject to restrictive practices are included and informed about the framework under which their loved one is being supported. This provides additional safeguards for adults subject to restrictive practices by ensuring that the adult and their family members are actively involved in their care.

The bill achieves this through the introduction of a requirement for service providers to provide a statement about the use of restrictive practices to family members. This statement will require the service provider to explain why the provider is considering that a restrictive practice might be necessary; how family members can be involved and express their views on the practices; and avenues for complaints, reviews and redress. This is an important area that was disappointingly overlooked in the drafting of the original legislation by the former government.

Alongside the legislative changes that are contained in the bill I have tabled today, the Queensland government will also be making a number changes to policy, practice, education and training. These additional changes will enhance and support the legislative changes to create a holistic approach to this complex area. Such changes will include: developing guidelines about what types of actions require approval; providing service providers with an exemplar positive behaviour support plan; expanding training to service providers and family members; and providing a central point of contact for service providers, family members and others, for advice and monitoring of the use of restrictive practices.

Madam Speaker, the Queensland government has listened to the feedback we received on the restrictive practices framework. We have reviewed the framework. We have considered the fact that the regulation of restrictive practices is currently under consideration at a national level with the transition to the National Disability Insurance Scheme. Taking all of this into account, the Queensland government believes that this is the right set of reforms for right now.

Some may consider that more dramatic structural changes to the framework should have been made. However, it would not be prudent of this government to make big changes now that may not align with decisions made at a national level when the National Disability Insurance Scheme is fully rolled out from July 2019. We have focussed on making more immediate and practical amendments to the current framework—changes that will improve the workability of the framework and ensure that we are continuing to improve outcomes for people with disability, their families and carers. We are also honouring our commitment to Queenslanders to reduce red tape and focus on front-line services and client care.

This has been a very important piece of reform, and I would like to thank everybody who has provided their input and expertise. This includes everyone who took the time to make a submission, members of the restrictive practices working group, my department, the Attorney-General and Minister for Justice and his department. Madam Speaker, I commend the bill to the House.

### First Reading

**Hon. TE DAVIS** (Aspley—LNP) (Minister for Communities, Child Safety and Disability Services) (7.44 pm): I move—

That the bill be now read a first time.

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

Motion agreed to.

Bill read a first time.

### Referral to the Health and Community Services Committee

**Madam SPEAKER:** In accordance with standing order 131, the bill is now referred to the Health and Community Services Committee.

### Portfolio Committee, Reporting Date

**Hon. TE DAVIS** (Aspley—LNP) (Minister for Communities, Child Safety and Disability Services) (7.44 pm), by leave, without notice: I move—


That under the provisions of standing order 136 the Health and Community Services Committee report to the House on the Disability Services (Restrictive Practices) and Other Legislation Amendment Bill by 3 February 2014.

Question put—That the motion be agreed to.

Motion agreed to.

## PROPERTY OCCUPATIONS BILL

### Introduction

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (7.45 pm): I present a bill for an act to provide for the regulation of the activities, licensing and conduct of property agents and resident letting agents and their employees and to protect consumers against particular undesirable practices, to amend the Body Corporate and Community Management Act 1997 for particular purposes, and to make minor and consequential amendments of the acts stated in schedule 2 for particular purposes. I table the bill and the explanatory notes. I nominate the Legal Affairs and Community Safety Committee to consider the bill.

*Tabled paper:* Property Occupations Bill 2013 [\[4100\]](#).

*Tabled paper:* Property Occupations Bill 2013, explanatory notes [\[4101\]](#).

Madam Speaker, I am pleased to present a bill for an act to provide for the regulation of the activities, licensing and conduct of property agents, resident letting agents and their employees and to protect consumers against particular undesirable practices. The bill will also reduce red tape and regulation for industry, remove the unnecessary warning statement and information sheet requirements that are associated with the sale of residential property, and make minor and consequential amendments to particular acts.

Businesses and individuals performing the functions of a real estate agent, real property auctioneer or resident letting agent for others for reward are currently regulated under the Property Agents and Motor Dealers Act 2000, along with a range of other separate and diverse industries. Industry has long been calling for a reduction in red tape and for the cumbersome and complex Property Agents and Motor Dealers Act 2000 to be split into separate, industry-specific pieces of legislation. This bill is one of four bills that will facilitate the repeal of the Property Agents and Motor Dealers Act 2000 and replace it with three industry-specific acts, supported by a financial administration act containing common trust account obligations and claim fund provisions applying across the industry-specific acts. Together the bills will deliver a contemporary legislative framework that is responsive to the needs of the industries regulated under the Property Agents and Motor Dealers Act 2000 and that promotes growth, innovation, creativity and productivity.

However, the government is committed to not only splitting and repealing the Property Agents and Motor Dealers Act 2000 but also reducing red tape and unnecessary regulation for industry. That is why a robust red-tape-reduction review of the draft split bills has been conducted in consultation with stakeholders. This government is determined to support the property sector as it goes about the business of providing jobs, affordable homes and investment opportunities for Queenslanders as well



as world-class tourism facilities for our domestic and international visitors. By getting property policy right, the government will create an environment where the property sector can meet its potential in supporting construction and tourism—two of the four pillars of our economy.

The bill maintains the policy objective of the Property Agents and Motor Dealers Act 2000, that being to provide a system for licensing and regulating the industry that achieves an appropriate balance between the need to regulate for the protection of consumers and the need to promote freedom of enterprise in the marketplace. However, the bill also significantly reduces the level of regulation of the property industry by removing red tape that simply adds unnecessary costs and complication for business, while providing no meaningful protection or benefit for consumers or the broader community.

A key amendment included in the bill will deliver on the government's commitment to streamline home sale contracts by removing cumbersome and unnecessary requirements about warning statements for home sale contracts. The warning statement requirements of the current legislation significantly add to the volume of paperwork and complexity associated with home sale contracts. Worse still, the excessively prescriptive nature of the provisions of the current legislation can lead to contracts, which have been entered into in good faith, being avoided by buyers on very technical grounds. This is not a fair balance of the rights and interests of buyers and sellers.

In place of the existing provisions, the bill simply requires a brief statement to be incorporated into residential sales contracts above the signature block recommending buyers obtain independent legal advice and a valuation before signing a contract. Rather than drowning buyers in documents and unhelpful detail, this simple approach draws buyers' attention to what they really need to know.

The bill also deregulates the maximum commissions payable to property agents and resident letting agents. Queensland is the only state that regulates to cap property agent commissions. While capped commissions were intended to protect consumers, unfortunately what was intended to be a maximum rate has generally become a default rate for commissions.

Deregulating commissions is intended to put downward pressure on commissions by removing the perception that the maximum rate of commission is a standard rate, thereby stimulating increased competition in the market on commission rates. While deregulating commissions is expected to deliver benefits for consumers, the government knows this is a significant change for Queenslanders selling their homes or leasing an investment property. Accordingly, the Office of Fair Trading will undertake a community information and education campaign to support the deregulation of property agent and resident letting agent commissions in Queensland. The campaign will emphasise to consumers the importance of shopping around and negotiating commissions, fees and charges before appointing a property agent or resident letting agent.

The government knows that empowering consumers with practical information about their right to negotiate commissions, fees and charges with prospective agents is an important part of promoting competition and putting downward pressure on commissions, fees and charges. In developing the campaign, the Office of Fair Trading will consult closely with peak consumer groups and representatives about how best to engage with the community about the deregulation of commissions in Queensland.

The bill provides new exemptions from the act for property agents acting for particular sophisticated parties who do not need to be afforded the protections under the bill. This initiative will reduce unnecessary licensing and compliance costs for businesses dealing in large-scale, sophisticated commercial transactions.

The bill also eliminates reporting and paperwork that unnecessarily imposes costs on industry, buyers and sellers including, for example, by:

- significantly streamlining the approved forms for appointments;
- removing the requirement for an employment register to be maintained;
- removing the prescriptive requirements about the display of a licence;
- reducing the restrictions relating to licensees being in charge at a place of business;
- removing the lawyer's certificate requirements;
- removing the requirement for a prescribed notice to be provided if the sale is in relation to vacant land; and
- removing the requirement for a buyer to state in a termination notice the relevant section of the legislation that is being used to exercise their cooling-off rights.

A number of amendments to clarify particular provisions and improve the operation of the legislation have also been provided for in the bill. For example, the bill clarifies the meaning of residential property, clarifies that the disclosure of a price guide for a property that is going to auction is banned, and clarifies that a separate appointment is not required for conjuncting agents.

Consistent with the other two industry-specific agents bills, the bill also makes a number of changes to the licensing requirements including, for example, by consolidating and rationalising the licence categories and removing the requirement for directors of licensed corporations to hold a licence.

With respect to the regulation of resident letting agents, the bill significantly reduces the level of regulation and red tape for these agents. The bill removes the requirement for a resident letting agent to satisfy the chief executive that they have body corporate approval and that they will live onsite to be eligible for a licence. In addition, under the bill resident letting agents will no longer be limited to managing only one building complex. These matters are not indicative, for occupational licensing purposes, of whether a person is appropriate to provide letting services to a building complex. Of course, resident managers will still be required to comply with their individual management rights contracts and agreements with relevant bodies corporate in relation to those matters.

The government has worked closely with industry and peak stakeholder bodies to identify and implement new red-tape-reduction measures. I would like to personally thank each and every person and organisation that made a submission to the red-tape-reduction review earlier this year. This bill, and the other agents bills, are a reflection of the government's commitment to deliver a modernised approach to the regulation of the property sector that reduces unnecessary regulation and red tape. I commend this bill to the House.

### First Reading

**Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (7.53 pm): I move—

That the bill be now read a first time.

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

Motion agreed to.


Bill read a first time.

### Referral to the Legal Affairs and Community Safety Committee

**Madam SPEAKER:** In accordance with standing order 131, the bill is now referred to the Legal Affairs and Community Safety Committee.

## MOTOR DEALERS AND CHATTEL AUCTIONEERS BILL

### Introduction

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (7.53 pm): I present a bill for an act to provide comprehensively for the regulation of the activities, licensing and conduct of motor dealers and chattel auctioneers and their employees, to protect consumers against particular undesirable practices, and to make minor and consequential amendments of this act, the Criminal Organisation Act 2009, the Duties Act 2001, the Forestry Act 1959, the Police Powers and Responsibilities Act 2000, the Queensland Civil and Administrative Tribunal Act 2009, the Second-hand Dealers and Pawnbrokers Act 2003 and the Transport Operations (Road Use Management) Act 1995. I table the bill and the explanatory notes. I nominate the Legal Affairs and Community Safety Committee to consider the bill.

*Tabled paper:* Motor Dealers and Chattel Auctioneers Bill 2013 [\[4102\]](#).

*Tabled paper:* Motor Dealers and Chattel Auctioneers Bill 2013, explanatory notes [\[4103\]](#).

Motor dealers and chattel auctioneers in Queensland are currently regulated under the Property Agents and Motor Dealers Act 2000, along with a range of other separate and diverse industries. By 'motor dealers' I am referring to individuals and businesses that buy and sell used motor vehicles. 'Chattel auctioneers' are individuals and businesses that provide auctioneering services for auctions of goods, motor vehicles and livestock.

The bill is one of four bills designed to repeal the Property Agents and Motor Dealers Act 2000 and replace it with three industry-specific acts, supported by a financial administration act containing common trust account obligations and claim fund provisions applying across the industry-specific acts. Like the other bills, this bill contributes to the government's ongoing commitment to reduce regulation and red tape for Queensland business.

It is vital that both the motor-dealing and chattel-auctioneering sectors continue to be regulated to ensure that levels of consumer protection and professional standards in these sectors remain high. To achieve that, it is necessary that both motor dealers and chattel auctioneers meet appropriate training, suitability and conduct requirements given the potential impact on consumers and other businesses of unsuitable or unqualified operators in these sectors. Indeed, legitimate businesses in these sectors support continued licensing and regulation of their activities.

For these reasons, the bill maintains the primary policy objective of the Property Agents and Motor Dealers Act 2000 to regulate the motor-dealing and chattel-auctioneering industries in Queensland—that is, to provide a system for licensing and regulating persons as motor dealers and chattel auctioneers and for registering and regulating persons as motor salespersons that achieves an appropriate balance between the need to regulate for the protection of consumers and the need to promote freedom of enterprise in the marketplace.

However, the Queensland government also recognises the need to reduce some of the unnecessary regulatory burden placed on businesses and individuals working in these industries. The bill will simplify critical areas of the legislation to achieve a reduction in the costs to motor-dealing and chattel-auctioneering businesses which are imposed by some of the existing requirements of PAMDA. These red-tape reductions have largely been developed through close consultation with the regulated industries.

The split of the Property Agents and Motor Dealers Act 2000 also results in a split of licensing of specific auctioneering functions in that an auctioneer licence under the Property Occupations Bill 2013 will authorise sale of real property by auction, while a chattel auctioneer licence under this bill will authorise sale of goods, motor vehicles and livestock by auction. This may result in some businesses or individuals holding two licences to provide a complete range of auctioneering services. However, care has been taken to keep the requirements for auctioneers under the two bills comparable, and allowances for fee waivers for multiple licences will be made to minimise any impact in terms of costs of obtaining or maintaining multiple licences.

The red-tape-reduction initiatives provided by the bill are sensible but substantial measures designed to reduce certain prescriptive, costly or time-consuming elements of the present legislative framework. A key example is the simplification of statutory warranty requirements that will see statutory warranties provided for a single class of vehicle up to 10 years old that has travelled fewer than 160,000 kilometres. Removing short-term statutory warranty requirements for older, typically low-value vehicles will make legitimate sales of these vehicles more viable. It will also reduce the prevalence of illegal dealings in these vehicles, ensuring that beneficial consumer protections such as cooling-off periods and guarantees of title apply when they are sold legitimately.

Another key example for chattel auctioneers is removing the client referee requirements for paying out the proceeds of livestock sales by auctions. It is appropriate that existing safeguards around stock identification and criminal law prohibitions relevant to livestock ownership issues are in place. However, it is not appropriate to burden chattel auctioneers with the requirement to act as referees for the clients they are selling for specifically when dealing in livestock.

The bill reduces the number of approved forms required for used motor vehicle transactions, for both motor dealers and chattel auctioneers. This will eliminate aspects of red tape and unnecessary duplication of information provided as part of a transaction without threatening safeguards such as the requirement to guarantee title to purchasers. For example, there will no longer be a requirement to provide an approved form recording particulars of a vehicle and stating that the responsible licensee guarantees title. These particulars are already required to be provided as part of another approved form; the seller is required in any case to guarantee title under the terms of the bill; and the client is to be made aware of that guarantee of title under a simple addition to the contract of sale.

The Queensland government is determined to stop criminal organisations from operating in the state. Links have been identified between criminal organisations and a number of business sectors, including the used-motor-dealing sector. The bill will prevent identified participants of criminal organisations from obtaining or holding a motor dealer licence or motor salesperson registration

certificate. These provisions will support the government's strong action on criminal organisations by preventing participants in criminal organisations from infiltrating used-motor-dealing businesses or otherwise legitimising their activities through these businesses.

Consistent with the other two industry-specific bills, the bill also makes a number of changes to the licensing requirements including, for example, removing the requirement for directors of licensed corporations to hold a licence. I commend the bill to the House.

### First Reading

**Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (7.59 pm): I move—

That the bill be now read a first time.

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

Motion agreed to.


Bill read a first time.

### Referral to the Legal Affairs and Community Safety Committee

**Mr DEPUTY SPEAKER** (Dr Robinson): Order! In accordance with standing order 131, the bill is now referred to the Legal Affairs and Community Safety Committee.

## DEBT COLLECTORS (FIELD AGENTS AND COLLECTION AGENTS) BILL

### Introduction

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (7.59 pm): I present a bill for an act to comprehensively provide for the regulation of the activities and conduct of debt collectors and subagents and to protect consumers against particular undesirable practices, and to make minor and consequential amendments of this act, the Fire and Rescue Service Act 1990 and the State Penalties Enforcement Act 1999 for particular purposes. I table the bill and explanatory notes. I nominate the Legal Affairs and Community Safety Committee to consider the bill.

*Tabled paper:* Debt Collectors (Field Agents and Collection Agents) Bill 2013 [\[4104\]](#).

*Tabled paper:* Debt Collectors (Field Agents and Collection Agents) Bill 2013, explanatory notes [\[4105\]](#).

I am pleased to present a bill for an act to comprehensively provide for the regulation of the activities and conduct of debt collectors and their employees and to protect consumers against particular undesirable practices and to make minor and consequential amendments to the Fire and Rescue Service Act 1990 and the State Penalties Enforcement Act 1999. Businesses and individuals performing debt collection, repossession and process serving activities for others for reward are currently regulated under the Property Agents and Motor Dealers Act 2000, along with a range of other separate and diverse industries. The bill is one of four bills designed to repeal the Property Agents and Motor Dealers Act 2000 and replace it with three industry-specific acts, supported by a financial administration act containing common trust account obligations and claim fund provisions applying across the industry-specific acts. Like the other three bills, this bill contributes to the government's ongoing commitment to reduce red tape for Queensland business.

It is important that the state's debt collection industry continues to be regulated to ensure a high level of consumer protection is maintained, particularly given the activities debt collectors perform and that debtors—the people they interact with—are often at their most vulnerable. For this reason, the bill maintains the policy objective of the PAMDA legislation in regulating the Queensland debt collection industry—that is, to provide a system for licensing and regulating persons as debt collectors that achieves an appropriate balance between the need to regulate for the protection of consumers and the need to promote freedom of enterprise in the marketplace. However, the bill also simplifies the regulation of the debt collection industry and removes unnecessary regulatory burdens imposed on this industry under the PAMDA.

Importantly, this government has continued to work with the industry's peak stakeholder body to identify and implement new red-tape-reduction measures. One example is the new negative licensing system for a particular sector of the debt collection industry, being those individuals and businesses that perform debt collection activities without face-to-face debtor contact. This will replace the existing positive licensing framework, which will significantly reduce time and costs for those debt

collection agents who will now no longer be required to apply for a licence or registration certificate and regularly renew it. This is an appropriate reduction in regulation for this portion of the industry because debtors have more control over how they wish to manage their interaction with the debt collector.

The bill also reduces the red tape and regulation that currently add unnecessary costs for business providing process serving, repossession and debt recovery services and which provide no meaningful protection or benefit for the community. For example, the bill makes it simpler and easier for a consumer to appoint an agent to perform process serving functions. The bill also eliminates reporting and paperwork that unnecessarily imposes costs on debt collectors and reduces the restrictions relating to particular licensed debt collectors being in charge of a regulated debt collection business. Consistent with the other two industry-specific bills, the bill also makes a number of changes to the licensing requirements, including, for example, removing the requirement for directors of licensed corporations to also hold a licence. I commend the bill to the House.

### First Reading

**Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (8.02 pm): I move—

That the bill be now read a first time.

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

Motion agreed to.

Bill read a first time.

### Referral to the Legal Affairs and Community Safety Committee

**Madam SPEAKER:** Order! In accordance with standing order 131, the bill is now referred to the Legal Affairs and Community Safety Committee.

## AGENTS FINANCIAL ADMINISTRATION BILL

### Message from Governor

**Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (8.03 pm): I present a message from Her Excellency the Governor.

The Speaker read the following message—

MESSAGE

AGENTS FINANCIAL ADMINISTRATION BILL 2013

*Constitution of Queensland 2001, section 68*

I, PENELOPE ANNE WENSLEY AC, Governor, recommend to the Legislative Assembly a Bill intituled—

A Bill for an Act to provide for the administration of trust accounts held by agents regulated under the Debt Collectors (Field Agents and Collection Agents) Act 2013, the Motor Dealers and Chattel Auctioneers Act 2013 and the Property Occupations Act 2013, to establish a claim fund to compensate persons in particular circumstances for financial loss arising from dealings with agents, and for related purposes

(Sgd)

GOVERNOR

Date: 19 NOV 2013

*Tabled paper:* Message, dated 19 November 2013, from Her Excellency the Governor, recommending the Agents Financial Administration Bill 2013 [\[4106\]](#).

### Introduction



**Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (8.04 pm): I present a bill for an act to provide for the administration of trust accounts held by agents regulated under the Debt Collectors (Field Agents and Collection Agents) Act 2013, the Motor Dealers and Chattel Auctioneers Act 2013 and the Property Occupations Act 2013, to establish a claim fund to compensate persons in particular circumstances for financial loss arising from dealings with agents, and for related purposes. I table the bill and explanatory notes. I nominate the Legal Affairs and Community Safety Committee to consider the bill.

*Tabled paper:* Agents Financial Administration Bill 2013 [\[4107\]](#).

*Tabled paper:* Agents Financial Administration Bill 2013, explanatory notes [\[4108\]](#).

I present a bill for an act to provide for the administration of trust accounts held by agents regulated under an agents act, to establish a claim fund to compensate persons in particular circumstances for financial loss arising from dealings with agents, and for related purposes. This is one of the four bills to repeal and replace the Property Agents and Motor Dealers Act 2000 with a more flexible, contemporary legislative framework consisting of three industry-specific acts, supported by an agents financial administration act.

This bill provides common provisions for the opening and maintenance of trust accounts by licensees under the Property Occupations Bill 2013, the Motor Dealers and Chattel Auctioneers Bill 2013 and the Debt Collectors (Field Agents and Collection Agents) Bill 2013. The other primary function of this bill is to establish a claim fund, as is currently provided by the Property Agents and Motor Dealers Act 2000, which compensates consumers who suffer financial loss as a result of particular actions of licensees and other persons regulated under the industry-specific agents acts.

As with the agents bills, this bill has a strong focus on reducing red tape. The government's continued commitment to unburdening industries, and in the case of this bill the government itself, from unnecessary processes and bureaucracy will be furthered by changes brought through this bill. For too long the Property Agents and Motor Dealers Act 2000 has been a cumbersome and unwieldy piece of legislation. This bill will unfetter the regulated industries as well as the regulators and deliver time and cost savings.

The bill's trust account provisions, while still providing consumer protection, include beneficial changes for industry. One example of this is the removal of the requirement to appoint an auditor for a trust account and advise the chief executive of the name of the auditor before an agent is even licensed and, consequently, before the trust account can be opened. There was no logical reason for this and in fact it placed auditors in an awkward position in that technically they cannot accept an appointment where a trust account is yet to be opened.

Under this bill, an agent has a month from the time they open a trust account in which to appoint an auditor and then a further month from the appointment date in which to notify the chief executive of the auditor's name and appointment acceptance—a much more workable approach. The bill also provides a means for consumers to seek compensation from the claim fund where they have suffered financial loss as a result of particular conduct by agents who are regulated by the agents acts.

With this bill, consumers will have a simpler and concise act to consult as a starting point for considering their right to claim. I am committed to helping consumers know and enforce their rights. The bill improves upon the PAMDA legislation by promoting administrative efficiencies in receiving, determining and paying claims from the claim fund. Significant red-tape reduction and cost savings will be achieved for the government through the introduction of streamlining measures such as creating more flexibility around whether a claim is determined by the chief executive or the Queensland Civil and Administrative Tribunal.

The bill also reduces duplication of investigation and reporting, allows for condensed processes where that is appropriate and permits an immediate payment from the claim fund under emergency or urgent circumstances. This bill goes a long way to ensuring consumers can confidently deal with agents in financially significant transactions and, in doing so, supports growth in the property, motor dealer, auctioneer and field and collection agents industries. I commend the bill to the House.

### **First Reading**

**Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (8.07 pm): I move—

That the bill be now read a first time.

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

Motion agreed to.

Bill read a first time.

### **Referral to the Legal Affairs and Community Safety Committee**

**Madam SPEAKER:** Order! In accordance with standing order 131, the bill is now referred to the Legal Affairs and Community Safety Committee.

## FAIR TRADING INSPECTORS BILL

### Introduction



**Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (8.08 pm): I present a bill for an act to provide for the powers of inspectors under legislation about fair trading, and to make consequential amendments, and other amendments for particular purposes, of this act, the Funeral Benefit Business Act 1982, the Introduction Agents Act 2001, the Land Sales Act 1984, the Manufactured Homes (Residential Parks) Act 2003, the Residential Services (Accreditation) Act 2002, the Retirement Villages Act 1999, the Second-hand Dealers and Pawnbrokers Act 2003, the Security Providers Act 1993, the Tourism Services Act 2003 and the Travel Agents Act 1988. I table the bill and explanatory notes. I nominate the Legal Affairs and Community Safety Committee to consider the bill.

*Tabled paper:* Fair Trading Inspectors Bill 2013 [\[4109\]](#).

*Tabled paper:* Fair Trading Inspectors Bill 2013, explanatory notes [\[4110\]](#).

I am pleased to present a bill for an act to provide for the powers of inspectors under legislation about fair trading and to make consequential amendments to a number of acts about fair trading. The Queensland statute book contains a number of acts dealing with fair trading and consumer protection matters. Many of these acts, although not all, are administered by the Department of Justice and Attorney-General through the Office of Fair Trading. Generally, fair trading legislation contains inspectorate or similar provisions to facilitate compliance and enforcement with requirements of the relevant act.

The Fair Trading Inspectors Bill 2013 is designed to establish a stand-alone act which harmonises and consolidates inspectorate, investigation, monitoring and enforcement provisions for 14 acts dealing with fair trading matters. Essentially, the bill contains a suite of common provisions that apply to inspectors appointed to undertake compliance and enforcement activities under stipulated acts about fair trading, which are identified in the bill as primary acts. The 14 acts identified in the bill as primary acts are the Funeral Benefit Business Act 1982, the Introduction Agents Act 2001, the Land Sales Act 1984, the Manufactured Homes (Residential Parks) Act 2003, the Residential Services (Accreditation) Act 2002, the Retirement Villages Act 1999, the Second-hand Dealers and Pawnbrokers Act 2003, the Security Providers Act 1993, the Tourism Services Act 2003, the Travel Agents Act 1988 and the proposed Property Occupations Act 2013, Motor Dealers and Chattel Auctioneers Act 2013, Debt Collectors (Field Agents and Collection Agents) Act 2013 and Agents Financial Administration Act 2013. As members will note, I have introduced bills for the latter four proposed acts in the current sittings. Members may note also that the bill is similar to the Fair Trading Inspectors Bill 2011, which was introduced by the former government but which lapsed on the dissolution of the 53rd Parliament.

The provisions contained in this bill deal with a range of matters, including the appointment of inspectors as well as the powers that can be exercised by inspectors when investigating a complaint or conducting proactive compliance activities under the primary acts. The bill contains a spectrum of powers, including relatively mild powers as well as more intrusive, coercive powers. This is important, because fair trading inspectors deal with a wide range of issues ranging from relatively straightforward disputes between consumers and traders to highly serious matters involving risks to public safety or major financial losses for consumers. Investigation, compliance and enforcement options in the bill ensure that fair trading inspectors will be able to utilise powers and authorities that are appropriate to the seriousness of the matter they are investigating.

The framework established by the bill will facilitate more consistency in both the terminology and application of compliance and enforcement principles, providing more certainty for regulators, industry and consumers. Currently, differences and inconsistencies in compliance and enforcement provisions can arise when different acts about fair trading are amended at different times. The framework provided by the bill will ensure that any amendments to provisions about common inspectors' powers will apply consistently across the primary acts identified in the bill.

In addition, the structure of the bill allows additional legislation to be added in the future as primary acts. Also, the bill does not limit the legislation that can be included as a primary act to those acts administered by the Office of Fair Trading. For instance, three of the primary acts for the bill are currently administered by the Department of Housing and Public Works. This allows agencies other than the Office of Fair Trading, which administer legislation dealing with particular fair trading matters, to utilise the common provisions of the bill while retaining responsibility for appointing their own inspectors and carrying out their own compliance and enforcement activities under those acts.



The bill provides an efficient and innovative approach to legislating for inspectorate, compliance and enforcement powers for acts about fair trading. I commend the bill to the House.

### First Reading

**Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (8.12 pm): I move—

That the bill be now read a first time.

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

Motion agreed to.

Bill read a first time.

### Referral to the Legal Affairs and Community Safety Committee

**Madam SPEAKER:** Order! In accordance with standing order 131, the bill is now referred to the Legal Affairs and Community Safety Committee.

### Portfolio Committee, Reporting Date

**Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (8.13 pm), by leave, without notice: I move—

That under the provisions of standing order 136 the Legal Affairs and Community Safety Committee report to the House on the Agents Financial Administration Bill, the Debt Collectors (Field Agents and Collection Agents) Bill, the Fair Trading Inspectors Bill, the Motor Dealers and Chattel Auctioneers Bill and the Property Occupations Bill by 24 February 2014.

Question put—That the motion be agreed to.


Motion agreed to.

## NORTH STRADBROKE ISLAND PROTECTION AND SUSTAINABILITY AND ANOTHER ACT AMENDMENT BILL

### Second Reading

Resumed from p. 4052, on motion of Mr Cripps—

That the bill be now read a second time.

 **Hon. AP CRIPPS** (Hinchinbrook—LNP) (Minister for Natural Resources and Mines) (8.14 pm), continuing: Before the dinner break I was talking about the impact on Sibelco of the Labor Party's 2011 legislation. The precedent of amendment legislation to change mining lease conditions is quite significant and one that has direct implications for investor confidence in exploration and mineral development in Queensland. The act materially cut short Sibelco's proposed mining activities and the resource life potential. This represented a significant economic loss to Sibelco and represented a huge blow in terms of Queensland's reputation for sovereign risk. Finally, and perhaps most ironically, in their desperate grab for green votes the Bligh government failed to pay adequate attention to the environment. Despite its feigned concern for the environment, the Bligh government failed to provide any mechanism for Sibelco to gain access to mined areas on its Enterprise and Yarraman leases after mining had finished in order for it to carry out comprehensive rehabilitation. How could a government that was supposedly so green forget to provide access to mine sites for the purposes of rehabilitation? Yet again, it is clear that the Bligh government was making it up as it was going along. It was so much more interested in the media release and in the Greens preference deal that it forgot to get the basics right and look after the environment. What a shocking, abysmal and incompetent mistake by the Bligh government.

The North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill 2013 will enable Sibelco to seek a renewal of mining leases in 2019 at the Enterprise mine until 2035, thereby providing a realistic time frame in which the island can transition to other industries such as nature based recreation tourism and education. The Newman government believes that it is essential to extend sandmining on North Stradbroke Island in order to protect jobs and incomes while providing sufficient time for the local economy to transition away from a reliance on sandmining. Obviously, this can be achieved only by ensuring that the amendments to the act provide an economic environment that is sufficiently attractive to keep Sibelco mining sand until 2035.



However, that does not mean that the government simply gave Sibelco everything it wanted. The Labor opposition and some submissions to the committee have suggested that, in introducing this bill, the government is doing the bidding of Sibelco. This accusation is baseless and, quite frankly, is offensive to me as the responsible minister. It should be no surprise to anyone that Sibelco wished to have amendments made to the act that would return it to the same position that it was in before the Bligh government unilaterally cut short the company's rights under the Mineral Resources Act 1989.

Sibelco's validly granted mining leases and rights under those leases were stamped out unceremoniously by the Bligh government. The initial proposal put forward to this government by Sibelco in 2012 was much broader in scope than the framework that I am presenting to the parliament in this bill. I considered Sibelco's legitimate commercial needs against a range of other important considerations such as the environment and, of course, the native title rights and cultural interests of the Quandamooka people.

I did not agree to Sibelco's initial proposal. I then challenged Sibelco to develop a proposal that did not impact on national park or Indigenous joint management areas, minimise the area to be mined and potential impacts on the environment and did not impinge on native title or cultural heritage laws. As such, the bill does not represent the agreement of the government to a wish list from Sibelco but a sensible balance between all of the interests involved. It is not this amendment bill that is the result of a dirty deal; it was the 2011 act that was a dirty deal between Labor and the Greens. Not only is this bill fixing up the mess left behind by Labor but, in the process, it ensures that mining continues within a smaller footprint. These amendments will ensure that mining proceeds in a manner that affords proper safeguards against environmental impacts.

I would like to thank the Agriculture, Resources and Environment Committee for its consideration of the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill 2013. I note that the committee tabled its report on 14 November 2013. The committee's report recommends that the bill be passed. I would like to address the recommendations made and clarify points that have been raised in this report.

The committee recommends that the government establish processes to ensure cooperation and proper planning across all levels of government in consultation with the traditional owners, other residents and businesses on North Stradbroke Island to assist the transition of the economy of the region from a reliance on the mining industry to other industries. The government is pleased to accept this recommendation. The government is committed to working with the local community, businesses, traditional owners and Redland City Council to ensure the effective transition of the island's economy and is extending sandmining on North Stradbroke Island so that there is adequate time for this to occur. The pathway towards this transition has already started.

As I mentioned before, the government has passed amendments to the Nature Conservation Act to allow for the authorisation of ecotourism facilities in national parks and Indigenous joint management areas and broaden the object of the Nature Conservation Act 1992 to provide for recreation and commercial uses in protected areas while continuing to retain a focus on nature conservation. The government is also working with QYAC and the Quandamooka people to implement the Indigenous land use agreement. As implementation of the ILUA progresses, the opportunities for development on the island will become clearer. In addition, QYAC and senior government representatives from several departments now participate in quarterly roundtable discussions. This provides an opportunity for members of QYAC, Quandamooka elders and the government to discuss matters relating to the implementation of the ILUA in an open and consultative manner. These actions will help coordinate the actions that all levels of government and the community, including the traditional owners, need to undertake to finalise an agreed economic transition plan.

The committee also requested that I inform the House about how the offsets policy in the vegetation management framework may operate. All resource activity under a mining lease, including that on North Stradbroke Island, is exempt from the vegetation management framework. However, the mining activities may trigger a requirement for a biodiversity offset under the government's biodiversity offset policy. Officers from the Department of Environment and Heritage Protection reviewed the current regional ecosystem and essential habitat mapping to establish if a biodiversity offset would be required in accordance with Queensland's environmental offsets policy. The department found that the following biodiversity values applied to the relevant mining leases: with regard to remnant 'of concern' regional ecosystems, a mapped area exists on ML1105 and this has been excluded from the proposed project area. Mining operations cannot occur in those areas. With regard to essential habitat, the proposed project area contains approximately 960 hectares of area

mapped as essential habitat which could potentially be lost. This equates to approximately 5.38 per cent of the total essential habitat on North Stradbroke Island. For wetlands, the proposed project area does not contain any area mapped as wetland.

In relation to connectivity, the proposed project area is contained within a contiguous natural ecosystem, however connectivity will continue to be provided in areas adjacent to the operation. Finally, for protected plants and animals, the proposed project area is habitat for protected plants and animals, however it is only a small area at 5.38 per cent of the total essential habitat on North Stradbroke Island. Impacts on protected plants and animals were the subject of the environmental studies report in area A of the environmental authority map. The study found that the mining operation was not likely to have a significant effect on protected flora and fauna. Departmental officers have had due regard to the extent of damage that mining would have on these biodiversity values and determined that an offset was not required. This decision was based on the size of the impacted area in context with the rest of the island, the lower status of protection as it does not meet the definition of category A and B environmentally sensitive areas, the relative mobility of affected wildlife and the progressive rehabilitation program.

The member for South Brisbane provided a dissenting report to the committee on the bill. The member for South Brisbane unfortunately continues to try to muddy the waters with baseless accusations in her dissenting report and embellishes the scaremongering tactics of green groups that are attempting to hoodwink the local community. Again, I reiterate to the members of the House that this mess was created by the previous Bligh government. They treated Sibelco with contempt, cutting off all consultation and acting in such a rush that they passed an error riddled act which this government now has to remedy. Their naïve assumption that tourism would spontaneously fill the gap of lost jobs and economic activity was absolutely ridiculous. The most serious of the accusations in the member for South Brisbane's dissenting report is the claim that a cash-for-legislation deal was done by this government. It would be more accurate to say that the LNP put its policy to the voters and that this was resoundingly endorsed by the residents of the North Stradbroke Island community.

The member for Dalrymple has raised a number of points in his dissenting report to this bill that the period of time for consultation and the level of consultation was insufficient. With the level of detail and the depth with which all of the issues have been examined on this matter over the past few years, it is clear that every angle has been canvassed extensively by every group with an interest in this matter. To suggest that this government has not adequately considered these views is disingenuous and merely a throwaway line for a member who had nothing else to say.

What this bill achieves is a middle ground between a resource company, the native title holders, the community and the government. As I stated earlier, this government did not introduce this bill at the bidding of Sibelco. Let me reiterate: I weighed up Sibelco's commercial needs against a range of other important considerations, such as the environment and the native title and cultural interests of the Quandamooka people and, of course, the LNP's election commitment. Again, to suggest otherwise is, frankly, offensive to me as the responsible minister.

Some submissions to the committee suggested that there was no need to provide any extra time for the North Stradbroke Island economy to transition from sandmining to other industries. With the greatest respect, I disagree with these submissions. The time frame set by the Bligh government for the cessation of mining on North Stradbroke Island was totally unrealistic. The economy of the island was, and still is, significantly dependent on sandmining. The successful development of new industries requires extensive planning and actions such as feasibility studies, supply and demand assessments and transport assessments. I would also like to point out that a number of these submissions were template objections made by people using electronic form letters generated from an internet site established by a green protest group. Submissions from protest group members, many of whom do not even live on the island, do not represent a considered submission to the committee. In fact, the committee report notes that a majority of long-term residents on the island support the bill because it helps to preserve jobs and the significant contributions that Sibelco makes to the local community.

In general, submitters who supported the bill did so on economic grounds because it provided some very long-term certainty to the local community regarding Sibelco's operations on North Stradbroke Island which will encourage further business and investment; it will protect the value of land and housing and help to ensure the viability of retail businesses on the island; it allows time for the economy on North Stradbroke Island to transition away from mining in an orderly fashion; sandmining provides the economic platform for transport services to and from the island to be


effective and affordable; it diminishes the sovereign risk issues created for Queensland resources investment as a result of the 2011 act; and it will help to maintain sufficient population on the island to sustain the local school and community organisations.

I would like to acknowledge the contribution and support for the bill by various commercial and industry groups that understand the economic necessity of extending sandmining on the island. Both the Redland City Chamber of Commerce and Stradbroke Island Chamber of Commerce support the bill, because it provides an economic platform for local businesses. They confirm that the bill will result in the maintenance of jobs and will help keep the barge service to the island effective and reasonably priced.

Finally, I will be progressing amendments to the bill during consideration in detail to correct a small number of minor drafting errors in the bill; clarify that the winning of a mineral from the place where it occurs in the area of the Enterprise mining leases may occur on the leases until 2035; and insert a replacement environmental authority that corrects some minor typographical errors in the environmental authority currently in the bill and inserts a small amount of text that was omitted in error during the embedding of the text into the bill. I now table the government's response to the committee's report and explanatory notes to the amendments that will be moved during the consideration in detail stage. I commend the bill to the House.

*Tabled paper:* Agriculture, Resources and Environment Committee: Report No. 31—North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill 2013, government response [\[4111\]](#).

*Tabled paper:* North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill 2013, explanatory notes to Hon. Andrew Cripps's amendments [\[4112\]](#).

 **Ms TRAD** (South Brisbane—ALP) (8.28 pm): I rise to contribute to the debate on the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill 2013. From the outset, I will put the position of the Labor opposition, which is that we will be voting against this legislation.

**Government members** interjected.

**Ms TRAD:** It does appear that people are a little bit frisky tonight. Maybe there was not enough food down at the members' dining room.

**Mr DEPUTY SPEAKER** (Mr Watts): Order, members! I remind the member for South Brisbane to address the bill.

**Ms TRAD:** I will, as soon as my esteemed colleagues can contain themselves. As I said, the Labor opposition will be opposing the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill. Again, this bill's title is a complete misnomer. Really it should read the 'Sibelco continuation of sandmining on Stradbroke island bill 2013'. From the outset, the justifications provided for this bill are shambolic and one-sided and are all about delivering on an election promise in return for political support rather than delivering on any genuine democratic process. Queenslanders should be extremely concerned at the morally dubious precedent that this legislative process sets for the Newman government. The Newman government has effectively sold off one of Queensland's greatest tourism assets and the world's second largest sand island in a morally noxious political deal. The maps of mining areas, the length of lease extensions, the environmental conditions and the economic modelling used to justify the introduction of this bill have all been provided by the mining proponent, Sibelco, which contributed more than \$90,000 in the Ashgrove campaign at the 2012 state election advocating support for Campbell Newman and the LNP.

**Mr RICKUSS:** I rise to a point of order. The member is misleading the House. It was a third-party campaign. It was not in the Ashgrove campaign.

**Mr DEPUTY SPEAKER:** Thank you for your comment, member for Lockyer.

**Ms TRAD:** I will re-read my comments.

**Mr DEPUTY SPEAKER:** Just hold for a moment. There is no point of order.

**Ms TRAD:** Thank you, Mr Deputy Speaker.

**A government member** interjected.

**Ms TRAD:** Let us have a look; we will see about that. I will say it again, just because they obviously enjoyed it so much the first time: the maps of mining areas, the length of lease extensions, the environmental conditions and the economic modelling used to justify the introduction of this bill have all been provided by the mining proponent, Sibelco, which incidentally spent more than \$90,000

at the last state election advocating a vote for Campbell Newman and the LNP in Ashgrove. Now it stands to make a significant financial gain from this legislation: \$1.5 billion by its own reckoning. By anyone's measure, \$90,000 for \$1.5 billion is a reasonable neat and tidy deal.

The Premier has been trying to con Queenslanders into believing that he is simply delivering on an election promise and that he has a mandate to do so. This is simply untrue. At no point prior to the 2012 election did the Premier talk about extending mining leases on North Stradbroke Island for another 22 years until 2035. At no time before the election—

**Mr Stevens:** He got elected through it.

**Ms TRAD:** I take that interjection from the Manager of Government Business. He did get elected because of it. He got elected because he did not divulge in his seat of Ashgrove that he was adding another 22 years to the mining lease on North Stradbroke Island at the behest of Sibelco after one or maybe two private meetings with the CEO. He cannot remember what was discussed. He could not recall. It sort of all happened and then Sibelco spent \$92,000 in Ashgrove and—wow—all of a sudden we have an amendment and we have an extension to the mining lease for 22 years. I will let Ashgrove voters come to their own conclusions at the next state election, and that I guarantee you.

Out of the 122 publicly available submissions to the committee, three-quarters or 92 submissions oppose the bill in its current form.

**A government member** interjected.

**Ms TRAD:** I will take the interjection from one of the nameless LNP members on the backbench. I agree there were some form electronic submissions, in the same way that there were more than 100 electronic pro-tree clearing submissions during the Vegetation Management Framework Amendment Bill after the Premier went to an AgForce meeting in Gladstone and said, 'Look, I'm delivering this for you, but I really need you to ramp up the campaign in South-East Queensland. That's where we need to keep seats. You need to be campaigning in South-East Queensland if you want these laws.'

**Government members** interjected.

**Mr DEPUTY SPEAKER:** Order, members! I remind the member for South Brisbane to stay relevant to the current bill.

**Ms TRAD:** Thank you, Mr Deputy Speaker. I did accept that interjection about the electronic form submissions. As I said, out of the 122 publicly available submissions to the committee, three-quarters or 92 submissions opposed the bill in its current form. Despite the tight time frame around consultation on the bill, many people took the time to read it, to understand what was happening and to voice their opposition to what is clearly a very bad move by this government. It is clear that there are many in the community, including island residents, who are opposed to the extension of sandmining on the world's second largest sand island. However, it appears that if you disagree with this government, albeit for valid economic and scientific reasons, your views are simply ignored.

**Mr Davies:** Fifty-eight per cent.

**Ms TRAD:** I hear '58 per cent' from the member for Capalaba. I am not actually sure what that means, but I am sure if he would like to make a contribution on the bill there might be room for his three-minute contribution somewhere down the line. Let us go to the so-called economic analysis underpinning the bill. The primary justification provided by this government of a need for an economic transition period of 22 years for the mining workforce is simply not believable. For the Newman government to claim that 22 years is needed for the transition of up to 130 mining jobs after sacking around 20,000 government workers in two years with no economic transition plan is beyond belief.

**Government members** interjected.

**Mr DEPUTY SPEAKER:** Order, members! The member for South Brisbane has the call.

**Ms TRAD:** Because Labor is all about jobs, I will repeat that: for the Newman government to claim that 22 years is needed for the transition of up to 130 mining jobs after sacking around 20,000 government workers in a matter of months with no economic transition plan is just hypocritical. It is just unbelievable. Under the Newman government the sacking of 20,000 workers has resulted in unemployment peaking higher than it ever reached during the GFC and has created a new legacy of long-term unemployment. This is a government that has also introduced a multibillion dollar royalty hike last year as coal prices were falling—absolute geniuses. They hiked up royalties as coal prices were tumbling. Since then, more than 8,000 mining jobs have been lost. However, there was no consideration provided to those workers when the LNP hiked up royalties.

The so-called economic modelling in this legislation is neither independent nor valid. The economic model and data underpinning the reasons for introducing this legislation were provided to the government by the mining proponent Sibelco. The state development department then relied on Sibelco's data in its report other than some census data on the island's current population and workforce composition. This is detailed at page 9 of their so-called independent economic analysis where it states that 'data for this analysis has been supplied by Sibelco, the mine owner and operator'.

Independent think tank economists at large have pointed out that the input-output economic model provided by Sibelco and taken unquestionably as fact by the government is not preferred by the state development department. As the state development department sets out in their 2011 project assurance framework, the primary method of economic evaluation of public sector policies and projects is a cost benefit analysis. Input-output methodology, or use of multipliers, is not a preferred methodology for economic evaluations.

There are serious questions to answer as to why the state development department accepted at face value an economic model that is not preferred by that department and was formulated on behalf of the mining company that is set to make a significant financial gain from this legislation. Moreover, the state development department report concedes at page 10 that this 'analysis assumed that economic costs are already funded'. This means that the analysis commissioned by Sibelco and accepted as fact by the state development department ignores any economic or environmental costs of sandmining.

The use of input-output modelling has been labelled as biased, abused and deficient by the ABS, the Productivity Commission and the New South Wales Land and Environment Court. Sibelco have been using this biased and one-sided modelling to run a public relations campaign to mislead island residents about the economic contribution of sandmining. For the government to take this clearly biased analysis at face value and then include it as the primary justification for this legislation is dubious in the extreme.

According to the 2011 census, mining represents less than 14 per cent of direct employment on North Stradbroke Island or 115 jobs. The largest employer on the island is tourism classified as accommodation and food services. Yet in the so-called economic analysis that supposedly justifies this legislation, there is no modelling of the impact of extending sandmining on the island's largest employer, tourism.

Previous analysis in 2011 by the former department of environment and resource management modelled that tourism provided a direct contribution of \$25 million per year to the island. When the department was asked for this document in committee hearings it was said to have been lost, only to be provided later by other submitters to the committee. In contrast, the last economic analysis that was subject to the scrutiny of the ASX in 2008 claimed the direct value of sandmining on North Stradbroke Island to be \$22.9 million.

Tourism Australia has estimated that there are 300,000 to 400,000 tourists visiting the island each year. The Newman government's claim that this extension to sandmining is required for an economic transition is just not grounded in any independent analysis or established fact. The Newman LNP government thinks it can con Queenslanders into accepting the biased, one-sided, economic modelling of a mining company with a vested financial interest. This is just how arrogant and out of touch this government has become.

It is interesting to note here that the Premier's father, as federal environment minister, put an end to sandmining on the world's largest sand island, Fraser Island. The Premier's father many years ago, in the 1970s, provided just eight weeks for the economic transition away from sandmining on Fraser Island yet the Premier is trying to con Queenslanders into believing that eight years is not enough as a transition strategy and that they need to add 22 years to the economic transition on North Stradbroke Island. It is just unbelievable. If the Premier's father can do in eight weeks what the Premier cannot do in eight years then I respectfully suggest he is actually in the wrong job.

Just as the Newman government has accepted the economic modelling of Sibelco as gospel, so have they also accepted their so-called scientific advice on environmental impacts. An extensive literature review of scientific studies indicates that there is no established scientific consensus on how far underground the aquifers on North Stradbroke Island extend.

The proximity of the Enterprise mine to Blue Lake means that the possibility of permanent and irreparable damage to this unique natural asset is very, very real. Blue Lake has been subject to research by the intergovernmental panel on climate change because it has remained unchanged for

7,000 years despite climatic changes. For this reason, some scientists have labelled Blue Lake God's bathtub. Sibelco's claim that the island's aquifer will not be permanently damaged by the extension of sandmining at the Enterprise mine until 2035 has again been accepted as fact by this government. This claim is not grounded in any independent scientific consensus.

Only last month a United Nations technical committee listed sandmining as a new and emerging issue, with the impacts of sandmining a largely unacknowledged threat to ecological values and biodiversity. Yet this government is pushing forward with an extension of sandmining on the basis of advice from the mining company on the world's second largest sand island.

There are a broad range of scientific studies that have found that sandmining changes the equilibrium conditions within an aquifer due to one or more of a combination of alternations in the physical, chemical and microbiological conditions of the aquifer and surrounding systems. Earlier today in the AREC hearing we heard from a CSIRO scientist. That was certainly the case when discussing the impact of CSG on underground aquifers. When it comes to co-existence with agricultural practices it was very clear that there is a very real risk to the health and the capacity of aquifers to meet the needs of both land users because of their interconnectedness.

A study by the European Joint Research Centre at Ispra, Italy, has found that dredging and other central extractions and processing activities can result in a lowering of the alluvial water table. Effects on groundwater storage capacity contribute to saline intrusion and lead to a loss of habitat and biodiversity.

If Blue Lake is permanently destroyed by the extension of sandmining on North Stradbroke Island let it be on the heads of any and every member in this House who votes for this bill. The potential cost to future tourism revenue from damage to North Stradbroke Island's aquifer likely far outweighs any economic benefits from extending sandmining to 2035.

This government has no intention of undertaking any independent economic or scientific analysis on this bill. That is pretty clear. For this cash-for-legislation LNP government it is simply a done deal.

The introduction of this bill follows, as I mentioned earlier, a \$91,840 spend in the seat of Ashgrove at the last state election advocating a vote—

**Mr Rickuss** interjected.

**Ms TRAD:** I wonder if the member for Redlands has declared that. Thank you very much. I will take that interjection, member for Lockyer. I hope that is declared at the beginning—

**Mr Rickuss** interjected.

**Mr DEPUTY SPEAKER:** Member for Lockyer and member for South Brisbane, please include me in your discussions. I call the member for South Brisbane.

**Ms TRAD:** Thank you, Mr Deputy Speaker. I shall include you in my discussions. I sincerely hope that the member for Redlands does declare that Sibelco spent money in his electorate at the last state election advocating a vote for the LNP. I sincerely hope he does.

**Mr DOWLING:** Mr Deputy Speaker, I rise to a point of order. I am not aware of any such expenditure. Perhaps the member could provide evidence to the chamber for the allegations she is making. I find it offensive.

**Mr DEPUTY SPEAKER** (Mr Berry): It is not a point of order.

**Mr DOWLING:** I find it offensive and I ask that it be withdrawn. It was a personal reflection.

**Mr DEPUTY SPEAKER:** Are you going to withdraw?

**Ms TRAD:** The member for Lockyer said it. That is what he interjected to me.

**Mr Rickuss:** I didn't. I said 'in Redlands', not the member for Redlands.

**Mr DEPUTY SPEAKER:** Excuse me just for one moment. Firstly, I do not need directions from the member for South Brisbane. The member for Redlands has taken exception not to what the member for Lockyer said but to what you said. Are you prepared to withdraw?

**Ms TRAD:** I withdraw. As I said, the introduction of this bill follows—

**Government members** interjected.

**Mr DEPUTY SPEAKER:** Honourable members, let's proceed so we can have the member for South Brisbane proceed to deliver her speech. Those who want to speak afterwards are always entitled to do so. I call the member for South Brisbane.

**Ms TRAD:** Thank you, Mr Deputy Speaker. I will say it again because it is an important point to make: the introduction of this bill follows \$91,840 spent in Ashgrove at the last state election, advocating a vote for the Liberal National Party and particularly for the candidate in Ashgrove, the Hon. Campbell Newman. It follows a series of eight meetings over less than two months between the government—

**Mr KRAUSE:** Mr Deputy Speaker, I rise to a point of order. The member for South Brisbane is engaging in tedious repetition under standing order 236(1). I ask you to direct her to cease doing that.

**Mr DEPUTY SPEAKER:** That is not a point of order. I call the member for South Brisbane.

**Ms TRAD:** Thank you, Mr Deputy Speaker. The electoral spend in Ashgrove was in fact a very well-thought-out campaign strategy that was put together by Rowland. I will table this paper now for the benefit of the House, and I will outline exactly why this \$91,000 was spent in Ashgrove.

*Tabled paper:* Document titled 'Achieving social, environmental and economic progress in an island community: sand mining and its benefits on North Stradbroke Island', by Rowland, category: public affairs [\[4113\]](#).

In their own summary, Rowland said at page 2—

The strategy was extremely successful and the overall goal exceeded. The newly-elected government committed to extending sand-mining operations to 2035, allowing ample time for Sibelco to complete its operations and for the NSI community to transition to alternate economic drivers.

On page 3 they state—

Rowland was engaged to develop and implement a public affairs strategy to influence public opinion and political decision-making, to ensure the continuation of sand mining until at least 2027—

but they got 2035—

Several key challenges were involved in this task:

- Potential loss of hundreds of millions of dollars in company profits and related investment and royalties

The objectives to their campaign included—

1. Achieve pre-election community consensus on NSI's future direction, and a collaborative approach to influencing the Liberal National Party's (LNP) position in favour of continued sand mining operations
2. Demonstrate to the LNP Sibelco's tangible investment in the sustainable management of NSI's sand mining operations and track record of success

I will skip to No. 4, which states—

4. Achieve public endorsement by the then Queensland Opposition Leader, Campbell Newman, for the continuation of Sibelco's NSI operations until 2027.

I think this is probably where the CEO of Sibelco and the then opposition leader met perhaps once, maybe two times, to discuss. Also, in the strategy at page 5, I think it is very important that Rowland, on behalf of Sibelco, in terms of refining their campaign did a bit of research. One of the key findings states—

- Although NSI residents had high awareness of Sibelco's community contribution, their priority was sustaining their way of life rather than the foreign-owned mining operator's business

So the influence on this strategy states—

- Centred on key community issues with less emphasis on Sibelco's corporate brand. Key tactical elements such as the 'Straddie Stories' campaign and community benefit fund were given their own local identities

Mr Deputy Speaker, there you have it: the community does not like the big mining proponent's brand, so we need to wrap it up in 'Straddie Stories' or 'Straddie mothers' in Ashgrove to sell the story, to sell it to the soft target. It is an absolute outrage. The strategy is there for all to see. We learned that on 11 November the honourable the Premier was the surprise guest at the Rowland global launch and there at the Rowland global launch was also Sibelco. So obviously the close relationship continues.

At a parliamentary estimates hearing earlier this year it was established that three of these meetings between an LNP political staffer, a lobbyist and Sibelco took place with no departmental officers present. Worse still, these three meetings were declared by the Integrity Commissioner's lobbyist contact log as about 'making or amendment of legislation'. The Department of Environment and Heritage Protection advised the Agriculture, Resources and Environment Committee that, in contrast, no consultation was undertaken with the native title holder, the Quandamooka Yoolooburrabee Aboriginal Corporation, or QYAC, prior to the introduction of this legislation into this parliament. This was despite a clear promise before the election that an LNP government would consult with community and other stakeholders to agree on an orderly transition to end sandmining on

North Stradbroke Island. Instead, the government wrote to QYAC threatening to illegally suspend their Indigenous land use agreement. It was only after QYAC's lawyers brought to the government's attention that this would be illegal under the Commonwealth Native Title Act 1993 that this threat was withdrawn.

Quite in contrast to the minister's statements in his speech earlier, there was no balance in this. There was no balance in the drafting of these amendments, in shaping the changes or the extension in time frame or in anything to do with this bill. There was absolutely no balance in the pre-bill consultation phase at all. The treatment of the Indigenous native title holders in the development of this bill is a complete and utter disgrace. Members of this government should be ashamed of the way the Quandamooka people have been treated in the development of this bill. They should feel ashamed that the Quandamooka people have had to come to this House, had to sit in committee meetings, begging and pleading for parliamentarians not to take away what they had fought for and what they had duly won through their 14-year struggle. Every single member who supports this legislation should feel incredibly ashamed of themselves for having done that. When the previous government legislated away Sibelco's—

**Government members** interjected.

**Mr DEPUTY SPEAKER:** Honourable members, please.

**Government members** interjected.

**Ms TRAD:** Mr Deputy Speaker, I should—

**Mr DEPUTY SPEAKER:** Just wait for a moment. We just need a bit of calm. I call the member for South Brisbane.

**Ms TRAD:** Thank you, Mr Deputy Speaker. I did scribble a note on my page when I was listening very avidly to the minister's description of the time line of events that one thing he did not mention—and I hope it was a mere oversight and not because he thought it was insignificant—was the Federal Court native title determination in relation to North Stradbroke Island. That was omitted from the minister's time line. It was a significant event in terms of the Quandamooka people. It was a significant event in terms of the island's history. So that—just to refresh the minister's memory—occurred in 2011. So a lot of the former government's activities in this was in relation to responding to the Federal Court's determination in relation to native title.

It was an interesting thing that the former government should go to those who were recognised by the Federal Court as the native title holders of North Stradbroke Island and ask them what they wanted to do in relation to the future of the island. It was very clear that what they wanted was an end to sandmining on North Stradbroke Island. One would think that, given the dispossession and the atrocities that have occurred in relation to Australia's first inhabitants, there would be—

**Mr Cripps** interjected.

**Ms TRAD:** I am sorry, Minister. I apologise and I withdraw that. The minister did reference the Federal Court native title determination. I think it would be incredibly disrespectful for any government to turn around after a native title determination and ignore the wishes of those who are quite clearly identified as the native title owners of North Stradbroke Island.

This bill legislates away native title holders' appeal rights against the extension of sandmining on their land in 2035, and it is absolutely disgusting. It is what they want. When the previous government legislated away Sibelco's appeal rights against the discontinuation of sandmining after their existing lease had expired, the Premier was outraged. However, there is no outrage from the Premier on behalf of the Indigenous native title holders' appeal rights because the Premier simply does not care about their rights. Instead, the Premier only cares about the legal rights of a mining company—

**Dr Robinson** interjected.

**Ms TRAD:** I note that the member for Cleveland is very anxious to make a contribution. He is on the speaking list. Perhaps he can contain himself for a couple more minutes. Instead, the Premier only cares about the legal rights of a mining company that directly supported his election campaign in Ashgrove. In May this year, Sibelco provided the government with a briefing note containing a detailed set of requests as to what it wanted in this legislation. Every single one of these requests has been met by the Newman government in this bill—lock, stock and barrel. Sibelco requested that the restricted mine path be removed from the North Stradbroke Island Protection and Sustainability Act and Sibelco's environmental authority so that Sibelco can generate a feasible mine path. Tick. This request has been met lock, stock and barrel in the bill. This means that environmental protections will



be removed over a mine path area that potentially includes koala and glossy black cockatoo habitat. Sibelco requested that the terms of mining lease 1117, mining lease 1105 and mining lease 1120, or the mining lease for the Enterprise mine, be changed to 31 December 2035. Tick. This request has been met lock, stock and barrel in this bill. In its briefing note Sibelco stated—

The commencement of the North Stradbroke Island Protection and Sustainability Act interfered with Sibelco utilising the usual amendment process for removing the restricted mine path from our environmental authority. Further, there is an opportunity to bring Sibelco's environmental authority in line with the government's new model conditions. Sibelco requests that legislative process be utilised to a new environmental authority on this basis, the detail of which will be provided to the state.

Here we have Sibelco writing its own environmental authority. In summary, this is a request that Sibelco provide the detail of its environmental authority and that it be included in this bill so that no consultation is required on the conditions or the alteration of the conditions. This is an absolute disgrace. This is what Sibelco asked for and, tick, it has been met in this bill. I understand it is quite unusual—it is unique—that an environmental authority be included in legislation. One has to ask why Sibelco is getting preferential treatment in this regard.

In questioning, to the parliamentary committee, as to why no further consultation would take place on the environmental authority, it was advised that a previous 2003 environmental study had taken place over the same lease area. However, at pages 1 to 2 of this report it states specifically in relation to the Enterprise mine lease—

Detailed evaluation of the second half of the Enterprise mine (i.e. 2013 onwards or stage 2) is subject to further mine optimisation, feasibility and environmental assessment.

This means that the operation of this lease until 2035 was not included in the 2003 assessment and that consultation on the environmental approval has been removed merely at the request of the mining company. Every single request in the May 2013 briefing note provided by Sibelco to the government has been met in this bill. When departmental officers were asked at parliamentary committee hearings as to who provided the maps of mining lease areas in the bill, it was advised, 'Yes, it is a map supplied by Sibelco as part of their submission'. In relation to the environmental authority, there are also remaining concerns about less than fulsome answers being provided to the committee by departmental officers.

**Mr Cripps:** Your behaviour during the committee hearing was an absolute disgrace in relation to departmental officers, and you are the one who should be ashamed of yourself during that committee hearing.

**Ms TRAD:** I will take that interjection. What should be shameful to every single member of this House is what the member for Cleveland did—badgering old women, asking them if they were part of radical environmental organisations, and then when the Quandamooka people turned up he stormed out. What a coward!

**Dr ROBINSON:** Mr Deputy Speaker, I rise to a point of order. I find those comments offensive and I ask that they be withdrawn.

**Ms TRAD:** I withdraw. In relation to the environmental authority, there are also remaining concerns about less than fulsome answers being provided to the committee. The department advised that there are no cultural heritage areas that are listed or meet the definition of category B within that area. While this is true in terms of the cultural heritage register, there are sites on the Aboriginal cultural heritage database within the mining area. It has been revealed in the process of this legislation that these culturally sensitive areas have not been added to the cultural heritage register by the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs. In fact, only three culturally sensitive areas have been included on the Aboriginal cultural heritage register state-wide. Quite frankly, I find the absence of a full and open answer in relation to my questioning on this matter completely disrespectful in terms of the role that every parliamentarian has to play in terms of scrutinising the legislation that comes before them. It is outrageous that departmental officers should withhold that level of information.

To be really clear, I asked departmental officers if there were culturally sensitive areas in the expanded mining lease area. The answer was no, but the answer should have been 'not on the heritage register but certainly on the database'. There are three. There are three Aboriginal culturally sensitive areas within the mining area that are on the database and the department did not disclose that fact.

The attempt to provide assurances around mining activities close to the Ramsar wetland declared areas is also weak, as the environmental authority merely requires the mining proponent to assess its own activities—there you go; checks and balances—and then notify the Department of Environment and Heritage Protection of any breach. Before I move to a conclusion, I did want to say that quite some time ago—

**Government members** interjected.

**Ms TRAD:** If you want to keep interrupting, I will go for as long as I possibly can. I was in between events in my car and I tuned into Steve Austin on 14 November, and I noticed that the honourable Premier was the guest on Steve Austin that day.

I was very interested in the exchange that the Premier and Steve Austin had in relation to Mr Clive Palmer, who has recently taken his seat as the member for Fairfax. I raise this because the Premier was adamant that the reason he fell out with Clive Palmer was that he requested preferential treatment.

**Mr DEPUTY SPEAKER** (Mr Berry): Order! Member for South Brisbane, is this—

**Ms TRAD:** It is—

**Mr DEPUTY SPEAKER:** I will listen carefully.

**Government members** interjected.

**Mr DEPUTY SPEAKER:** Honourable members, we need to get the relevance out on this.

**Ms TRAD:** I have made it very clear in my address here today that Sibelco asked for an extension to the mining lease and they got it. In fact, they got more than they asked for. They asked for the environmental authority to be included in the bill and they got it. They provided the department with all of the economic modelling on which to justify the bill and they got it. They included the map that is the reference map in the legislation. It is a map provided by Sibelco. Everything that Sibelco wanted they got. Everything in the briefing to government they got.

**Mr Cox** interjected.

**Mr DEPUTY SPEAKER:** Member for Thuringowa, once is enough. We heard you.

**Ms TRAD:** It is okay. Whatever he said was inconsequential, like most of the things he says.

The issue here is that Sibelco asked for and got preferential treatment, but the Premier said on Steve Austin's program that the reason he fell out with Clive Palmer was that he expected preferential treatment. He said Clive Palmer wanted to build stuff on sand dunes. However, Sibelco is sandmining sand dunes close to Ramsar areas. He said that Clive Palmer offered up his own form of legislation that he wanted to have introduced. Sibelco have essentially written this legislation, written their environmental authority, provided the economic modelling and also asked for the environmental authority to be included in the legislation. Everything Sibelco wanted Sibelco got, but everything that Clive Palmer wanted was a reason to kick him out of the LNP. I think that there is another story here. I think most people can smell it.

**Mr Cripps:** You've got no evidence though, do you?

**Ms TRAD:** No, but—

**Mr Cripps:** You've got no evidence—exactly right!

**Ms TRAD:**—I think most people can smell it. If it looks like a duck and it quacks like a duck, then it is a duck.

Before I conclude, I would like to quote from some of the groups who have submitted to the Agriculture, Resources and Environment Committee and who have been flatly ignored by this government. Ms Jennie Truman, a local businessperson, is someone who has actually been operating a business on the island for longer than Sibelco has been there. Ms Jennie Truman said—

Sandmining is not a sustainable industry on North Stradbroke. Sandmining is not the backbone of the island economy—

**Dr Robinson** interjected.

**Ms TRAD:** Mr Deputy Speaker. I will stop that quote there. Interjecting on me is one thing, but this is a member who turned up to the public hearing. I think it is incumbent on members of this House to hear what a member, a resident, a business owner, on Stradbroke island had to say about this amendment bill. If you want to interject—

**Dr Robinson:** I heard it. I was there.

**Ms TRAD:** Yes, you were.

**Mr DEPUTY SPEAKER:** Member for South Brisbane, address through the chair. Honourable members, allow the member for South Brisbane to continue unheeded.

**Ms TRAD:** Ms Jennie Truman, a local businessperson, told the committee—

Sandmining is not a sustainable industry on North Stradbroke. Sandmining is not the backbone of the island economy. It is not the largest employer on North Stradbroke. I have not seen any real economic data to substantiate what would happen to the local community if mining ceased.

I have run successful businesses on the island for 25 years. In that time, I have witnessed a dwindling population, services diminish and disappear, high school closure and a declining standard of living in some communities. This has been happening whilst we have mining. So mining is not the great saviour that some people make it out to be.

The CEO of QYAC told the committee—

... the bill should be rejected by the parliament for the following reasons: it breaches the contractual rights of the Quandamooka people under their ILUA; it invalidly affects the Quandamooka people's native title rights and interests, and neither the state nor Sibelco has sought their prior informed consent; it impacts upon the human rights of the Quandamooka people, recognised by the UN Declaration on the Rights of Indigenous Peoples; it is racially discriminatory; it unreasonably favours a foreign owned private company over the rights of the traditional owners; it impacts upon sensitive environmental areas and areas proposed to become national parks, the national parks that we call Naree Budjong Djara, our Mother Earth; it significantly reduces environmental controls and increases the environmental impact of Enterprise Mine on the Moreton Bay Ramsar area ...

To briefly cover off, this bill also removes the requirement for an applicant for vegetation clearing to lodge a significant beneficial impact such as the revegetation of another area to minimise the impact of the proposed clearing under the Vegetation Management Framework Amendment Bill 2013. I note that the explanatory notes state—

It is proposed that the State Development Assessment Provisions (SDAP) Module 8: Native vegetation clearing will require applicants to provide an offset for the impacts of clearing endangered and of concern regional ecosystems or a SBI delivered within the landscape. The SDAP will also require applicants to demonstrate how they will minimise or mitigate against the adverse impacts of clearing.

I hope that the government continues this requirement in the state development assessment provision and I call on the minister to confirm this.

In conclusion, this bill is an indictment on this Newman LNP government and it is an assault on democracy in this state. It is evidence that a multimillion dollar public relations campaign with an accompaniment of political favours has more sway under a Newman LNP government than the valid democratic and legal rights of Queenslanders and particularly of Queensland native title holders. When the Premier was asked about his direct meetings with Sibelco, he did not directly rule out having discussed electoral support, claiming that he was approached by Sibelco. In relation to the LNP's position, the Premier claimed Sibelco said, 'We like that and we will support you.'

For the Newman government to extend sandmining to 2035 on North Stradbroke Island while Magistrates Court proceedings are still underway regarding allegations of sand being stolen by Sibelco is questionable at best. It is even more ridiculous when honourable members consider that this government has used the maps of lease areas provided by Sibelco in this legislation. They have extended the lease to dates requested by Sibelco in this legislation. They have legislated the environmental conditions requested by Sibelco in this legislation and have removed the mine path from legislation at the request of Sibelco, all the while completely disregarding any consultation process with the native title holder on this legislation prior to its introduction. It is a complete disgrace. It is quite clearly preferential treatment. If it is good enough for Clive Palmer to be dismissed out of hand for asking for preferential treatment, then the Premier really needs to explain why Sibelco could manage to get preferential treatment from this government.

All of this follows the \$91,840 spend in electoral support by Sibelco in the Premier's seat of Ashgrove at the last state election. That electoral support was both not disclosed within the proper time frames and became known about three days before the 2012 state election, meaning that most voters would not have been aware of it. Doubt also remains as to whether all the electoral support provided by Sibelco has been properly declared. There are serious questions to answer as to why this electoral support was initially covered up.

**Mr Cripps:** What evidence have you got? What evidence have you got? You've got no evidence.

**Ms TRAD:** I will take that interjection from the minister. What evidence do I have? Have a look at the campaign strategy put together by Sibelco: cinema ads as well as mail-outs and flyers. There was quite a lot in terms of websites and social media campaigns. All Sibelco put in the Electoral

Commission return were the mail-outs. There was no cinema advertising, no flyers and no social media. No, they did not put in any of that but Rowland has said in their campaign strategy—their strategic campaign strategy—that they were the winning components of their campaign to ensure that sandmining continued on Stradbroke island. What evidence do I have? I have evidence from Rowland, thank you very much, Minister.

**Mr Cripps** interjected.

**Ms TRAD:** I do. There are serious concerns and questions to answer as to why this electoral support was initially covered up. Nor was there any promise before the election that sandmining would be extended for another 22 years, with Sibelco having agreed to exit all mining activities by 2027.

Let me be clear: despite the assertions of the Premier and the LNP MPs, the government never committed to this legislation before the election and does not have the mandate of the people to do this. The Newman government's claim that it has an election mandate to enact a cash-for-legislation deal is false and emblematic of an arrogant government that believes democratic process is beneath it.

The claims made to justify this legislation are lacking in any factual, economic or scientific basis. To accept the economic and scientific advice of a mining company with a vested financial interest without question is deeply, deeply concerning. Every Queenslanders should be extremely concerned at the morally noxious precedent this legislative process sets for this government. Do not let the Premier's theatrics at the federal member for Fairfax deceive you; this is a government for those with deep pockets, not for the average Queensland family. If you vote for this bill, you are voting to irreparably—

**Mr DEPUTY SPEAKER:** Order! Member for South Brisbane, if you are being provocative—

**Ms TRAD:** No, I understand. I did not pull a point of order or anything.

**Mr DEPUTY SPEAKER:** I was just surprised by the pregnant pause, that is all.

**Ms TRAD:** I am just collecting my thoughts, thank you very much. Do not let the Premier's theatrics at the federal member for Fairfax deceive you. This is a government for those with deep pockets, not for the average Queensland family.

**A government member** interjected.

**Ms TRAD:** Do not worry; I have some more to say. If you vote for this bill, you are voting to irreparably damage a unique ecosystem, and you are also voting to deny tourism opportunities worth potentially hundreds of millions of dollars into the future. I urge members in this parliament to think before they vote and not merely accept as fact information submitted from a mining company with a clear vested financial interest. A vote for this legislation is a vote to deny proper democratic process. It is a vote to enact a cash-for-legislation deal, and I call on members of this parliament to oppose it.

**Mr Newman** interjected.

**Ms TRAD:** I will take that interjection from the Premier. I think the Premier and the Attorney-General need to be thanked for bringing my attention to the relevant standing order in terms of conflicts of interest, because after the cursory glance that I have made at the Register of Members' Interests I am pretty sure that there are some people who have not declared conflicts of interest in relation to voting on legislation. I would like to thank the Attorney-General for his very illuminating lesson on the relevant standing orders.

I do want to end with 'Stradbroke Island is Precious—An Open Letter to Campbell Newman'. This is an open letter from the Friends of Stradbroke Island. I will just remind people that Friends of Stradbroke Island is modelled very much on Friends of Fraser Island. They were very, very successful at persuading the then Fraser government to end sandmining on Fraser Island. Do you know what? They had a sympathetic ear in the federal environment minister at that time, who was also the honourable the Premier's father. I would really like to read from this open letter. It says—

Dear Mr Newman,

We have some questions about your North Stradbroke Bill to extend sand mining.

Your father, as Federal Environment minister, ended sand mining on Fraser Island in 1976. He accepted that sand mining causes major permanent environmental harm and damages the tourism economy. Why won't you?

Sand mining will result in the total destruction of 14 square kilometres of forests, rich in biodiversity and scenic value, at Sibelco's Enterprise mine.

On 30 October, your department admitted that over 70% of the mine path is "undisturbed bushland". Did you know that this is home to many threatened species, including the island's genetically distinct koala and the beautiful glossy black cockatoo?

Scientists conclude that sand mining also destroys the complex structure of ancient sand dunes integral to the flow of water to the island's internationally recognised wetlands and lakes. These constitute half the island. A huge fresh water aquifer also lies beneath the whole island.

There is significant widespread opposition to your actions, including from island business owners. Your legislation will cause more community division. It will also set back reconciliation with traditional owners, who say they will challenge your Bill in the Federal Court.

Prior to the 2012 State election you promised a level playing field for mining leases on Stradbroke. Instead, your Bill shifts the goal posts for Sibelco and sacks the umpire. Elsewhere in Queensland opponents can challenge mining extensions in the Supreme Court. Your Bill abolishes this right.

Your Bill creates a special law for a private company owned by the fourth richest family in Belgium, a company which is on trial in Brisbane for illegal sand mining on Stradbroke. Why didn't you await the court's verdict, due early next year?

As you know, your Attorney-General has refused to arm the Director of Public Prosecutions with your government's files so the DPP can decide whether he agrees with the opinion of two experienced criminal lawyers (one a senior counsel) that there is a prima facie case for also charging Sibelco with stealing and fraud.

You are also aware that the Federal Environment department is investigating whether the Enterprise mine has operated without the necessary Federal Government approval since 2004. Why didn't you wait until the results of this investigation are known? What about due process?

An analysis of your Bill shows that Sibelco is getting everything it asked for and more! In 2011, Sibelco asked for an extension of mining to 2027—you are extending it to 2035!

Mr Newman, what is going on? Why are you breaking pre-election promises and trashing the rights of Queenslanders to hand over \$1.5 billion (Sibelco's own figure) to a wealthy Belgian family?

Your government has sacked over 20,000 public servants. Do you really think that Queenslanders will swallow your claim to be extending sand mining for 22 years to provide a "transition" for, according to the latest census, 115 mine workers?

Sibelco declared, well after the 2012 State election, that it spent \$91,840 to help your campaign in Ashgrove. But it also spent much more (undeclared) money on numerous full page newspaper ads and television advertising to peddle its PR myths.

Is there a connection between your broken promises to electors and Sibelco's political expenditure? What was discussed at your private meetings with Sibelco CEO, Campbell Jones?

You know that there have been no independent economic or environmental impact studies. And your department admitted on 30 October there has been no consultation with anyone apart from Sibelco. Do you think Queenslanders may conclude that this looks like a crooked deal?

Isn't it time there was an independent public enquiry into sand mining on North Stradbroke Island?

I will table this open letter for the benefit of the House so that people can download copies of it, because I think it is very instructive.

*Tabled paper:* Document titled 'An open letter to Campbell Newman: Stradbroke Island is precious' by Friends of Stradbroke Island Inc. [4114].

This open letter says it all. What it says is that, despite an election commitment by the then opposition LNP and the then opposition leader that what he was looking at is restoring the original mining lease time frame and that what he would do is consult with everyone involved in the responsible transition out of sandmining on Stradbroke island; despite all of these commitments before the election—and unbeknownst to many people just before the election—there was an almost \$92,000 spend in Ashgrove to advocate a vote for the Premier in the 2012 state election campaign. Unbeknownst to people at that time, when the Premier was announcing the LNP's position he did not disclose that he had had personal meetings with the CEO of Sibelco to discuss what appears to be a legislative change. He has not stated categorically in this House that during those meetings electoral support was not raised. So despite all of this, the government wants Queenslanders to believe that this bill represents an altruistic response to economic conditions. Let us be really clear. This is a government that Queenslanders know has sacked almost 20,000 workers. This is a government that has closed down important pain clinics.

**Mr Crandon** interjected.

**Mr DEPUTY SPEAKER** (Mr Berry): Member for Coomera, do you know which seat you sit in?

**Mr Crandon:** I am sorry?

**Mr DEPUTY SPEAKER:** You have to make comments from your seat.

**Mr Crandon:** Why don't you make it 25,000?

**Ms TRAD:** I am sure the member for Coomera would understand that if you withdraw funds from important programs that are funded by the state government then community organisations have to lay off workers—important workers, workers who actually look after the employment preparation of disadvantaged Queenslanders.

**Honourable members** interjected.

**Mr DEPUTY SPEAKER:** Honourable members, I cannot hear the speaker.

**Ms TRAD:** What this all points to fundamentally is that the LNP government—the arrogant Newman LNP government—cannot stand being called on their hypocrisy. They claim that this bill is all about responsible economic transition. Where was the responsible economic transition for 20,000 Queenslanders who were sacked overnight by this government after the Premier said that public servants had nothing to fear from an LNP government? If only he had kept that commitment! He kept his commitment to Sibelco but he could not keep his commitment to the Queensland Public Service.


**Mr RUTHENBERG:** Mr Deputy Speaker, I rise to a point of order. I would ask you to rule on relevance. That has absolutely nothing to do with the long title of the bill.

**Mr DEPUTY SPEAKER:** I am not taking that point of order. I call the member for South Brisbane.

**Ms TRAD:** I know it hurts when people call them on their hypocrisy. Why does Sibelco get all of this favourable preferential treatment for 115 jobs when 20,000 workers were sacked at the hands of the LNP and the Premier? Why this hypocritical position? Maybe it has something to do with the \$92,000 spend that helped get Campbell Newman elected in Ashgrove. Maybe. Maybe it has something to do with the private meetings held between Campbell Jones and Campbell Newman. Who would know? All the Premier has to do is come into this House and categorically—we have given him plenty of opportunities—state that electoral campaign support was not discussed in his private meetings with Campbell Jones.

*(Time expired)*

**Mr DEPUTY SPEAKER:** Before I call the member for Lockyer, I remind honourable members that, while the Speaker tolerates interjections when comments are made that are inflammatory, when the speech returns to what the speech is supposed to be about I do expect the interjections to cease. I call the member for Lockyer.

 **Mr RICKUSS** (Lockyer—LNP) (9.33 pm): I rise to make a brief statement about the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill 2013. I thank the staff of the Agriculture, Resources and Environment Committee. They worked extremely hard on this bill. I would also like to thank Dr Maggie Lillith and Ms Mary Westcott from other committees who gave us a hand. Rob and his team always do an excellent job in assisting us. I would also like to thank the other members of the committee, who had some intelligent input into this.

We are all a bit dumbfounded and—how would you say?—challenged by the previous speaker's unique views. It is actually amazing to me that the opposition are opposing this bill. They do not care about jobs. Why do those on the other side of the House hate jobs? Why do they dislike what the community votes for?

I went to the Electoral Commission website to look up the 2012 election results of the booths from Amity Point, Dunwich and Point Lookout, the only three booths on the island. Some 62.47 per cent of the vote at Amity Point went to the LNP candidate, Mark Robinson. At Dunwich, 58.04 per cent of the vote went to the LNP candidate, Mark Robinson. At Point Lookout, 218 votes, or 55.6 per cent of the vote, went to the LNP candidate, Mark Robinson. This delivered an election mandate.

The issue of sandmining on North Straddie was not hidden under a bushel. It was front-page news. There were pictures of Anna Bligh and Kate Jones sitting on a sand dune on North Stradbroke Island. It just happened to be a revegetated sand dune that they were making out was a pristine natural sand dune.

The previous speaker highlighted that quite a bit of money was spent by Sibelco on a third-party campaign, so that actually highlighted the issue again. That is their right. I think Eddie Obeid ran a bit of a campaign for the Labor Party, didn't he? He made some donations over there as a bit of a third-party campaign for the Labor Party. We know Eddie's deal: he does not do anything for nothing, if you know what I mean. I just cannot believe these sorts of statements.

I think the previous speaker actually tabled the advertisement—she calls it an open letter but above the words 'open letter' it says 'advertisement'—that was in today's *Courier-Mail*. That is part of a third-party campaign from the Friends of Stradbroke Island.

I have looked at the dissenting report of the member for South Brisbane. I do not know which one is the cut-and-paste. Either her report is a cut-and-paste of the Friends of Stradbroke Island advertisement or vice versa.

**Mr Johnson** interjected.

**Mr RICKUSS:** That is right. It was very similar. The member then went on about how there was no mandate for sandmining. As I have just said, that is a total fallacy. There have been a number of half-truths and omissions in relation to the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill. 'Omission is the greatest lie' I think the saying goes. That is the sort of thing that has gone on throughout the whole campaign in relation to sandmining. It is all about omissions and half-truths.

The member's dissenting report talks about the numbers of people who are opposed to sandmining. I actually read most of the submissions. Of the approximately 80 from the island, 50 were for it and 30 were opposed to it. That is very similar to the voting patterns I outlined earlier.

**Mr Costigan** interjected.

**Mr RICKUSS:** Yes. Of course, 60 Indigenous families on the island earn a good living working with Sibelco. These are high-paying mining jobs. These are not minimum wage jobs or a bit of part-time work serving at the local coffee shop; these are high-paying mining jobs. That is why the economy of North Stradbroke Island is viable.

I also mention the amount of ferry services between the island and the mainland. There is one every hour. On Moreton, South Straddie and other islands there is nothing like that number of services. It is because there is actually some commerce on North Stradbroke and some business going on.

Unfortunately that is the sort of information that has been left out. We never heard about any of that from the member for South Brisbane. She spoke for an hour and managed to omit all of that information and then went on with hyperbole about the 20,000 jobs. This is another one of those half-truths that comes out. It is not quite misleading the House, but it is a half-truth. We hear half-truths and omissions all of the time. We heard about the 130 jobs, but the knock-on effect of those 130 jobs will probably be 300 or 400 jobs. Not only that, as I said, these are not minimum wage rates; these are high-paying jobs. These are well-paid jobs.

I cannot believe that the opposition appears to be totally out of touch with reality. As I said before, it says that the aquifers are going to be upset. That is another half-truth. Remember Anna Bligh and Kate Jones on the rehabilitated sand dune—another half-truth. They did not even realise that it had been rehabilitated; they carried on as if it was pristine.

This morning the member for South Brisbane then started mentioning Dr Peter Stone from CSIRO. She started to almost use his name in vain to try to prop up her argument, but it was virtually another half-truth. She was taking him out of context and it was totally different. Dr Stone is an eminent scientist who understands the gas industry. He was not talking about sandmining. He was not talking about sandmining at all.

It is my understanding that part of the water that South-East Queenslanders drink comes from Stradbroke island. The water that those in the Logan and Redlands shires drink is from Stradbroke island. These fallacies and these half-truths are continually regurgitated. I have already mentioned the ferry service, and then there was criticism about Rowland and the economic common sense being put forward by Sibelco and Rowland. Those opposite are criticising that as if it is some blight on the community because they are trying to tell the story of the economic truths of what will actually happen on the island if sandmining stops. That is really what it is all about. They are advertising the true story of Straddie.

Of course, sandmining has been on Straddie for 50 or 60 years. The member for South Brisbane in another half-truth said that Sibelco had only been there for 25 years. That is right: Sibelco has, but sandmining has actually been there since the 1940s. So it has been there for a very long time. If you listened to the member for South Brisbane, the impression was that Sibelco just turned up and gave the minister the legislation and he virtually just slotted it in. The minister told Sibelco to bring its A-grade game to the table. He told it not to affect national parks and not to create any impost on the ILUA. Is that right, Minister? I would not be slandering you there?

**Mr Cripps:** That's exactly right.

**Mr RICKUSS:** That is what it was told, so that is what Sibelco did. It came back with some common-sense legislation following the guidelines given by the minister. It was not some shady deal where it came in and said, 'Here it is. You better put this through.' It went through a proper process. Unfortunately, the half-truths come through again.

As I said before, some 60 Indigenous families make a very good, sustainable living directly from Sibelco. I do not know how many are indirectly assisted. It is not as if all of the Indigenous community is anti mining. Some of the submissions were from Indigenous workers saying that they

support it, and that is what it is all about. Let us face it: it is what the people of the island want. Earlier I gave the House the voting figures. Some 60 per cent of the island were more than happy for this to happen, and that was first-preference voting, by the way. It was probably 75 per cent if we take into account second preferences.

The member for South Brisbane then attacked the cartographers—the map that was provided by Sibelco. It was a map. It was not a pretend map. It was not a *Treasure Island* map; it was a cartography drawn map. Why would we not accept a map provided by a reputable cartographer? This is the sort of half-truth and innuendo that goes on. She then went into a bit of a tirade about how the mining jobs were starting to disappear and that jobs on the island had been disappearing over the last 20 years. What she failed to say was that they had been in government for the last 20 years! They were the clowns who drove the place into the ground—no plans, no future, nothing!

**Mr Costigan:** That is one big omission!

**Mr RICKUSS:** That is one big omission; that is right, and it just goes on. The minister advised the committee that there was Crown Law advice that this legislation does not breach the ILUA. There is Crown Law advice. Unfortunately, the half-truths and the innuendo comes out again—that is, it is racial discrimination and it is against the ILUA. We have Crown Law advice and that is just a fact of life. The community knew sandmining would continue. There was nothing hidden about it. The community knew sandmining would continue. They voted for our friend and colleague the member for Cleveland, and they voted very strongly.

The member for South Brisbane gave high regard to the open letter to Campbell Newman. What she did not advise us of was that just above the open letter to Campbell Newman there is the word ‘advertisement’. That is what it is—a poorly drafted ad! That is what it is. The committee has made a comprehensive report. I am glad to see that the minister is picking up the issues that the committee raised. I want to table a letter from David Thomson, the Chairman of the Straddie Chamber of Commerce. I will read this before I table it. It states—

Thank you for the opportunity to address your committee last Wednesday. I have now had a chance to read the transcript of proceedings and would like to clarify the assertion by Mr Cameron Costello of QYAC that your committee should ‘seriously consider whether they accept that {the Chamber} submission’ on the grounds that QYAC was not consulted. Mr Costello also said ‘They had time to send out an email to say there was a photo opportunity’.

As I said at the time, the Straddie Chamber has 109 members who elect a management committee to lead the group and to act on behalf of the Chamber. In this particular submission, given the very tight timeframe the committee composed and reviewed the submission and the majority endorsed the views on behalf of the Chamber. No individual members were directly consulted, including QYAC and the Management committee acted as it is mandated to do, and responded on behalf of the group.

The Chamber regularly corresponds with its members by email and the email of 23 October 2013 to members advising of the photo opportunity, was sent in the normal course of events. This was the email to which we believe Mr Costello was referring. You will see from the attached that QYAC received similar emails as a paid up member, from August 2012.

Indeed you will see, again from the attached that our Committee meeting of 22 August 2012 minuted that an invitation should be extended to Susie Coulston {then CEO QYAC}—

apparently QYAC has had a number of CEOs over the last 12 or 18 months—

to attend the next meeting. On 27 August Ms Coulston advised that it would be more appropriate to attend a subsequent meeting due to her just being in the job. QYAC joined the SCC 3 September, 2012.

On 24 October 2012, again from the attached you will note that Ms Coulston advised that she could not attend the members forum ‘she required Board approval to attend the SCC Committee meeting’. That approval was not forthcoming.

In the Committee meeting, item 10.7 Clare Carroll from Minjerribah Camping was issued an invitation to attend. That invite was issued and accepted January 10, 2013.

QYAC has chosen not to nominate for any committee places since being a member.

Please note that the Chamber Executive Officer received a media release from QYAC on October 23, 2013 asking that it be distributed to members. That release was distributed for information to members on 23 October 2013 and on the same day Mr Costello requested a meeting to introduce himself to the Committee.

So Mr Costello had not met the committee at that stage. It continues—

That invitation was accepted by the Chamber Executive Officer on the same day. The meeting has not taken place as yet.

I would ask that the Committee accepts the attached as a sincere communication plan to engage with all our members, including QYAC and that the assertion that the submission should be not be accepted, be disregarded.

The Chamber position is, and always has been that we are a group charged to represent all businesses on Straddie, if they so choose to be members and if they meet our eligibility requirements of having employees and assets on the Island. QYAC and Minjerribah Camping have always being actively encouraged to participate.


Thank you again for the opportunity to make a submission, to address you last week and to clarify the record.



I table the letter.

*Tabled paper:* Letter (including minutes of Straddie Chamber of Commerce), from Mr David Thomson, Chairman, Straddie Chamber of Commerce, in relation to the public hearing on the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill 2013 [\[4115\]](#).

The first SCC meeting was held on 22 August 2012 and probably 30 or 40 emails and meeting times have been sent to the people on the island, including QYAC. QYAC has never engaged with the chamber of commerce. This bill makes common sense. The people of Queensland gave this LNP government a mandate to introduce it and I support it.

 **Dr ROBINSON** (Cleveland—LNP) (9.50 pm): It is with great pleasure that I rise to speak in support of the government's North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill. This bill, introduced by Minister Cripps on behalf of the Newman LNP government, does four main things for the people of North Stradbroke Island in fulfilment of a promise made at the 2012 election. Firstly, it saves over 2,000 Straddie residents from Anna Bligh's economic recession that would have shut down Straddie. Secondly, it protects 600 direct and indirect jobs and 109 small businesses from the former Labor government's plan. A good number of these jobs that are protected are held by Indigenous people. Between 50 and 60 jobs on a regular basis are held by Quandamooka families. In terms of jobs, this new path under this legislation provides additional safety for those workers in those jobs. Thirdly, this bill delivers a secure and prosperous future for the Quandamooka people by giving them certainty about the Indigenous land use agreement and native title. The fact that no change to the Indigenous land use agreement is required or happens through this legislation makes their future secure and prosperous. Fourthly, this bill supports the plan for a well-managed national park and the continuation of high environmental standards.

In 2011 the Bligh Labor government introduced a bill to substantially end sandmining activities by the end of 2019—just a few short years away. That bill had disastrous consequences for the residents of North Stradbroke Island. This bill that we are debating today goes a long way to correcting the problems created by the former Bligh government. It fulfils a 2012 election commitment from Premier Campbell Newman and the LNP to the residents of Straddie. The bill was needed to reverse the man-made recession that the Bligh Labor government brought upon the 2,000-plus residents of Straddie in June 2010 and then legislated in 2011 as part of a dirty deal for preferences with the extreme Greens.

In June 2010, without warning, Anna Bligh flew in and dropped a bombshell on island residents: the unwanted news that she was going to end sandmining within a short period of time, a bombshell that over the past two years has sent the island into recession—another Labor recession that we had to have. Does that ring true to anybody? In 2011-12, ending the mine dramatically early sent the local economy into a downward spiral. The proof of the pudding of Labor's failed plan is in the eating. House prices dropped. Houses could not be sold at auction. At one auction over 50 houses and properties were put up for sale and only one sold. New jobs became scarce. Some small businesses started to struggle. Some banks became nervous about new and even current investments and would not extend credit. The high school campus was on its knees and would later have to close. Straddie ferries prepared for a downsizing. As locals feared, Straddie started to shut down. The Labor-Greens recession that Straddie had to have was underway. It is amazing that Labor leaders do not learn that Australians do not like government made recessions. In fact, earlier this year former Prime Minister Paul Keating visited Straddie as a guest speaker at the QYAC AGM—an AGM that I was not invited to; it seems it was only for Labor members. So maybe it is just that recession follows him wherever he goes.

I will give members some background to North Stradbroke Island. To understand the devastation that former Premier Bligh's political deal with the Greens wreaked on the residents of Straddie and to understand how our bill protects and secures the future for residents it is important to know some of the background. As I have stated before in this House, North Stradbroke Island is a beautiful and scenic island with a great local community of over 2,000 permanent residents. Straddie has a significant population and a local economy with substantial infrastructure including roads, schools, police stations and aged-care facilities. The continuation of these services and maintenance and further development of this infrastructure is vital to the island's future. Tourism is also a significant aspect of Straddie life, with thousands of tourists visiting every year. It is important to note that, until recent times, the local economy was strong and vibrant and was underpinned, and its development dependent upon, sandmining. Sandmining provided up to 600 direct and indirect jobs and poured \$130 million of economic benefits into North Stradbroke Island.

Sibelco, formerly Unimin and CRL, have been good corporate and environmental citizens, pouring profits into many local projects of great value to the local people. Those projects include building infrastructure such as the One Mile public pontoon, roads, electricity infrastructure and sociocultural and Indigenous initiatives. They have been good local citizens. Sibelco has also been committed to environmental priorities, such as the rehabilitation of land and revegetation to the world's best and award-winning standards. The revegetation work was so good that it fooled Anna Bligh and Kate Jones, although that is no mean feat, to designating already mined areas as pristine national park. Their decision with respect to this national park is testament to the high environmental standards used by this mining company.

Over the past 4½ years I have spent much time with island residents and groups to understand their views in order to represent them in this House. I have spoken with miners and mining families and asked them about the impact of the mine closure on them, which was something afforded to them that no Labor MP afforded them. Anna Bligh never visited Sibelco and the miners. Kate Jones never bothered to front up to miners and tell them why they were going to lose their jobs. It was a cowardly act against workers on the island. Many of them tore up their Labor Party membership and today you can barely find a Labor Party member on the island. They felt so betrayed. They tore up their union cards and took it out on the Labor Party very clearly in the 2012 election. Some miners stated that neither former Premier Bligh nor DERM minister Kate Jones ever visited them. They were outraged that Anna Bligh and Kate Jones would not stand up for their jobs. Others pointed out that they could not understand how a Labor government could alter a mine path in such a way to create additional risk to workers. The Kate Jones DERM manipulated mine path would send the Enterprise mine through unsafe areas that would put miners at risk. This bill amends the mine path and makes it safer for workers.

What does the research show about local support for the LNP government's plan? The LNP formed its response as early as July 2010. Our view was based on community feedback that showed that the majority of island residents did not support Anna Bligh's plan to shut down Straddie. Then when Campbell Newman became leader he respected the views of the local residents and endorsed the existing plan. Now, the Premier, through this legislation, is implementing the plan that was promised. Since July 2010, island residents have been surveyed and petitioned and around 85 per cent of them rejected Anna Bligh's plan and wanted the extension of sandmining. A local petition was signed by 1,517 people opposing the former government's decision to end sandmining. The Straddie Chamber of Commerce, which represents 109 small businesses, says that a huge majority of businesses support extending sandmining.

I want to make a brief comment about the committee process. I want to thank the chair and the committee members for their scrutiny of the bill. After full consideration of all submissions, all representations at the public hearings and departmental briefings, the majority finding of the committee was to support the bill. I thank them for that.

In the committee stage there was an issue in relation consultation. While time does not allow me to elaborate in great detail about the issue of consultation, there has been extensive consultation since July 2010 with all stakeholders and I am very happy to table my communication record of my contact with the Quandamooka Indigenous group and QYAC representatives over 2012 and 2013 to show the many opportunities for discussion and many meetings that took place and the fact that there had been a thorough consultation.

*Tabled paper.* Document titled 'Communication record of Mark Robinson MP with Quandamooka groups since start of LNP government 2012-2013' [4116].

There is huge Indigenous benefit in terms of jobs. I have mentioned benefit to the local Indigenous people. There are huge benefits in terms of securing a prosperous future for the Quandamooka. Environmental standards remain high. In conclusion, as the local member for North Stradbroke Island residents, I support the bill along with the 2,000-plus residents of North Stradbroke Island. On behalf of the people of Straddie, I thank the Premier, Minister Cripps and the government for saving Straddie from being shut down by the Bligh Labor government and delivering on the election promise that we made of a more orderly transition to a non-sandmining future.

**Mr DEPUTY SPEAKER** (Mr Berry): I call the member for Lockyer. As I understand, member, you want to make a correction?

**Mr RICKUSS:** Yes. I made a mistake in the previous speech. I said sandmining employs 60 Indigenous people. It actually supports 60 Indigenous families. That was the correction. Thank you.



**Hon. JA STUCKEY** (Currumbin—LNP) (Minister for Tourism, Major Events, Small Business and the Commonwealth Games) (10.01 pm): I rise to contribute to the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill 2013 introduced into this place by the honourable Minister for Natural Resources and Mines and member for Hinchinbrook on 17 October this year. This bill discards once and for all the uncertainty that hasty, politically motivated decisions by the former Labor government imposed upon the citizens of North Stradbroke Island and provides them with long-term economic security. This will be achieved by the announcement that the Newman government will extend the timeline for the end of sandmining to 2035.

In 2011 the former Premier pandered to green groups by announcing a ban on sandmining on North Stradbroke Island by 2025 with the closure of the Sibelco mine in 2019. Almost in the same breath then Premier Bligh tipped tourism to overtake mining as the key economic driver. As shadow minister for tourism at the time I vividly recall the concerns raised by many locals over such an ambitious goal being delivered in too short a period. And I vividly recall Labor's apathetic approach to tourism, a once-vibrant industry that they neglected and then buried under layers of red tape. Without a plan as to how this supposed tourism surge was going to eventuate and such tight restrictions on operators, it was little wonder that Mr John Aitken, the head of Brisbane Marketing, said—

The decision would require the equivalent of five Tangeloona resorts, a feat that would not happen within the former Premier's rushed timetable.

Lo and behold, like so many other Labor commitments it has proven to be nothing more than an empty promise like so many before it: announced but not delivered by the previous Labor government. As the 2019 deadline approached, the inaction of those opposite left insufficient time for the economy of North Stradbroke Island to transition out of its dependence on mining and no current alternative economic activity of any comparable size would be capable of generating a similar economic impact to replace current mining operations.

For too long Labor took this great industry for granted, exploiting it at every turn. News that sandmining can continue until 2035 gives this government time to work in partnership with industry, something very foreign to those opposite, to explore appropriate alternate economic drivers. Speaking tonight as the minister for tourism and small business, I am delighted that this extension will allow us to work with Brisbane Marketing, Redland City Council, residents and the Quandamooka people to maximise sustainable tourism opportunities across the island.


As the second-largest sand island in the world and boasting numerous natural attractions, including beaches, lakes and national parks, North Stradbroke Island's ecotourism potential is boundless. Residents and operators can be assured that the Newman government's commitment to diversify their economy will be backed by our plans to grow tourism as one of the four pillars of the Queensland economy. I was delighted to join Minister Cripps earlier today to announce a \$200,000 signature Straddie package. The package will be developed and managed by Tourism and Events Queensland in close consultation with Brisbane Marketing, Redland City Council and local operators. The package will run over the next 18 to 24 months and will involve two key components. Firstly, the signature experience development, supporting operators identifying the hero experiences for North Stradbroke Island. This will provide the destination with a competitive edge focusing on its unique attributes and key target markets. Secondly, it will be Straddie eco-ready, helping operators move their businesses to a sustainable basis and to access ecotourism accreditation, which is mandatory to operate tours in national parks. Planning for the long-term success of tourism needs to start now and I want to sincerely thank Minister Cripps for providing this package in recognition of the need to develop the ecotourism potential of North Stradbroke Island.

Development of a 20-year plan for tourism is well underway with solid input from 13 RTOs and destinations that they represent right across our great state and will be finalised before the end of this year. This comprehensive plan identifies ecotourism as a long-term competitive advantage for Queensland and contains strategies to overcome impediments to attracting new ecotourism opportunities—although one might say that the greatest impediment to ecotourism has been the Labor Party over many, many years here in Queensland.

The tourism future of North Stradbroke Island, or Minjerribah as it is called, will form part of the Brisbane destination tourism plan, ensuring we can provide long-term support to deliver the needs of the industry on the island and to ensure that tourism is considered as a long-term economic alternative to mining. I note the honourable member for Cleveland nodding, and he should know.

The recent amendments to the Nature Conservation Act 1992 passed by the House earlier this year will help to facilitate tourism on North Stradbroke Island by allowing private ecotourism facilities in national parks. My department's tourism investment attraction unit, charged with facilitating tourism investment opportunities, has been inundated with interest from international investors to invest in tourism across Queensland since its inception.

I am very pleased to report that forward bookings for camp sites on this magnificent island over December and January has been overwhelming, with campers at over 100 sites all paying full price in advance. This response gives an idea of the demand for this popular tourism hot spot with families and the need to very carefully manage future plans and developments with community input. I am really proud of this government's record on delivering its commitment to Queenslanders. This bill outlines further our commitment to work with all interested parties to develop a positive future for North Stradbroke Island. I commend the minister for bringing it before the House and I am very pleased to support it here tonight.

 **Mr COX** (Thuringowa—LNP) (10.08 pm): It is good to go after the minister for tourism, someone who is actually quite concerned about the future of this island as one of the four pillars of this government. Firstly I thank the committee, as I always do. We have an excellent research team lead by Rob Hansen which supports the Agriculture, Resources and Environment Committee. With all the submissions we had on this bill we needed them at their best and I thank them. This bill is about an election commitment from our government going back, from what I can see, as far as 2011. This bill is about the economy of North Stradbroke Island. It is about jobs. It is about families. It is about small business and services.

The bill is about the LNP listening to the voices of the North Stradbroke Island community. Those opposite, and the previous government's bill, favour hysterical minority groups that have no grip on reality about how to transition communities rationally, allowing adequate time for a community to adjust. Those opposite form part of the opposition—not with a capital O—that is, the non-government part of this parliament. In this case, 'opposition' stands for the lost values of the ALP. Those opposite stand for and have been a party to opposition to growth, opposition to jobs, opposition to revenue, opposition to accountability, opposition to front-line services and the voices of local and regional communities. I had a quick look at some of the definitions of 'opposition'. They included 'the act of opposing or resisting' and 'the condition of being in conflict'. Those terms seem to refer to the good people of Queensland and how they were dealt with by the previous government of this state when it drafted legislation such as we are trying to amend this evening. It seems that the majority of the people of North Stradbroke Island are in agreement and were very happy, when the LNP government was elected in 2012, to end the conflict and commit to assisting and not resisting. Those opposite care only about themselves. Today in this place, their debate forgets about jobs, families, small business and front-line services.

The LNP government went to the election to gain the support of ordinary Queenslanders for the kind of change we see in this amendment. We came in with key aims that were far from any ALP policy. We had five key aims: to lower the cost of living, to build a four-pillar economy, to build better infrastructure and implement better planning, to restore front-line services and to be open and accountable in government. The people of North Stradbroke Island voted at that election fully aware of our intentions if we formed government. They too were feeling the effects under Labor of rising living costs and the closure of the community's major employer. They understood our four-pillar economy focus, because the island knows exactly the importance of the resources sector through sandmining and tourism with the island's natural beauty and fantastic nature reserves. Only a short transition period was allowed under the Labor model for the closure of an important industry. It could not have allowed time for tourism to expand to replace the jobs and revenue on the island.

Like any small community, North Stradbroke Island finds it hard to keep and maintain certain services. The community's link to the mainland through the ferry is very much supported by sandmining companies. Under this bill, that service will remain viable for many years to come. Front-line services are just as important to North Stradbroke Island residents as they are to the rest of Queensland. A thriving and growing community will mean that those services will grow under this government, not decline as they did under Labor. We are an open and accountable government and this bill is another example of that. Our election commitment to the North Stradbroke Island community and the changes in this bill will allow the people time to transition from a resource-reliant economy to a tourism driven economy, and the island's rich and wonderful natural environment will be protected under this bill. The bill demonstrates how a government gets on with the business of delivering for the people of Queensland and those opposite should take note.

Before I finish, I will refer to the transcript from one of the committee's public hearings. We heard from a gentleman by the name of David Thomson, the chairman of the chamber of commerce and part of the transition committee. I have a document titled 'Planning for Action (Draft) A sustainable economic future for North Stradbroke Island/Minjerribah'. It is quite amazing that this was the transition plan of the previous government. It talks about 'voluntourism', which is about volunteering on holiday, whereby rangers provide guided cultural awareness programs. That was marked as 'Potential medium-term project'. Another project or action in that plan was affordable housing for workers. Again, that was marked as 'Potential medium-term project'. I point out that this week a minister of this House, the Hon. Tim Mander, announced what we have done in the first 18 months of government with affordable housing in this state. In my electorate alone, we have 170 new dwellings, which is double what we saw under the previous Labor government.

In the former government's draft plan, another projected action was for a boutique eco-lodge on the island. I will take it that that relates to tourism. The plan states—

Based on current occupancy rates, the island is not going to require significant new accommodation for a number of years.

I think that points to the fact that the sandmining industry on the island was going to be needed for a time to come. Another option for action was a loop-road development. The plan states, '... resourcing and land availability are barriers to development'. We are lucky because another action plan they had was going to be overnight walks with accommodation, because they could not build the road.

I will finish by reading from the transcript of one of the committee's hearings. Mr Thomson, the chairman of the Straddie Chamber of Commerce, stated—

I think I should disclose upfront that I was a member of the previous government's economic transition team back in 2011. So I have been involved in the transition to tourism project since 2011.

...

The chamber itself represents over 100 businesses on the island. I think there are about 125 or 130 businesses on the island. Our criteria for membership is twofold: Firstly, having assets and employees based on the island; and, secondly, having a bona fide business and GST number. The criteria have been quite successful and I think our membership is about 85 per cent of total eligible members.

He then talked about some of the roles of the chamber. The chairman, the member for Lockyer, said—

Thank you very much for that submission, David. You said that you were involved with the 2011 transition. Did the business groups on the island understand what the Newman government's policy was coming into the 2012 election?

Mr Thomson replied—

Only as a citizen of Queensland I picked up that the then opposition stated that it would attempt to move the goalposts back to where they were prior to them being changed ... We have been watching with interest for the last 18 months or so to see how that would evolve.

I asked him—

To follow-on from that, was there much hope given by the previous government when they decided to stop sandmining in terms of what was going to fill the gap for this island, and the Redlands shire too, with regard to this industry and the revenues made from it?

Mr Thomson replied—

The reason I disclosed my membership of the economic transition task team set up by the previous government was that I was very disappointed about a lack of a plan. Without being too simplistic, we were right back at the butcher's paper and coloured crayons stage and saying, 'What are we going to do to transition this island economy to a thing called sustainable tourism? What are we going to do? What are the plans?' We were back working as a group trying to develop for government whatever those investment ideas might be. It was a very disappointing and convoluted process that went for most of 2011 and up to and including 2012. That committee has been deactivated. I am not too sure where it is all at now.


My last question to him was—

I just want to follow up the comments of the deputy chair, the member for South Brisbane, in regard to the transition and what is happening now. The fact that this bill is letting sandmining continue to 2035 is an example of not a transition but now what I would call a reasonable time now to give the community on the island to make a proper transition plan.

Mr Thomson replied—

I think absolutely. A transition is mandatory. It is a matter of how much time we have and what are the resources to apply to that transition. The previous ETT, which met for 18 months, struggled with what resource are we going to apply to this transition and the vision. With this bill being successfully passed into law, the first output is that we have more time as a business community to plan whatever the future looks like. Time is of benefit to transition. It was an enemy of the previous one.

And it was an enemy of the previous government. I support the minister and this bill. I support the actions of this government, which is getting back to business and is taking care of the economy in the state, which under Labor we saw decimated.

 **Mrs SCOTT** (Woodridge—ALP) (10.18 pm): I rise to contribute to the debate on the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill 2013. On the day that it was announced that sandmining would end in 2019, the Premier was reported as saying that he would not confirm whether an LNP government would reverse the decision. Then, in January last year, the LNP announced that—

An LNP government would consult with community and other stakeholders ... to agree on an orderly transition to end sand mining on North Stradbroke Island, which could take the form of an extended end date.

In the same month, the now Minister for Environment and Heritage Protection said—

An LNP government will consult and work with people on the island, local stakeholders including the Indigenous community and other interested parties to develop a workable and responsible exit strategy.

The statement also claimed that no time frame had been set on ending sandmining on North Stradbroke Island at that stage. Prior to the election, Sibelco had publicly indicated that it was willing to exit its sandmining operations by 2027. For the Premier to claim that he now has a mandate to extend sandmining for another 22 years, and another eight years beyond which Sibelco had already agreed to exit, is simply wrong. As has been confirmed by the department, no consultation occurred with the Quandamooka people, as the native title holders, prior to introduction of this legislation.

The Premier said about the previous legislation to exit sandmining on North Stradbroke Island—

People in industry are looking aghast in an appalled manner saying they will rip aside my proper rights tomorrow, my mining rights, my approvals.

This was in relation to mining leases that had already expired. We hear no such faux outrage from the Premier on behalf of North Stradbroke Island's native title holders whose appeal rights are legislated away in this bill.

This legislation represents yet another broken electoral promise from the Newman government—an election promise that was broken following the contribution of \$91,840 in electoral support from Sibelco to the Premier's electorate in the 2012 state election, or at least this level of campaign support which has been disclosed so far. This support included a sophisticated mail campaign from Sibelco which specifically targeted selected voting groups. This support was uncovered just three days before the 2012 state election, leaving most voters in the dark as to what had occurred—nor was this campaign support disclosed within the proper time frames to the Electoral Commission of Queensland.

The Premier has now admitted that he has met directly with Sibelco about the extension of sandmining on North Stradbroke Island. However, the Premier is yet to directly rule out having discussed the campaign support provided by Sibelco to his electorate at any meeting. The Premier has claimed that Sibelco approached him saying in relation to his policy position, 'We like that and we will support you.' We have no idea what policy position it was that Sibelco were supporting. Was it an extension of mining leases to 2027 or 2035? The Premier tabled documents in this parliament saying that the LNP policy position was clear in early 2011. All these articles contain are accusations and political attacks without any detail as to what the LNP would actually do if elected. We also have no idea how many meetings took place between the Premier and Sibelco and when they took place. The Premier has many questions to answer in relation to this legislation.

Queenslanders should be very concerned at the precedent this policy and legislative process sets for this Newman LNP government. It is legislation that, prior to its introduction, involved exclusive consultation with the mining company. This consultation included three meetings between a political staffer, a lobbyist and Sibelco, without any departmental officials present. These meetings, as declared on the Integrity Commissioner's contact log, were about making or amendment of legislation.

A leaked briefing note provided by Sibelco to the government from May this year also set out a number of specific requests in relation to the extension of sandmining on North Stradbroke Island. All of these requests have been met in this legislation. These include the extension of the mining leases over the Enterprise mine until 2035, the inclusion of the environmental authority in legislation and the removal of the mine path from legislation.

In committee hearings it has also been confirmed that the maps of mining areas in this legislation were provided by Sibelco. Not only the maps, but the economic model and data justifying this legislation were also provided by Sibelco. So when LNP members get up and quote figures and claim they are from the state development department they are all in fact, other than some census population data, from the mining company who are set to make a significant financial gain. The opposition is steadfastly opposed to a mining company effectively drafting legislation on behalf of the government.

For LNP members to decry claims of sovereign risk after introducing multibillion dollar royalty hikes last year is also the height of hypocrisy. These royalty hikes were introduced as coal prices were falling, hitting the industry at the worst part of the cycle. According to the Queensland Resources Council, these royalty increases made Queensland the highest taxing coal jurisdiction in the world. Since these royalty increases were introduced, Queensland has lost more than 8,000 mining jobs.

This Newman LNP government also claims that it needs a 22-year transition strategy for up to 130 mining jobs, after its cuts led to the loss of around 20,000 jobs in Queensland. These cuts drove Queensland's unemployment rate above levels seen during the global financial crisis and resulted in the worst—

**Mr Crandon** interjected.

**Mrs SCOTT:** It is probably more.

**Mr Crandon:** You can't pluck figures out of the air.

**Mrs SCOTT:** It is probably more. Come and see what happened in my area.

**Mr Crandon:** You don't believe in this.

**Mr DEPUTY SPEAKER** (Mr Berry): Order! Member for Condamine, please.

**An honourable member:** Member for Condamine!

**Mr DEPUTY SPEAKER:** Member for Coomera.

**Mr HOPPER:** I rise to a point of order, Mr Deputy Speaker.

**Mr DEPUTY SPEAKER:** Sit down, member for Condamine, please.

**Honourable members** interjected.

**Mr DEPUTY SPEAKER:** Member for Condamine: do you want to move down the list? Please ease off. Member for Coomera: interjections are not being taken. Member for Woodridge: resume.

**Mrs SCOTT:** Thank you, Mr Deputy Speaker. These cuts drove Queensland's unemployment rate above levels seen during the global financial crisis and resulted in the worst jobs growth result in more than two decades. Yet there was no concern from this government for a need for an economic transition plan for these workers.

**Mr CRANDON:** I rise to a point of order, Mr Deputy Speaker.

**Mr DEPUTY SPEAKER:** I call the member for Coomera.

**Mr CRANDON:** I respect your decisions on matters, but I would like to point out that the member for Woodridge was taking interjections.

**Mr DEPUTY SPEAKER:** I call the member for Woodridge.

**Mrs SCOTT:** Yet there was no concern from this government for a need for an economic transition plan for these workers, including front-line staff—with around 800 nurses axed; another broken election promise.

**Mr DEPUTY SPEAKER:** Member for Woodridge, please stay on the subject.


**Mrs SCOTT:** To not have any economic assessment of the impacts of extending sandmining on the largest employer on North Stradbroke Island is highly questionable. A study under the former government indicated that tourism had a direct contribution to the island economy of \$25 million per year with 300,000 to 400,000 visitors a year—

**Honourable members** interjected.

**Mr DEPUTY SPEAKER:** Honourable members, I cannot hear the member for Woodridge. Please allow her to speak so I can at least hear what she is saying.

**Mrs SCOTT:** As well as the one-sided consultation process and the one-sided presentation of this bill, which relies on economic modelling and data from the mining company, Queenslanders should rightly be concerned that this legislation is all about delivering on a promise in return for political support.

*(Time expired)*

 **Mr HOPPER** (Condamine—KAP) (10.29 pm): Mr Deputy Speaker, thank you for your ruling to the member for Woodridge. I must say she would have to be one of the most well-mannered members in this chamber.

In rising to speak to the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill—

**Mr Crandon** interjected.

**Mr DEPUTY SPEAKER** (Mr Berry): Order! Honourable members, the member for Condamine actually has not started his speech yet. Can we at least hear it. Member for Condamine, please proceed.

**Mr HOPPER:** Thank you very much. We in Katter's Australian Party would love to support this bill, but unfortunately due to the corruption that is surrounding this bill that was earlier described—

**Mr CRIPPS:** Mr Deputy Speaker, I rise to a point of order. The member for Condamine has just made an extremely serious allegation of corruption. If he has any evidence whatsoever to support that extremely serious claim, he is obliged to immediately forward that information to the appropriate authorities and, if he does not do so, he ought to immediately withdraw that allegation and apologise to the House.

**Mr DEPUTY SPEAKER:** I will not take that point of order simply for the reason that he has not defined anybody in particular—

**Mr HOPPER:** Thank you very much.

**Mr DEPUTY SPEAKER:**—but, member for Condamine, stick to the relevance of the bill.

**Mr HOPPER:** I certainly will. The minister might listen to my speech, hopefully with his ears open—that is, if he can hear my speech, if the member for Coomera would just sit there and happily listen. The bill presents a picture of competing values, thus placing members of the North Stradbroke Island community at odds with the Newman government and the international mining group Sibelco.

The three main stakeholders involved in this bill are: the North Stradbroke Island traditional owners, the Quandamooka people; the Newman government; and Sibelco. According to the explanatory notes, the Premier and his government have developed this bill without any public consultation. Moreover, according to the notes, this bill was developed based on a pre-election commitment when the Premier was in opposition. This bill states that the recipient of the Premier's pre-election commitment is Sibelco Australia Ltd, which is part of the Sibelco Group, established in Belgium in 1872.

The relationship between Sibelco and the Newman government must be examined while the House considers the bill. The content of this bill was placed under the scrutiny of the media and it drew such headlines as: 'Campbell Newman accused of secret deal with sand mine firm Sibelco'. That was in the *Australian* on 21 March 2012. The next one was 'Queensland government stands accused of political favours over mining lease', which was on ABC 7.30 on 18 July 2013. The next part of this bill which came to the attention of the media was 'Stradbroke Island mining decision dubbed a "filthy dirty rotten deal"'. That was in the *Brisbane Times* on 19 July 2013. The media reports suggest—

**Government members** interjected.

**Mr DEPUTY SPEAKER** (Mr Watts): Member for Condamine, are you tabling those or are you just referring to them?

**Mr HOPPER:** I am happy to table it. It is in my speech. It will be in *Hansard*. The media reports suggest the content of the bill is a reflection of a political donation of approximately \$90,000 from Sibelco which helped the then opposition leader, Campbell Newman, defeat the Labor MP Kate Jones. The bill exposes the price: Premier Campbell Newman was willing to gain political success—

**Government members** interjected.

**Mr DEPUTY SPEAKER:** Order, members! Member for Condamine, you have the call.

**Mr HOPPER:**—while turning on the North Stradbroke traditional owners and their native title holding. The Premier actually turned Judas against these people; he actually did.



In relation to this bill, I often notice that Premier Newman wears the Aboriginal and Torres Strait Islander flag pendant on his suit jacket. I suggest that the Premier refrain from wearing this because of his actions against the people of Stradbroke island, because it is an absolute insult to the Aboriginal and Torres Strait Islander people when you purposefully override sovereign native title rights for a payment of \$90,000 to win an election on a political favour. And that, Minister Cripps—you called for it and you've got it! So you just sit there and listen.

**Mr DEPUTY SPEAKER:** Member for Condamine. I will remind you to direct your comments through the chair.

**Mr HOPPER:** Through the chair, Mr Deputy Speaker, the minister can sit and take this if he was so willing to take a point of order through you, because he should be ashamed and he should be ashamed of the Premier for selling out the Quandamooka people for their own self-centred political aspiration.

**Government members** interjected.

**Mr DEPUTY SPEAKER:** Order, members!

**Mr HOPPER:** The Quandamooka people have been sold out for \$90,000 so that the Premier could beat Kate Jones. That is exactly what has happened here.

**Government members** interjected.

**Mr HOPPER:** It is an absolute disgrace to this institution—

**Mr DEPUTY SPEAKER:** Order, members!

**Mr HOPPER:**—and, Mr Deputy Speaker, it is corruption.

**Mr DEPUTY SPEAKER:** The member for Condamine will take his seat.

**Mr HOPPER:** It is corruption to the highest.

**Mr DEPUTY SPEAKER:** The member for Condamine will take his seat.

**Honourable members** interjected.

**Mr CRIPPS:** Mr Deputy Speaker, I rise to a point of order.

**Mr DEPUTY SPEAKER:** The member for Condamine will take his seat. The House will come to order. Minister, what is your point of order?

**Mr CRIPPS:** Mr Deputy Speaker, I rise to a point of order. Once again, for the second time during the course of his contribution the member for Condamine has made an allegation of corruption. An allegation of corruption is a very serious—

**Mr DEPUTY SPEAKER:** Thank you, Minister. Take your seat. I have the point.

**Honourable members** interjected.

**Mr DEPUTY SPEAKER:** The House will come to order while I settle this. Thank you. Member for Condamine, you have clear processes to follow if you wish to make an accusation of corruption. I will guide you back to the short title of the bill and you will address the elements of the bill. Thank you.

**Mr HOPPER:** Thank you very much for your guidance, Mr Deputy Speaker. I always respect the chair and I will certainly respect your guidance.

**Government members** interjected.

**Mr DEPUTY SPEAKER:** Order, members! Member for Condamine, you have the call.

**Mr HOPPER:** Thank you and I would ask you to watch the clock. When the interjections are coming and I am not taking them, Mr Deputy Speaker, I am certainly losing time.

**Government members** interjected.

**Mr DEPUTY SPEAKER:** Order, members! I certainly appreciate your guidance and I will do so.

**Mr HOPPER:** Thank you, sir. As per the explanatory notes, prior to the tabling of this amendment bill, the previous government implemented the North Stradbroke Island Protection and Sustainability Act 2011. The then Queensland government declared new national park over 20 per cent of the land on North Stradbroke Island in 2011, with the stated ultimate goal of 80 per cent of North Stradbroke Island being protected as national park and jointly managed by the state and the Quandamooka people, who are recognised native title holders. The Quandamooka people have had the rug pulled out from under their feet by the Newman government's proposed amendment bill—

**Mr Hart:** What do they call them?

**Mr HOPPER:** Quandamooka. You need to know how to pronounce it.

**Government members** interjected.

**Mr HOPPER:** Quandamooka. You go and talk to them.

**Government members** interjected.

**Mr DEPUTY SPEAKER:** Order, members! Member for Condamine, I will ask you to address your comments through the chair.

**Mr HOPPER:** Thank you, Mr Speaker. When I get a question, I can certainly answer it.

**Mr DEPUTY SPEAKER** (Mr Watts): Order! You can take interjections but then you cannot ask me to protect you from further interjections. So, if you take them, accept them.

**Mr HOPPER:** Thank you. The dreams and aspirations that traditional owners may have had for possible alternative business opportunities based on ecotourism are gone. The content of this bill represents how the Newman government continually places Indigenous and Aboriginal people outside of the Queensland community and openly places a question mark over the legal authority native title holds.

The Newman government has argued in the explanatory notes that the previous government's North Stradbroke Island Protection and Sustainability Act places the state at sovereign risk, thus justifying the implementation of this amendment bill. What a lot of rot! I argue that the Newman government is placing the Quandamooka people's native title at sovereign risk. In doing so, it sets a legal precedent to override other native title holdings. The Newman government has once again acted in bad faith in relation to this bill. If it were to act in good faith, the government would have conducted open public consultation on this bill prior to its tabling. That did not happen. The content of the bill is based on no public consultation and equates to a dirty rotten deal, as I said before. Moreover, the government has ensured this will be challenged in a court of law due to the content within this bill. Shame on this Premier!


The development and implementation of this bill will create a black mark on Premier Newman's short career which will stay with him well and truly after his time in office. What we need in Queensland is to bring back the Borg. We need to bring Lawrence Springborg back so we have a decent man running this state.

**Mr DEPUTY SPEAKER:** Order! I remind the member for Condamine to address the bill.

**Honourable members** interjected.

**Mr DEPUTY SPEAKER:** Order! Stop the clock. The House will come to order. I remind the member for Condamine to address the bill.

**Mr HOPPER:** If Lawrence Springborg were the Premier of Queensland, this \$90,000 deal would never happened, because he is too honest and the backbenchers know that. We saw the Premier in the House tonight working the backbench. We see the Treasurer and the Deputy Premier worried sick about what is going to happen in the next few months.

 **Mrs MADDERN** (Maryborough—LNP) (10.42 pm): I rise to make a contribution to the debate on the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill 2013. To me, there are two clear issues in relation to this bill. Despite the media comment and a lot of comment in the committee hearings, this bill is not about the mining company Sibelco; it is about supporting a community of 2,000 people on North Stradbroke Island and a significant workforce on the mainland to transition from an economy based on mining to an economy based on some other form of business. The second issue relates to righting a wrong done in the past—a wrong done by the previous Labor government.

I have listened to the righteous indignation of the member for South Brisbane. It is a great pity that the truth and fact of these matters has not been allowed to get in the way of her supposed righteous stand. She has selectively quoted whatever has suited her stand—quotes which the member for Lockyer referred to as half-truths. Nowhere have the members of the opposition given any consideration to the wellbeing of the whole of the community of North Stradbroke Island.

I will deal firstly with the community issue. On this matter, I speak with some personal experience. At one time Fraser Island was mined for sand minerals and logged for some very special timbers. I was not in the community when sandmining finished, but members of my community well remember the consequences. Maryborough was the community most affected, as there were not very many permanent residents on Fraser Island, unlike the high population on North Stradbroke Island. The closure of sandmining on Fraser Island had a severe impact on the business community of Maryborough. I was living in Maryborough when logging on Fraser Island was closed down after

around 100 years. I saw firsthand the physical and mental impacts on the business community. While there was some compensation paid, it in no way made up for the loss of income earned from logging on Fraser Island.

While ecotourism has in some way compensated for some of that lost income, very little of that income has supported Maryborough businesses. I and many of my community believe that some of the issues we currently face in Maryborough in terms of unemployment and lack of business confidence still stem back to the closing down of logging. It is very difficult to replace an industry based on generating wealth from out of the ground, such as mining or timber logging, and if it is to be replaced it takes a very long time. It is therefore from personal experience that I understand the value of this piece of legislation in extending the time frame for the closure of mining to allow the community a sufficient period of time to establish an economic base, particularly given that it is almost 20 years since the closure of logging on Fraser Island and our community has never really recovered.

The second issue I see is the righting of a wrong. It has been the practice and in many cases a legal requirement that if the state has to take away a right of some type then compensation is paid on the basis that those directly affected are put back, insofar as possible in monetary terms, into a position as similar as possible to the position they were in before the loss of the right or property. It is my understanding that previous legislation by the Labor government took away the reasonable expectation of long-term rights without compensation being paid. This sends a very bad message to those who wish to invest in high-cost, long-term projects, particularly those projects which have a long lead time until they achieve an income return.

At this point I wish to thank particularly departmental staff, committee staff and committee members who provided both the committee and me with advice given in a most professional and comprehensive manner. It is my belief that this bill rights the wrong done. It gives back to the mining company the rights and expectations it had while acknowledging that it is not exactly the same as what they had previously. I believe this legislation gives out the message that this LNP government respects the rights of citizens, both individually and businesses, and will work with them to achieve desirable community outcomes.

I now turn to some of the issues raised in the committee hearings. There were a large number of submissions, both oral and written, in relation to environmental issues, the ILUA and the business interests. There was much comment about the fact that this legislation is taking away rights of the community to object to both the lease renewal and the environmental authority. The advice I have received is that under the normal process of renewal of a mining lease there is no capacity for the general public to contest the renewal of the lease or the conditions attaching to the renewal. It is also my understanding that the environmental approval carries over from the initial application for a mining lease to the renewal.

The Department of Environment and Heritage Protection may impose conditions if it is considered necessary. However, there is no capacity for the general public to contest the conditions of the approval. In this particular instance the argument has been put that because of this bill citizens have been denied rights to contest both the renewal process and also conditions attaching to the environmental approval. However, it appears that this argument has no basis in fact. While there is no basis to contest, environmental groups have been quite strident in their comments to the committee, both in terms of what they perceive as likely damage to the environment and in terms of the area of the lease which is being renewed for mining. In this instance, the actual area to be subject to mining is less than the original leases which were up for renewal and relates to around only four per cent of North Stradbroke Island.

Much of the evidence presented in terms of environmental issues was quite emotional rather than well balanced and factually presented. One of the proposed alternative methods of supporting the economy is ecotourism. It seems that, with only four per cent of the island under mining, the majority of the island excepting the townships is available for use and development for ecotourism.


As noted in the evidence presented in relation to the ILUA, this agreement has only fairly recently been reached between the Quandamooka people and the state government. Evidence was given that the conditions attaching to the ILUA are commercial-in-confidence between the Quandamooka people and the government. Therefore, there is no way that as a committee member I can independently verify the veracity of the comments made at the public hearing.

The only independent advice I can rely on is that provided by independent departmental officers, who advised that this legislation does not impact on the ILUA. Evidence has been received from both the Chamber of Commerce and members of the community as to the negative impact that

the previous legislation of the Labor government has had on business, particularly in relation to security for business loans and the capacity to maintain and grow business and, thereby, sustain employment and the economy. There were also quite a number of submissions received from current employees supporting the proposed extension to the mining lease, and I note that quite a number of these people were of Indigenous background.

In summing up, this legislation is not about supporting an international mining company; it is about providing a community of around 2,000 people on North Stradbroke Island with a sufficient time frame to transition to alternative means of supporting the economy. From our experience of the impact of the loss of timber logging on Fraser Island on the Maryborough economy, extended periods of time are required to carry out this transition process effectively. Secondly, this rights a wrong in the abrupt and severe reduction in the expected time frame for mining and the lack of compensation associated with that process.

I commend the committee report to members and the general public as it contains comprehensive responses to issues raised in the public hearings and also written submissions. It is noted that the committee report recommends that state government departments work to assist the North Stradbroke Island community in the transition process. This process is not easy and to be effective it will need support from the community and all levels of government. I note the comments that the minister made in his second reading speech. I commend Minister Cripps for the work he and his staff have put into the drafting and presentation of this bill. I am pleased to support the bill.

 **Mrs MILLER** (Bundamba—ALP) (10.51 pm): At the parliamentary estimates hearings earlier this year I revealed that a filthy, dirty, rotten deal was being done between the Newman LNP government and the mining company Sibelco. This legislation is the product of that filthy, dirty, rotten deal. It was always a done deal. That is why consultation occurred with only the mining company Sibelco prior to the introduction of this legislation. When I directly asked the Minister for Natural Resources and Mines about this at estimates he paused before denying that there had been a deal—a pause of a person feeling the weight of his conscience. I give the minister some credit for at least appearing to have a conscience—something that the Premier clearly lacks.

For a company to be granted exclusive access to ministers, to political staffers and to departmental officials in the drafting of legislation that will provide a financial benefit to the company of some \$1.5 billion, on its own figures, is about as filthy, as dirty and as rotten a deal as it can get. All of this follows more than \$90,000 in support being poured into the Premier's Ashgrove election campaign by Sibelco—campaign support that was revealed just three days before the election and which was not disclosed to the Electoral Commission within the proper time frames. This Newman LNP government held eight meetings with Sibelco over fewer than two months prior to the introduction of this legislation. The opposition uncovered at estimates hearings that three of those hearings, which were disclosed by the Integrity Commissioner as being about 'making or amendment of legislation', took place between a political staffer, a lobbyist and Sibelco without any departmental officials present. In relation to that I would like to table a transcript from Steve Austin's program 612 ABC. It is very interesting because there are claims regarding what the opposition sought in that estimates committee. It is interesting because preferential treatment was requested of mining or tourism approvals—Palmer—and then we have the fact that this bill reflects Sibelco's preferential treatment in the mining extension approval process. The Palmer claim was that he turned up with a draft bill—

**Ms Trad:** By the Premier.

**Mrs MILLER:**—by the Premier. The Premier said that Clive Palmer turned up with a draft bill, but let's see what happened with Sibelco. Sibelco briefed on the required extension. Sibelco briefed on the maps. Sibelco briefed on the economic modelling and also the inclusions in relation to environmental authorities in the bill. The Premier claimed that Palmer wanted to build on sand dunes and guess what? Sibelco are now mining on sand dunes on Straddie. I would like to table that document.

*Tabled paper:* Transcript, dated 13 November 2013, of an interview on 612ABC at 9.30 am between Mr Steve Austin and the Premier, Hon. Campbell Newman [\[4117\]](#).

When departmental officials were asked about the meetings, they were of course not able to advise what was discussed. Worse still, every single request from a leaked briefing note submission from Sibelco to the government has been met in this legislation before the House. A briefing note that was provided ahead of these eight meetings requested that the lease of the Enterprise mine be extended to 2035, beyond the date by which Sibelco had previously agreed to exit by 2027, and

guess what? This request has been met in this legislation. Sibelco asked that the mine path be removed from the legislation. This government said, 'Well, Sibelco supported the Premier's campaign in Ashgrove, so why not?' The government rolls over and says, 'Yep, we'll do it.' Sibelco asked for the environmental authority to be legislated—and I see that the environment minister is in the House tonight—so that consultation requirements with the local community were removed. 'No worries,' said the Newman government, 'Anything for the electoral support of the Premier. Forget the people who elected us. No worries, we will roll over. We will do it.'

How many meetings took place prior to the introduction of this legislation with the Quandamooka people as the native title holder? Guess what? None, zip, zero, zilch. There were no meetings about the legislation that seeks to remove their legal appeal rights against the extension of sandmining of their land. Instead, the government wrote to the Quandamooka people threatening to illegally suspend their Indigenous land use agreement.

It is a complete and utter disgrace for this LNP government to bring this bill into the House. It was only when Sibelco was asked at the Agriculture, Resources and Environment Committee that members of this House found out that they had also had direct meetings with the Premier about the extension of sandmining on North Stradbroke Island. The Premier, when asked, claimed that they approached him, saying about his position, 'We like that and we will support you.'

**Ms Trad:** Oh!

**Mrs MILLER:** Oh! Other than wild claims from the Premier about green preference deals there was no clear publicly announced LNP position on the extension of sandmining on North Stradbroke Island. This makes one wonder what was the position? What was the position that Sibelco supported prior to the election that Queenslanders were not told about? Was it to extend sandmining to 2035, as has been enacted in this bill, beyond the date by which Sibelco had already agreed to shut up shop, which was 2027?

**Ms Trad:** No, they didn't say that.

**Mrs MILLER:** No, the voters of Queensland were not told about any of this. For the government to claim that they have an election mandate for this legislation is total rubbish. The LNP's only position was that—let's listen to it; this is what the LNP said.

**Ms Trad:** What did they say, Jo?

**Mrs MILLER:** Member for South Brisbane, they said—

An LNP government will consult and work with people on the island, local stakeholders including the Indigenous community and other interested parties to develop a workable and responsible exit strategy.

Now, did this consultation occur, I ask members in the House? No, it did not occur and the LNP promise was broken. No amount of spin doctoring can say otherwise, and the Premier is yet to directly rule out that he discussed campaign support for his electorate with Sibelco prior to the election. Instead of delivering on their election promise, which was to consult, the government held exclusive meetings which involved the lobbying firm Rowland and the mining company about 'making and amending legislation'. Ka ching! Ka ching! This a lobbying firm who, prior to the election, had the member for Moggill's son—and I note the member for Moggill is in the House—on the books representing Sibelco and a mining company which is currently in court facing allegations of stealing sand from the island.

In the introduction of this bill the LNP has made a number of utterly spurious claims about the impact of closing sandmining on jobs and the economy, and the LNP government did not blink when it introduced a multimillion-dollar hike of royalties last year as coal prices were falling. There was no economic analysis about that at all. Everybody in this House knows that I am the biggest supporter and fighter for mining in this state. You will not find a bigger champion than me in this parliament. But I tell you what: I will never, ever be accused of cash for legislation—which is what this filthy, dirty, rotten deal is about in this parliament tonight! Decisions about mining approvals should be based on facts and not on cash. This is what this is: cash for legislation! Have no doubt about it, it is a filthy deal—

*(Time expired)*



**Mr TROUT** (Barron River—LNP) (11.01 pm): Whoa! Jesus, that is a hard act to follow!

**Ms Trad:** Any act is hard to follow for you!

**Mr TROUT:** I rise in support of the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill 2013. Thanks, Jackie!

No community can survive without income. Removing the livelihoods of 145 people overnight equates to kicking the stool out from under them. This was the number of people identified as being directly and negatively affected on the island itself should sandmining be concluded immediately. The fact is that the economy of North Stradbroke Island currently relies heavily on the mining of sand, with 145 people on the island itself reliant on the mining industry. Mining has been carried out on this island since the 1950s. It is an industry deeply ingrained in the lives of most who live there.

Sandmining brought economic prosperity to the island's community and played a large part in establishing the present-day community on North Stradbroke Island. Every community has the right to earn a living and be sustainable, and the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill 20130 allows for the community to develop industries. There may well be many opportunities for ecotourism on the island, but Rome was not built overnight. In fact, it took some 800 years. The community now has a time frame in which to reach its goal; that is, to research and establish alternative sustainable income from sources other than sandmining. It is essential that time be allowed for alternatives to be explored. This was an election promise, and this government has stuck by its election commitment to ensure the people of North Stradbroke Island are given time to make alternative arrangements to ensure that their future livelihood is not severely compromised.

In the state election of 2012 there was strong voting for the retaining of sandmining on North Stradbroke Island. While current tourism, accommodation and retail outlets do produce some income, it is minimal and sandmining is the backbone of the island's economy. At a public hearing I noted that the North Stradbroke Island Chamber of Commerce was also the local tourism organisation. I asked David Thomson, the chair of the chamber, whether he believed that Sibelco was a sound corporate environmental citizen. This is what he said to me—

I think we still have to develop the environmental tourism product. I think we have struggled along for the last 30 or 40 years providing beaches and recreational type holidays around the beaches. There is not really an industry yet called "sustainable tourism", but it is definitely the way forward.


Mr Thomson also referred to the importance of the ferry. He said—

The island economy has benefited over the years from about 40 per cent of the economic activity coming from the ferry company which comes from what we call the commercial base on the island.

He told us that Stradbroke Ferries has been operating a service to the island since 1964; for the most part, 365 days a year. He said there was no doubt it was a commercial critical mass that allows them to provide both the hourly timetable from the mainland and the existing fare structure. He added that Sibelco as an environmental citizen had over the years won rehabilitation awards from state governments and other bodies. He indicated that he felt that Sibelco could work with interested parties to develop a sustainable tourism industry, but it was very early days and this had not got off the ground yet.

This legislation will not affect sensitive environmental areas, and the national parks on the island will not require amendment to the current ILUA between the government and the Quandamooka people.

I commend this government for its responsible action to allow time to investigate further income-producing options for North Stradbroke Island such as extensions to tourism and recreational areas. I commend this bill to the House.

 **Hon. AC POWELL** (Glass House—LNP) (Minister for Environment and Heritage Protection) (11.05 pm): I rise to also support the North Stradbroke Island Protection and Sustainability and Other Act Amendment Bill 2013. The bill—

**Ms Trad:** You're a disgrace!

**Mr DEPUTY SPEAKER** (Mr Watts): Order! I will ask the member for South Brisbane to direct her comments through the chair.

**Mr POWELL:** The bill honours our government's election commitment to deliver a staged and orderly end to sandmining while protecting some of North Stradbroke Island's most valued sites. The previous Labor government sought to restrict mining activities on the island prematurely, crippling the local economy and not providing any alternative industry capable of generating the same number of jobs or incomes to local residents.

As environment minister, it is my responsibility to balance environmental protection with sustainable economic growth. This bill strikes a balance between how long it will take to develop and establish alternative industries on North Stradbroke Island and ensuring the mine operator can maintain an economically viable and sustainable sandmining operation that supports the local

economy until those further industries are established. This bill includes a new environmental authority that replaces—in fact, reinstates—the previous EA referenced in the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill. The new authority has been contemporised by removing redundant provisions and introduces model mining conditions that reflect current best practice and support this government's commitment to reducing green tape and regulatory burden for industry.

Let me assure the House, and particularly those opposite, that despite their incredible scare tactics, particularly from Labor and the greens, the environmental protection of North Stradbroke Island has not been compromised with these changes. The new environmental authority contains a wide range of conditions to protect the environmental values of the island specifically designed around the proposed mining project. For example, the authority identifies areas where disturbance can occur; areas where disturbance is prohibited such as category A and B environmentally sensitive areas; and areas where disturbance may be permitted if a management plan has been developed and approved by the Department of Environment and Heritage Protection.

As well as prohibiting disturbance in environmentally sensitive areas of high conservation value such as category A, national parks, and category B, Ramsar wetlands, these areas have also been protected with extra conditions in the environmental authority. These safeguards include buffer zones of up to 100 metres and water management controls for adjacent wetlands. In recognition that some sensitive areas are adjacent to the mining area, the new environmental authority has also been conditioned to protect those important environmental values. For example, the mining operator must produce an environmental monitoring program to assess any changes in environmental values that may be caused by mining operations. The plan must include trigger levels and management actions to deal with any situations when the trigger levels are exceeded.

The plan must also be submitted to the Department of Environment and Heritage Protection each year, along with the results of the monitoring program. The department must also be notified if any triggers are exceeded. The environmental authority is also conditioned to include rehabilitation requirements and the bill allows for the renewal of mining leases at the Yarraman and Enterprise mines for a period of up to five years with a non-winning provision to allow access for rehabilitation purposes.


Predictably, the Greens and their Labor mates will try their hardest to whip up fear, but the truth is that the area approved for mining activities under the new environmental authority is a significant reduction in area available to mining than was approved prior to the introduction of the North Stradbroke Island Protection and Sustainability Act in 2011. The new authority restricts mining operations to three mining leases at Enterprise, whereas the original one allowed for mining operations in 11 mining leases.

I also make the point that, in addition to complying with the conditions of their environmental authority, the mining operator must also meet obligations under the Environmental Protection Act 1994. This includes a general environmental duty, a duty to notify environmental harm and a range of provisions in relation to causing environmental harm or nuisance and avoiding water contamination.

In addition to all of these safeguards, my Department of Environment and Heritage Protection will undertake regular inspections as part of its annual compliance program. We will continue our role as a strong environmental regulator, and appropriate action will be taken should noncompliance occur.

The majority of the Enterprise mine area is of low ecological significance, with more than half of its footprint having been previously disturbed or used for key infrastructure such as roads or powerlines. Together with the safeguards in place and site-specific conditions for sensitive and high-value areas, we will see the continued protection of important and iconic features such as Blue Lake and the 18 Mile Swamp.

In summing up, not only will these amendments offer new protection to some of the island's most iconic sites; they will also deliver a modern environmental authority and, most importantly, deliver a balance between environmental protection and sustainable economic growth. I commend the bill to the House.

 **Hon. JW SEENEY** (Callide—LNP) (Deputy Premier and Minister for State Development, Infrastructure and Planning) (11.11 pm): I rise to speak in the debate on the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill 2013. Before I make my contribution, I move—

That the debate be adjourned.

Division: Question put—That the debate be adjourned.


**AYES, 68**—Barton, Bates, Bennett, Berry, Bleijie, Boothman, Cavallucci, Choat, Costigan, Cox, Crandon, Cripps, Crisafulli, Davies, C Davis, T Davis, Dempsey, Dickson, Dillaway, Dowling, Elmes, Emerson, Flegg, France, Frecklington, Grant, Grimwade, Gulley, Hart, Hathaway, Hobbs, Holswich, Johnson, Kempton, Krause, Langbroek, Latter, Maddern, Malone, Mander, McArdle, McVeigh, Millard, Minnikin, Molhoek, Newman, Nicholls, Ostapovitch, Powell, Pucci, Rickuss, Robinson, Ruthenberg, Seeney, Shorten, Shuttleworth, Smith, Springborg, Stevens, Stewart, Stuckey, Symes, Trout, Walker, Woodforth, Young. Tellers: Kaye, Menkens

**NOES, 12**—Byrne, Cunningham, Douglas, Katter, Knuth, Mulherin, Palaszczuk, Pitt, Trad, Wellington. Tellers: Miller, Scott

Resolved in the affirmative.

## MINISTERIAL STATEMENT

### Parliamentary Crime and Misconduct Committee

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (11.18 pm), by leave: This morning I raised serious concerns in this House with respect to allegations against Dr Ken Levy, the Acting Chairman of the CMC. Those grave concerns were founded on the basis of a bias by the member for Inala, the member for Bundamba, the member for Nicklin and the member for South Brisbane.

In the ministerial statement I made this morning noting the grave concerns I had, I asked that the chair of the PCMC sort out the matters and deal with the committee processes of the allegations of bias against those members that I allege. In light of the fact that no information has come to light in this House since the allegations were made this morning, my concerns are growing with the tainted process that has been undertaken.

## MOTION

### Parliamentary Crime and Misconduct Committee

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (11.19 pm), by leave, without notice: I move—

That—

1. the House notes the statement by the Attorney-General earlier today about the bias of some members of the Parliamentary Crime and Misconduct Committee;
2. the House authorises and directs that the Attorney-General be briefed immediately by the chair of the committee about the committee's response to the issue of bias and the intended progress of the committee's current investigation that may have been affected by the bias raised by the Attorney-General; and
3. the Attorney-General report back to the House as soon as possible concerning this matter.

**Hon. JW SEENEY** (Callide—LNP) (Deputy Premier and Minister for State Development, Infrastructure and Planning) (11.20 pm): I rise to second the motion that has been moved by the Attorney-General and I move—

That the motion be now put.


**Opposition members** interjected.

### Speaker's Ruling, Motion Out of Order

**Madam SPEAKER:** Order, members! I have taken advice and I refer to the standing orders. Standing order 88 in respect of the closure of a motion and specifically subclause (2) states—

If the Speaker is of the opinion that the question has been sufficiently debated and a motion in (1) is not an abuse of the rules of the House or an infringement of members' rights, the Speaker shall put the closure motion forthwith without amendment or debate.

I rule that the Speaker is of the opinion that the question has not been sufficiently debated. I call the member for Bundamba.

 **Mrs MILLER** (Bundamba—ALP) (11.21 pm): What we have seen here tonight goes to, really, what democracy in this state is about. I particularly refer to standing order 248, which states—

A member may at any time rise to speak to a point of order, or upon a matter concerning the powers, rights and immunities of the House suddenly arising, which shall, until disposed of, suspend the debate of every other question.

What happened today in this parliament was a desperate attempt by the Attorney-General to try to blacken the names and the reputations of the Leader of the Opposition, of the member for South Brisbane, of myself and of, really, every member of the PCMC, several of whom are also



members of the Ethics Committee of this parliament. Earlier this week the Ethics Committee voted unanimously in relation to the Scott Driscoll case. We are serious members. Many of us are long-time members of this House, including the member for Gladstone, the member for Nicklin and me. I find it an affront to democracy that this Attorney-General has come into the House at 20 past 11 on a Wednesday night to move this motion. I find it absolutely shameful.

The meetings of the Parliamentary Crime and Misconduct Committee are taken very seriously by members of the PCMC. We are all very aware of our statutory obligations and I believe that members of the committee try to do their utmost to make sure that the deliberations of the PCMC are kept confidential to all of the members of the committee. We are certainly of the view that, in relation to the deliberations that we have been undertaking for several days now, in the public interest there are public interest issues at stake. I refer very briefly to the issues that the Attorney-General raised about me and so-called perceptive bias or apprehended bias in relation to my role in the Department of Justice and Attorney-General. I want to say on the record—

**Mr SEENEY:** I rise to a point of order. The motion before the House is seeking to have the chair of the committee provide a briefing to the Attorney-General on these matters. I do not think it is appropriate for a member of the committee who stands accused of bias to be—

**Opposition members** interjected.

**Madam SPEAKER:** Thank you, Deputy Premier. I will ask that you both take your seats.

**Honourable members** interjected.

**Madam SPEAKER:** Order, members! I would ask the member to address the motion that is before the House. While I do not have a copy of the motion—and I appreciate that—the notes I took were that the Attorney-General is asking to be briefed on progress on the issue. I ask the member for Bundamba to address the motion before the House.

**Mrs MILLER:** Thank you very much, Madam Speaker. The Attorney-General does not really need to come into this parliament to move such a motion, because the Attorney-General simply has to ask the PCMC to be briefed. My understanding from past PCMCs is that the Attorney-General on a number of occasions has in fact put in writing or picked up the phone and asked the chair of the PCMC to provide such a briefing. What I want to know is what is the Attorney-General scared of in relation to what is happening and the inquiry that is currently underway in the PCMC? Attorney-General, what are you frightened of? What are you scared of? Why won't you put it in writing—

**Honourable members** interjected.

**Madam SPEAKER:** Order, members!

**Mrs MILLER:** The Attorney-General simply needs to get up off his leather chair, walk around the chamber and ask the member for Gladstone, who is the chair of the PCMC, to provide him with a briefing. It is manners for the Attorney-General to ask the entire committee to provide him with a briefing as well.

I find this motion moved tonight as part of the democracy in this state as being offensive to this parliament. It is offensive in my view to all members of the PCMC because at all times, given my understanding of previous PCMC committees, when the Attorney-General has asked to be briefed the Attorney-General has been briefed because I understand that is the protocol. What we have to look at here is the game play of what the Attorney-General is up to. This is an ideological view in order to set some sort of scene out there in the community that the PCMC is not doing its job in accordance with the act.

**Honourable members** interjected.

**Madam SPEAKER:** Order, members! I call the member for Bundamba.

**Mrs MILLER:** What we have is the Attorney-General trying to set the scene across the state to the members of our community that somehow the PCMC in some manner or form is not doing its job properly. I would like to say to Madam Speaker, who is in charge of this parliament, to the Attorney-General and to every single member who is in this chamber tonight or who is listening in from other parts of the parliamentary precinct that this Parliamentary Crime and Misconduct Committee is doing its job in accordance with the act and—

**A government member:** So you're telling this House you're not biased.

**Mrs MILLER:** Yes, I am, because I am not. I would also like to say that, in relation to the chairmanship of the member for Gladstone, the member for Gladstone has, in fact, done a sterling job in relation to all of the issues since this committee has been instituted when parliament was elected in March last year—

**An honourable member:** No thanks to you lot. No thanks to any of you.

**Mrs MILLER:** No, the member for Gladstone, who is, by the way, a government appointee—the member for Gladstone was appointed by the Premier of this state, not by the opposition—I take my hat off to the member for Gladstone for doing what I believe is a very, very, difficult job.

**Honourable members** interjected.

**Madam SPEAKER:** Member for Bundamba, pause the clock. There are too many interjections in this chamber across the way.

**Mr SEENEY:** I rise to a point of order. The motion simply asks for the Attorney-General to be briefed and to be able to report to the House.

**Madam SPEAKER:** Please take your seat. I also note that the motion has only just been presented and we are just currently getting it copied for the benefit of the House. I ask the member to address the issue of the briefing in the motion and we will have the motion circulated.

**Mrs MILLER:** My understanding of the protocol in relation to this matter and in relation to the deliberations of the PCMC is that in past PCMC committees the Attorney-General simply—

**Mr Knuth** interjected.

**Mr Hopper** interjected.

**Madam SPEAKER:** Member for Bundamba, pause the clock. Order! I warn the member for Dalrymple and the member for Condamine. I will warn you under the standing orders if you do not pay attention to the chair.

**Mrs MILLER:** Thank you, Madam Speaker. It is a sad state of affairs tonight that this Attorney-General has moved a motion that he simply could have—

**Mr CRANDON:** Madam Speaker, the clock remains paused.

**Madam SPEAKER:** Thank you.


**Mrs MILLER:** As I said, it is a sad state of affairs this evening when the Attorney-General has come in here to move a motion that could simply have been done by a phone call to the chair of the PCMC or by a letter that could have been delivered some 50 feet across this chamber—from where the Attorney-General sits across to the member for Gladstone, who is the chair of the PCMC.

Tonight, this is a stunt by the Attorney-General to try to discredit the Parliamentary Crime and Misconduct Committee in the eyes of the Queensland people. I can assure the Speaker of this parliament, who I have a great deal of respect for, that this particular committee has done its duties in accordance with the act with utmost diligence and will continue to do so no matter this Attorney-General's stunts and what he wants to pull on tonight.

Can I also say that I am very concerned in relation to what this Attorney-General wants to get out of this. He talks about the fact that he wants a briefing from the chair of the PCMC. I put it to the Attorney-General that I am sure that the PCMC would like, as a whole committee, to brief the Attorney-General if that is what he so wishes. It is very interesting that this afternoon he gets up in this House and talks about bias against the Leader of the Opposition, myself, the member for South Brisbane and the member for Nicklin. Let me say that the issues of bias have been addressed. I would also like to say in relation to the Attorney-General—

**Madam SPEAKER:** I ask the member for Bundamba to address the motion before the House.

**Mrs MILLER:** Yes. I would like to say to the Attorney-General that briefings are very important, and I understand that. I would also like to say that, in relation to a briefing, I am sure the entire PCMC would be okay in relation to that matter. So tonight I would like to hear from the chair of the PCMC in relation to this issue, if she so wishes to speak.

 **Mrs CUNNINGHAM** (Gladstone—Ind) (11.35 pm): I rise to support the motion. It has been noted in this House that there have been statements made by members of the committee that were perhaps viewed by some as imprudent. Certainly, if I had my druthers I would prefer that all members of the committee had said nothing. That is obvious. However, the comments that were made publicly were made about documents and statements that were on the public record and, therefore, it was difficult, if not inappropriate, to constrain those members from making public comment.

The motion moved by the Leader of the House is that the Attorney-General be briefed. Nothing would give me greater pleasure than giving a wholesome and fulsome briefing to the Attorney-General in relation to the decisions of the committee made today. One of those decisions that was made related to the concern that the Attorney-General expressed in relation to perceived bias by members of the committee in relation to statements that were made. On the basis in part of those concerns, the decision was made by the committee this afternoon to refer the matter to a newly constituted select Ethics Committee so that no bias in relation to the matters to be discussed could be asserted—not the current Ethics Committee; they should continue to deliberate on the matters before them but in relation to this specific matter that a select committee be established with no reference to members who have been involved in any way with the current PCMC, because there is a crossover in relation to the PCMC and the Ethics Committee.

On the basis of transparency, on the basis of truth and on the basis of democracy, I table documentation that relates to the briefing that I would happily give to the Attorney-General. These are transcripts of a meeting held on 1 November, 13 November and 18 November. I table those documents to ensure transparency and accountability and I look forward to an open and clear discussion with the Attorney-General. More importantly, I look forward to a transparent, clear and open debate in relation to these matters to ensure public confidence not only in the PCMC but public confidence in the CMC and public confidence in the parliamentary process that underpins both of those very important committee and statutory bodies that are fundamental to the democratic process of this House.

*Tabled paper:* Proof transcript, dated 1 November 2013, Parliamentary Crime and Misconduct Committee, public hearing of the Parliamentary Crime and Misconduct Committee with the Crime and Misconduct Commission [4091].

*Tabled paper:* Proof transcript, dated 13 November 2013, Parliamentary Crime and Misconduct Committee, in camera meeting of the Parliamentary Crime and Misconduct Commission [4092].

*Tabled paper:* Proof transcript, dated 18 November 2013, Parliamentary Crime and Misconduct Committee, in camera hearing—consideration of issues arising from the public hearing on 1 November 2013 and matters relating to an answer provided by Dr Levy [4093].

Question put—That the motion be agreed to.


Motion agreed to.

## NORTH STRADBROKE ISLAND PROTECTION AND SUSTAINABILITY AND ANOTHER ACT AMENDMENT BILL

### Second Reading

Resumed from p. 4096, on motion of Mr Cripps—

That the bill be now read a second time.

 **Mrs FRANCE** (Pumicestone—LNP) (11.40 pm): I rise to speak in support of the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill 2013. This bill is vital for the longevity of the community of North Stradbroke Island. The previous government in its haste to win green votes did not fully investigate the ramifications and pressure their original bill would have on the economy of the island and on the community. North Stradbroke Island is unique for many reasons, not least for its history and its environmental values. But there is more. North Stradbroke Island holds an important place in many people's hearts. This is, of course, especially true for the traditional owners and the residents of the island, but many other Queenslanders also have a fondness for the island.

This government supports a four-pillar economy for Queensland based on resources, agriculture, tourism and construction. North Stradbroke Island is in a unique position in that it has the natural resources to support two of these pillars—mining and tourism. What we are seeking to do through this bill is continue sandmining on the island to generate wealth and employment in the medium term so tourism opportunities can be properly developed to support the island's economy in the long term. Today we will right the wrongs of the previous government and introduce amendments to the North Stradbroke Island Protection and Sustainability Act 2011 to extend sandmining on North Stradbroke Island to 2035. This will ensure that the community can count on the continued economic benefits sandmining brings to the island. In particular, the community will continue to benefit from the services, activities and infrastructure that sandmining supports and the financial contributions made by Sibelco to community projects, not to mention the fact that Sibelco currently injects around \$130 million into the Queensland economy.

The continuation of sandmining operations at the Enterprise mine will also provide for the retention of the bulk of the workforce, which equates to approximately 14 per cent of the island's total workforce and will continue to maintain and support local services and businesses. The extension of mining will protect jobs and income while providing sufficient time for the local economy and businesses to transition away from a reliance on sandmining.

It is going to take some time for the island to transition to other longer-term and viable industries. Industries do not just pop up overnight. They take time to develop and grow. I am going to put some facts on the table. North Stradbroke Island has a population of around 2,000 people with a median age of 47. Approximately 62 per cent of the population are considered to be in the working age population. At present mining is the second largest industry on the island, with the hospitality industry employing about 18 per cent of the total employed. Of course, it goes without saying that hospitality industry jobs are seasonal and dependent on visitors to the island during its peak times. The median weekly personal income on the island ranges from \$454 for Dunwich and \$537 for Point Lookout, considerably lower than the figure for Queensland which sits at \$587. The high proportion of part-time jobs on the island is the likely cause for these lower than average figures. As I mentioned earlier, mining provides for around 14 per cent of the island's total employment. This is four times the share of mining employment state-wide, clearly showing the importance of mining and evening out seasonal employment on the island.

In providing a longer transition to alternative industries, this bill will ensure that future industry development will be based on a clear, careful and practical assessment of the types and styles of industry acceptable to the community; development that respects the natural and heritage values of the island; development that can provide an appropriate level of employment and economic investment to support the island's economy; and development that will attract private sector investment.

The North Stradbroke Island community can breathe a sigh of relief that the Newman government has provided through this bill a more sensible time frame to end sandmining on North Stradbroke Island. I would also like to add that the extended time frame is supported by some of the long-term residents on the island, those who have chosen the island as their home and the place that they want to raise their families. If anyone understands the importance of mining to the island it is the local residents. We have had many submissions to the parliamentary inquiry into this bill from local residents expressing their support for the extension of sandmining based on their personal experience and understanding of the way mining supports their island's economy and their broader community. These are not carefully scripted uniform responses coordinated by interest groups, these are submissions from residents who can see the benefits firsthand, families who can send their children to the local school, who can participate in local sports and community groups that benefit from essential services that many of us take for granted like access to reasonably priced food and fuel and access to regular transport services into and out of their community.

At a more fundamental level, in addition to the pressures that the early end of mining would have on the island's economy and community, the legislated and premature end to planned mining activities imposed by the previous government generated real concerns around sovereign risk. The extension of mining to close to its original scope will restore Queensland's reputation for minimal sovereign risk and restore investor confidence in Queensland's resources and energy sector, which is vital to ensure this government meets its commitment to a strong resources sector as an important pillar to building a strong Queensland economy.

In essence, the bill will provide long-term certainty for the future of North Stradbroke Island and is essential to the island's future economic and social prosperity. I congratulate Minister Cripps and his team who have been working on this and the Department of Natural Resources and Mines for the fantastic work and support they have shown the Stradbroke community. I support this bill.



**Hon. SL DICKSON** (Buderim—LNP) (Minister for National Parks, Recreation, Sport and Racing) (11.46 pm): I rise to contribute to the debate on the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill. National parks now cover approximately 50 per cent of North Stradbroke Island. For the past two years the state, through the Department of National Parks, Recreation, Sport and Racing, has jointly managed the Naree Budjong Djara—My Mother Earth—National Park with the Quandamooka people. On 4 July 2011 the Quandamooka people had their native title rights recognised over much of North Stradbroke Island and adjoining waters in a consent determination of the Federal Court. The consent determination recognises the Quandamooka people have exclusive native title rights to approximately 2,200 hectares of land at North Stradbroke Island and non-exclusive rights to approximately 22,600 hectares. As part of the determination the

state entered into an Indigenous land use agreement with the Quandamooka people that provided for the establishment of national parks, with underlying Aboriginal land tenure, to be jointly managed with the Quandamooka people.

My department works in a partnership arrangement with the Quandamooka Yoolooburrabee Aboriginal Corporation to jointly manage the national parks in accordance with the Nature Conservation Act 1992. Joint management with the Quandamooka people includes advising the department about matters concerning Aboriginal tradition and liaising with the department about day-to-day management of the national parks. The joint management relationship includes the employment of members of the Quandamooka community as rangers on the island. Recent amendments to the Nature Conservation Act 1992 recognised the involvement of Indigenous people in joint management of protected areas in which they have an interest as an object of the act. The Quandamooka Yoolooburrabee Aboriginal Corporation also facilitates and promotes business and commercial opportunities for the Quandamooka people, such as Straddie Camping which provides popular camping opportunities on the island.

The government also understands the Quandamooka people have aspirations beyond joint management of the national parks on the island, aspirations that in the long term can provide the Quandamooka people with a sustainable future. Some of these aspirations were outlined during the public submissions process for the Nature Conservation and Other Legislation Amendment Bill 2012 passed by this House in April this year which allows for ecotourism facilities to be located on national parks. These reforms enable traditional owner groups to develop ecotourism facilities in national parks that not only deliver an income and economic benefit to Indigenous people but also allows them to promote their culture to Australian and international visitors alike.

The government will continue to work with the Quandamooka people to realise their aspirations, which will also be of benefit to the North Stradbroke Island economy as a whole. I understand a land use planning study, headed by the Department of State Development, Infrastructure and Planning, is underway with the aim of identifying areas of North Stradbroke Island that are suitable for future uses. I also understand this land use planning study is being undertaken in conjunction with the Redland City Council and the Quandamooka people and enables them to provide input on developments on North Stradbroke Island which could be undertaken in the future. I am advised that a variety of other land tenure actions under the Indigenous land use agreement, once implemented, will give the Quandamooka people more say and control over how some of their lands on North Stradbroke Island are managed. This includes the Quandamooka people becoming landowners on the island.

In order to facilitate consultation and to provide a whole-of-government forum for issues that the Quandamooka people may want to raise around the implementation of the Indigenous land use agreement, quarterly roundtable discussions have commenced between state government officials and the Quandamooka people. The first meeting took place on 26 August 2013 and was attended by senior government representatives from seven departments and representatives from the Quandamooka Yoolooburrabee Aboriginal Corporation and Quandamooka elders. The next roundtable is proposed for early December 2013.

This government remains committed to assisting the Quandamooka people to realise their aspirations through the implementation of the Indigenous land use agreement and the Indigenous management agreement. North Stradbroke Island, or Minjerribah, also showcases beautiful beaches, rocky headlands with ocean views and inland freshwater lakes. Its proximity to Brisbane provides a great opportunity for people to connect with some of Queensland's unique natural environments and enjoy a relaxing holiday right on our doorstep. North Stradbroke Island's potential as a nature based recreation and ecotourism destination continues to be recognised by this bill. The government remains committed to increasing recreational and ecotourism opportunities in our protected areas and to grow ecotourism to make Queensland a world-leading ecotourism destination. With its natural and cultural attributes and advantages, North Stradbroke Island stands to reap the benefits and transition its economy over time.

It will be fantastic for the local Indigenous group, working with the Queensland government. I commend the minister for putting this bill forward. This is a logical and sensible way to move forward, working with the local Indigenous people. If we could leave the lawyers out of the argument, this would be resolved a whole lot quicker.



**Mr KNUTH** (Dalrymple—KAP) (11.52 pm): I rise to speak to the North Stradbroke Island Protection Sustainability and Another Act Amendment Bill. This bill is probably one of the most contentious that this committee has examined relating to a specific issue in a small community, that

is, sandmining on North Stradbroke Island. That is reflected in the quality and the tone of the submissions made during the short time—one could say the minuscule time—that the bill was open for public comment. I believe mining is important for the creation of jobs and the flow-on effects in small communities can be hugely beneficial. It is obvious that both Sibelco, which stands to gain the most from this legislation, and the environmental interest groups were heavily involved in gathering community support for their respective positions. That biased campaigning by both parties has only served to cloud the issues and place a greater responsibility on us to provide impartial and objective scrutiny.

However, there are issues with this legislation that potentially compromise the public perception of the integrity of government and, by association, this parliament. The most remarkable is the extensive consultation granted to Sibelco in comparison to zero consultation with the traditional owners. I note that every member here spoke on behalf of the traditional owners, outlining what they have said and what they think, but not one of them was present during the committee hearings to see their tears and to see that they are gutted. Those people are absolutely gutted because there was absolutely no consultation.

**Government members** interjected.

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

**Mr KNUTH**: Everyone at the public hearing—

**Mr DEPUTY SPEAKER** (Mr Watts): Order! I remind members to direct their comments through the chair.

**Mr KNUTH**: As I said, the most remarkable thing is the extensive consultation granted to Sibelco in comparison to zero consultation with the traditional owners, the Quandamooka people. Most requests made by Sibelco in their briefing—

**Mr Dowling** interjected.

**Mr KNUTH**: I take that interjection from the member for Redlands. I hope that he goes and talks to them, and tells the Quandamooka people—

**Mr Dowling**: You said no member was here.

**Mr KNUTH**: No, I said that the members who had spoken here—

**Mr Dowling**: You said no member was here. You misled the House. I was here. I spoke.

**Mr DEPUTY SPEAKER**: Order!

**Mr KNUTH**: That is good. I give a full tick to you, Mr Dowling.

**Mr DEPUTY SPEAKER**: Order!

**Mr KNUTH**: A beautiful tick for Redlands.

**Mr DEPUTY SPEAKER**: Order! Member for Dalrymple, take your seat. The House will come to order. I call the member for Dalrymple.

**Mr KNUTH**: I will continue. Most requests made by Sibelco in the briefing note of the government in May of this year have been met in this bill, while the Quandamooka people have been gutted and completely stripped of their voice. Other objections to this legislation such as the legal issue relating to Sibelco conducting operations without the appropriate permits, the decreasing contribution that sandmining is making to the economy of the island and the potential long-term effects mining will have on other major contributors to the island's economy, such as tourism, have not been adequately addressed in this report. I am deeply concerned that this bill has not been given appropriate scrutiny. I believe it should be taken back to the relevant stakeholders for further comprehensive negotiations. That is not too much to ask for. I am not saying that I do not support sandmining. I am saying that the process could have been done a lot better.

I have a transcript of an ABC broadcast with reporter Peter McCutcheon, which I will table. It states—

CHRIS UHLMANN, PRESENTER: The Queensland Government bell Newman's election campaign. Two years ago sand miner Sibelco helped propel Mr Newman into Parliament. Now 7.30 has obtained documents that show the Newman Government is proposing to extend the life of a lucrative sand mine run by the company which had been earmarked for closure. The news has angered the local native title holders, who claim the deal was done in secret. From North Stradbroke Island, Peter McCutcheon reports.

It further states—

CAMPBELL NEWMAN, LNP LEADER (Jan. 2012): We will allow the mine to proceed in the way that it was originally allowed to prior to the actions of the last 18 months.

PETER MCCUTCHEON: The mining company followed this up by directly assisting Campbell Newman in what was expected to be a tough fight to win the safe Labor seat of Ashgrove in Western Brisbane. The miner was caught out posting letters to votes from mine supporters without required disclosure urging a vote for Campbell Newman.

Sibelco belatedly obtained authorisation and last year filed a disclosure revealing that it had spent more than \$19,000 on postage and printing.

**Mr Davies:** Ninety.

**Mr KNUTH:** I apologise and I take that back. It was not \$19,000; it was \$90,000. It spent \$90,000 on proceeds and printing to support Campbell Newman's campaign. I have to say that there is something very dirty about this. As we saw and as I said to the member for Redlands, the Quandamooka people were almost in tears about that lack of consultation. What did we have? There were six meetings with Sibelco, but none with the Quandamooka people. Of course, had the government got this right from the beginning, we would not be going through this process. The transcript continues—

7.30 has obtained a ministerial briefing paper by Sibelco on how to frame new legislation and a pre-cabinet government circular seeking permission to put this proposal into practice. The documents say mining at Enterprise will extend through to 2035, eight years longer than had been previously announced.

By continuing it to 2035, aren't you going beyond the Premier's election commitment?

I refer to an article in the *Brisbane Times* headed 'Stradbroke Island mining decision dubbed a filthy dirty rotten deal'. It states—

Queensland's mines minister says there is nothing untoward about plans to extend sand mining on North Stradbroke Island.

It continues—

It said on Friday that miners had Mr Cripps's ears and were hatching a "filthy dirty rotten deal".

The government has met with miner Sibelco eight times in two months, and the Quandamooka people only once, a budget estimates hearing was told on Friday.

While Mr Cripps was pressured to reveal more at the hearing, he again failed to detail when mining leases could be extended to.


What we are hearing about here is a deal. This is all about an extension of leases. This is all about proper process. I believe that if there were proper consultation with all stakeholders we could have reached an outcome. We have seen legislation smashed through this House day in and day out and week in and week out during the parliamentary sittings. I believe this is coming back to bite the LNP.

I believe that sandmining is probably good. Like the member for Cleveland said, it is good for his community. The government should have talked to the stakeholders, the Quandamooka people, the people who are going to be affected and the people who may benefit from this in some way. That is all the people of Stradbroke island were asking for. That is all the Quandamooka people were asking for.

The Premier was on the news tonight doing something simple. We saw him being kissed because he is going to protect an area in Cape York Peninsula. Why is he doing this? Because he had dialogue with people. It is so simple. It is about dialogue and communication. We would not be here debating this legislation at 12.05 if the LNP government and minister communicated with all members of the community. That is what they are after. They could have got it right.

As we saw with the Premier being kissed today, he was working to get the issue right. What he is doing in Cape York Peninsula is going to cost jobs. The mining council came out and said that there is some disappointment. But the Premier got his photograph and it all looked good. All he had to do was to go to the people, communicate with them and get it right.

(Time expired)

 **Mr DAVIES** (Capalaba—LNP) (12.02 am): I rise tonight to add my enthusiastic support to the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill 2013. I am not the only one to add my support to this particular amendment. Interestingly, a straw poll was done on 24 March 2012 to determine the views of the people about the Sibelco mine on North Stradbroke Island. Across the three booths on Stradbroke island there was unanimous support for this important

initiative of the Campbell Newman can-do government. All booths on Stradbroke island actually gave their support to the member for Cleveland, Mark Robinson. The booth at Dunwich is historically never a conservative booth. On average 30 per cent of the primary vote normally goes to the conservatives. In 2012 some 58 per cent of the primary vote went to the conservatives. This is largely a Quandamooka booth. Many of the Quandamooka people vote at that booth. In 2012 the Quandamooka people gave their unanimous support to the continuation of sandmining on North Stradbroke Island.

This will be the second time I have had the opportunity in this House to speak about the important part sandmining on North Stradbroke Island plays in my electorate of Capalaba, the wider Redlands and ultimately the Queensland economy. Sibelco Australia, the operator of the mining lease on North Stradbroke, is the largest single economic contributor to the North Stradbroke Island economy—currently feeding approximately \$130 million into the local community each and every year.

According to a KPMG audit in December 2010, 95 per cent of all revenue from Stradbroke island mining stays in the Australian community. This includes 296 direct and indirect jobs on North Stradbroke Island and 235 jobs on the mainland. Of these direct jobs, 14 people are from my electorate of Capalaba. That number is simply those directly employed. There are literally hundreds employed in jobs that support the mine including engineering, mechanical and transport jobs.

By allowing sandmining at Enterprise until 2035, Sibelco can also provide certainty around employment opportunities for Stradbroke's Indigenous community. Currently, Sibelco employs over 60 Indigenous families. Some of these are multigenerational employees. They are enthusiastic supporters of the mine.

According to the economic modelling conducted by Synergies Economic Consulting in September 2013, without sandmining on North Stradbroke Island there would be heavy job losses—30 per cent of jobs would be lost. The original act required that the North Stradbroke Island economy be transformed away from dependence on mining in less than five years. This is an unachievable goal and would result in the collapse of the North Stradbroke Island economy.

According to economic modelling, any sandmining now would cause average house prices on North Stradbroke to fall by around 14½ per cent. The fall in Dunwich would be around 20 per cent. The extension of sandmining at Enterprise from 2019 to 2035 will generate a much needed boost to the Queensland economy, adding over \$130 million in additional royalties to the state of Queensland. That is a huge amount of money to a state that has been absolutely made bankrupt by the work of the previous regime, the Labor government.

It was in 2011 that Anna Bligh and the then environment minister stood on Stradbroke island and basically made pronouncements about protecting this wonderful piece of habitat.

**Mr Minnikin:** Pristine.

**Mr DAVIES:** Pristine habitat. That is exactly right, Mr Minnikin. It was found out later on, that that land had been rehabilitated by Sibelco many years before. On a tour I did with Sibelco they showed me some lakes called the mysterious Keyhole Lakes. The locals love to use those to canoe down. Those lakes were a product of sandmining. Today they are being embraced by the local community as a great part of the natural environment of Stradbroke.

Approximately 30 per cent of the future mining project area has been previously mined during the 1960s, reducing the conservation value of the area. The entire potential footprint of the Enterprise mine to 2035 is less than four per cent of the island's land mass. All future mining at Enterprise will be within the common bushland habitat and no mining will occur near the island's beaches, wetlands, lakes or lagoons. There is an extensive no-go buffer zone, and that is a fantastic environmental outcome for Stradbroke island.

To ensure strong environmental controls on the operations continue, the Department of Environment and Heritage Protection have updated Sibelco's environmental approvals to include the new model conditions released this year. Strengthening the operating licence will also ensure the existing strong environmental controls have been maintained and the high expectations of the community are met.


Talking about the community, with legislative certainty now a reality, Sibelco can commit further to its ongoing funds to the sandmining community benefit fund. In 2011, Sibelco seeded the fund with \$1 million—that is right; \$1 million—and, with the passage of this bill, they will commit an additional



\$1 million. That is \$2 million that will be invested into the social benefit programs on North Stradbroke Island. Extending the time frame to 2035 allows Sibelco to continue to assist in the development of a sustainable community post mining.

In my talks with Sibelco it is quite clear that they are committed to being a good neighbour and want to ensure the rights of the traditional owners of North Stradbroke Island are maintained and respected. There will be no impact on the Quandamooka and Queensland Parks and Wildlife Service management provisions of the national parks from this amendment. The amendment is in accordance with the Native Title Act. Sibelco will continue to make real business decisions that support the aspirations of the Quandamooka people and the general community, through sponsorship, partnership and in kind assistance.

I want to commend the minister for this commitment to getting the balance right with this bill—a bill that certainly ticks all the social and environmental boxes while continuing to provide certainty to business and building the Queensland economy. As I said at the beginning of my speech, I wholeheartedly and enthusiastically support this bill as it does provide real economic benefits to Queensland, to the wider Redlands and to my electorate of Capalaba, where it employs people and allows businesses to flourish. I commend the bill to the House.

 **Hon. CKT NEWMAN** (Ashgrove—LNP) (Premier) (12.12 am): I rise this evening to support the North Stradbroke Island Protection Sustainability and Another Act Amendment Bill 2013 and I do so because this is a very important election commitment that was made by the LNP team in the lead-up to the 2012 election. But I need to go through the history of mining on the island and the benefits that it brings to the direct island community and, indeed, to the broader Queensland community. I point out for the information of honourable members that mining has occurred on this island since 1949—that is right, Mr Deputy Speaker; 64 years on the island—and the benefits have flowed and built both Stradbroke island and the state of Queensland ever since. All we are saying here is that the mining will continue in accordance with the original leases that were granted to the mining company. That is all that we are doing.

In contrast, the Australian Labor Party, under the flawed leadership of the former Premier Anna Bligh, went out and did a deal with the Greens—the Greens political party—for preferences, for election advantage. That is what happened. They went across to Stradbroke island in 2011 and they stood on a patch of real estate and said, 'Look, we are saving all of this.' The trouble was that it was, yes, a rehabilitation area—land that had been restored after sandmining had taken place. That is my clear understanding, and it demonstrates the fraudulence of so many things that have been said today in this House—or I should say yesterday—by members of the Australian Labor Party.

Let us turn to the actual commitments that were made. We heard the scary music from the member for South Brisbane—the ooh and aah, the innuendo and all the tremulous warnings and protestations we heard this evening. This is what happened. I have said it before but I will say it again this evening. We as a political team looked at the situation on the island and particularly we were guided by the local member, Dr Mark Robinson, who had consulted with the local community and come to a very strong view about what should happen, and he, indeed, advised the then LNP party room of his recommendation of what our stance should be in relation to mining on the island. So when the former Premier made this misguided and quite grasping political announcement, we then responded by saying very clearly—and perhaps more stridently, I acknowledge, as time went on—that we did not agree and that we would be prepared to see mining continue. That led to very clear statements prior to the election that we would, if we were elected, allow mining to continue in accordance with the original mining leases. We said that prior to the election. It was very clearly stated. That is what we campaigned on.

What was the result? Well, you only have to look at this chamber, Mr Deputy Speaker. People voted, knowing what we stood for. What happened to the Greens vote, the Greens political party vote? What happened to the Australian Labor Party vote? Well, that is right; it went down. I was on the streets of Ashgrove, where day after day the lunatic left and the Australian Labor Party—well, they are pretty close when you hear the member for South Brisbane, clearly—were campaigning, telling the people of Ashgrove that this candidate Newman and the LNP team were going to continue sandmining on Stradbroke island. In fact, they made some rather preposterous statements and quite untrue statements, essentially trying to import that it was going to go on forever, which was untrue. But, again, what happened in Ashgrove? Despite the campaign where very clearly everyone knew I was saying that it would continue in accordance with the original leases till 2035 and the Labor Party and the Greens were saying it was going to continue forever, what was the decision of the people of Ashgrove? That is right; they voted for yours truly to be their local member.

Let us look at one last element of the politics. I have covered it state-wide. I have covered Ashgrove. Let us look at what happened on Stradbroke island. I recall there were three polling booths on that island. At every single one of those booths the LNP received a strong primary vote—in fact, well over 50 per cent. In most cases it was 54 per cent or 55 per cent, if memory serves me correctly—a decisive result. Why was it so decisive? Because we had not in any living memory achieved such a strong result on the island.

So, again, in summary, for those opposite who are hard of hearing, the people of Queensland voted knowing what we stood for in relation to Stradbroke island, the people of Ashgrove knew what we stood for in relation to Stradbroke island and the people of Stradbroke island voted for what we stood for—which was mining continuing in accordance with original mining leases on Stradbroke island. What don't the Australian Labor Party understand? They were wailing earlier on, not 30 or 40 minutes ago, about democracy in a ridiculous and pathetic pantomime from the member for Bundamba. They only understand democracy when they win. When everybody else gets democracy, somehow they challenge the result. Well that is just bad sportsmanship from a bunch of poor sports and poor losers.

Let us deal with this ooh and aah scary stuff about Sibelco. It is very clear. I have said it before. I will say it again. Sibelco—surprise, surprise—liked what we had to say and they said, 'Well, this suits us.' I have made no bones about that. Sibelco said, 'It suits us,' and they backed us. Is that so bad? Well, let me just try this: why do the unions back the Australian Labor Party? I will tell you why: because the Australian Labor Party backs the unions and their ever onward quest for feather bedding and rorts and entrenched poor work practices and the like. The Australian Labor Party supports the unions, so the unions always provide financial support to the ALP. What a surprise. Guess what? That is democracy as well—who you choose to fund in an election campaign. Regardless of your means, it is your democratic right to back the people that have policies which you think are correct.

I think I have covered quite a lot of the important issues surrounding this. This was an election commitment. It will be delivered this evening when the bill is passed and it ultimately receives royal assent. It is the delivery of a solemn commitment. The same loony left greens who opposed this during the election campaign can rant, rave and put their ads in the newspaper just like they did in the election campaign, but we are working for the silent majority—the decent, hardworking men and women who understand that the real economy is about real jobs, real work and real products being created to sell on the world market for the state of Queensland so money comes back here through pay packets, through payroll tax, through royalties, through all that economic activity so we can have great roads and hospitals, better schools, afford to look after people with disabilities and care for people in our hospitals. That is why we need a real economy.

The former government under the flawed leadership of Premier Bligh was progressively shutting down everything. It shut down Cape York with its flawed wild rivers legislation. It ignored the rights of Indigenous people on the cape. It made it harder and harder with the lunatic federal Labor government in Canberra to get a new coalmine going. It did the same thing in this quite unilateral and precipitous action in relation to Stradbroke island.

They have had some fun—perhaps they think it is fun—at my expense referring to the brave decision that the Fraser government took back in 1976 to prevent sandmining on Fraser Island. You know what? I have one regret about that action and that decision all those years ago, and that is there is a city in this state—the regional city of Maryborough—that has struggled ever since. I personally feel that was not well handled and that a better package should have been provided to Maryborough. More importantly, there should have been a staged, careful transition for the economy. We all love Fraser Island. I am not suggesting that it would be done differently, but I am suggesting in the case of Stradbroke island, where mining has occurred for 64 years, simply going forward to 2035 in accordance with the mining leases as originally handed down is an appropriate and prudent thing to do.

My final message this evening is that it would be a great idea if the member for South Brisbane would pick up a copy of the rule book and learn it and stop with the fraudulent statements in this House.



**Dr FLEGG** (Moggill—LNP) (12.22 am): I rise to speak to the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill. At the outset, I declare an interest on Stradbroke island. In fact, I have substantial property holdings on Stradbroke island and I happen to love the place. I have been going there for 30 years. Some of my closest friends have spent their entire life there and have gone to primary school at Dunwich State School. I have had the privilege to join with

local families at their family events. This is a terrific island and a terrific community, but listening to what I have heard from the other side I really wonder whether some of these speakers have ever been there, because it does not appear that they have.

With regard to the matters raised by the Premier, there was an overwhelming vote by the community on Stradbroke island in support of Mark Robinson and the continuation of sandmining on that island. It was unequivocal. It was not muddled by some other issue. They voted to save the economy of their island and their jobs. Similarly, even in seats that traditionally have a high green vote like Mount Coot-tha, Ashgrove, Indooroopilly or Moggill, people voted for the LNP on a clear platform of saving jobs and the industry over there.

In looking at some of the claims that have been made, we hear all the time that the environmental ecolodge will sustain the economy. It is bunkum. It is absolute rubbish. Go down and have a look at what is left of Tasmania, because all the people who promised if there was no pulp mill, no dam, no forestry they would have this enormous tourism industry have died and withered on the vine, and people leave the state in droves.

The tourist industry, which I have been involved in heavily on Stradbroke island, is a seasonal industry. It does not have jobs all year round. In fact, outside of Christmas and Easter it does not even have jobs midweek on Stradbroke island. It is characterised by very low pay and part-time work. It has always been so. In many cases those industries on Stradbroke island are marginal. I know of at least one case in the hospitality industry where the owner recently turned the key to the front door, got on the bus, hopped on the ferry and never came back because in a place that is so isolated they are difficult industries to survive in.

I have previously spent a bit of time on Moreton Island and on a number of other places. Let me tell you: without the mining that takes place on Stradbroke island, every aspect of the infrastructure would suffer. Social infrastructure, child-care facilities, health facilities, a medical centre—

**Ms Trad:** Rubbish.

**Dr FLEGG:** I hear the member for South Brisbane saying 'rubbish'. Go to towns like Moranbah up north. Because the miners do not live in the town, they tell you that the town will die. It has been plastered over our current affairs and television.

**Ms Trad** interjected.

**Mr Berry** interjected.

**Ms Bates** interjected.

**Madam DEPUTY SPEAKER** (Miss Barton): Order, members! The member for Moggill has the call.

**Dr FLEGG:** Thank you, Madam Deputy Speaker. Even infrastructure such as roads: what put the roads in place that support the tourism industry we have on Stradbroke island? Mining did. That is why Moreton Island does not have any roads. We are not talking about a mainland community. What about retail? If you want to go to a cafe or buy a loaf of bread that is baked fresh, it is the economy that puts those things in place. It is the same if you want some entertainment or to go to a bowls club or any of those sorts of things that Stradbroke island enjoys.

One thing that is overwhelming—and one of my colleagues to the right raised it—is this is an island that is desperately dependent on ferry transport and the ferry transport is dependent on mining. When you come to the off-season with the overheads of a ferry, if you do not have the mining business and the materials that have to go back and forward and the associated building, construction, road maintenance and everything else that goes on with that island, you do not have business there.

The member for South Brisbane would like to think of herself as some sort of champion of people who are on social security, who are poor or who are retired. There are a lot of those people. They will be paying \$200 to go to Cleveland to buy a basket of groceries because there is absolutely no question about the reliance of the ferry service on the economic base of the island—

**Ms Trad** interjected.

**Madam DEPUTY SPEAKER:** Order! Member for South Brisbane, I asked you earlier in the debate to not have conversations across the chamber. I am perfectly capable of making directions from the chair if I choose to do so. I do not need you to make orders across the chamber to other members. The member for Moggill has the call.

**Dr FLEGG:** Thank you, Madam Deputy Speaker. I feel very strongly about this issue. The lifeblood of Stradbroke island is that ferry service. It will be crippling expensive and it will lose services. If you want to see what will happen, have a look at some of the problems that have confronted other Moreton Bay islands that do not have that economic activity. They are serious problems.

I do understand the connection of the Indigenous people to Stradbroke island. In my time in this place I have been privileged to be housing minister and to be the shadow minister for Indigenous affairs. I have been to places like Palm Island, where Indigenous communities struggle with massive social problems—almost insoluble social problems—because they do not have an economic base.

Believe it or not, I sat and listened on the closed circuit television system in this House to the public hearings conducted by the committee. I heard an Indigenous person from North Stradbroke Island opposing mining but then admitting that both he and several of his relatives had worked in the mine. Where on earth do people come from that they cannot learn the lessons of places like Cape York as to what happens to the social fabric of Indigenous communities if they do not have an economic base and regular full-time jobs for people to perform?


**Mr Rickuss:** Labor will stick them on welfare.

**Dr FLEGG:** Welfare would probably become the biggest industry on North Stradbroke Island if those full-time jobs were taken away. The casual and seasonal workforce needed for tourism does not exist on North Stradbroke Island. It is too expensive for them to pay \$200 to come across on a barge, which is what it would cost. What does happen there is that full-time jobs in the mine are filled by people who have families. So the spouse of the person working in the mine can be the local hairdresser or work in the local bakery—all the things that they cannot get people to do in Moranbah because they do not have that sort of community. Having full-time, decent paying jobs with decent housing that allows for other family members to assist with part-time or seasonal work is a very important part of the fabric of that island. Frequently, the spouse of somebody working for the mine will be the teacher aide in the school—that is if the school manages to stay open if there is no economic base for the island.

Honourable members do not have to look very far to see what would be lost on Stradbroke if we listened to the bizarre voodoo social policy and social economics of those opposite. This is not a wilderness like Fraser Island or Moreton Island or parts of Cape York; this is a place with thousands of people living there. I do not know of anywhere in Australia where the industry is shut down. Have a look at what happened in Maryborough and in other places where the industry has been taken away.

Labor has not learned a thing. Here we have a small community that has made its will crystal clear—there is absolutely no doubt, not muddled by anything—and yet Labor was happy to stamp on their neck and rub their face in the dirt. That community does not matter when Labor thinks there are some green preferences. It will sacrifice a small community because it thinks it has some political gain. I say that is rubbish.

*(Time expired)*

 **Mr BYRNE** (Rockhampton—ALP) (12.32 am): I have listened intently to the debate so far this afternoon and this evening about this issue.

**Mr Ruthenberg:** What have you learnt?

**Mr BYRNE:** I know a lot more about this subject than perhaps many in this House. What I have heard is a lot of populism and voodoo economics about what occurs—


**Government members** interjected.

**Mr BYRNE:** That is what they are talking about: voodoo economics that are not based on any substantiated fact. Pure supposition is what has been put on the table. The defences put by various members, including the Premier, are not sustainable in any way, shape or form. I find it really interesting—

**A government member** interjected.

**Mr BYRNE:** I will tell honourable members this. There has been only one serious independent inquiry into sandmining that I am aware of in Australia and certainly in Queensland, and it was the 1994 Shoalwater Bay Commonwealth commission of inquiry into sandmining. In 1995 as a young handsome major, I showed up and was handed by my general the recommendations from that Commonwealth commission of inquiry. I read the report till I knew it backwards. Then I read all the supporting documentation that came from all the submissions put to that Commonwealth commission

of inquiry, a full-blown, independent inquiry that looked at the issue of sandmining in a conservation area of high value. Nothing that has been put here today demonstrates anything approaching the rigour that was put to that. Guess what? The sandmining industry was put to the sword. Everybody who stood up in there—and it was not the Greens, it was not the Labor Party, it was not a bunch of Liberals. No, it was the CSIRO, the department of environment when it still believed in its role and the marine park authority. It was pure science that convinced the independent commissioners of the long-term impacts that are derived from sandmining in high conservation zones. Those companies then wanted to destroy the only palustrine wetlands left in eastern Australia and destroy the only parabolic sand dunes intact on the east coast of Australia. They were happy to do that with no science, no rigour, just information from a mining company and a government prepared to accept this stuff as being the way forward. There has been only one valid inquiry and it should have been the stark point for this government to find out what sandmining really does. When this debate is over and members opposite win the ballot, that will be fine but I encourage them to go back and inform themselves about the science of sandmining and to stop this nonsense.

 **Hon. TL MANDER** (Everton—LNP) (Minister for Housing and Public Works) (12.35 am): I rise tonight to speak in favour of the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill. If honourable members have lived in South-East Queensland for all their life, as I have, they would have a special relationship with North Stradbroke Island, or Straddie as everybody calls it. I have many fond memories of North Stradbroke Island. I can remember going there on an under-14 rugby league trip from West Arana Hills Football Club. It was my first visit.

**Mr Ruthenberg:** Did you win?

**Mr MANDER:** No, it was a camp at the end of the season. We had a great time there. It was my first experience in camping.

I remember going there a bit later when I got my driver's licence. I remember having my licence and when I went to Straddie it was the first time I had to back a car with a trailer into the barge. It was incredibly embarrassing; it took about half an hour. In fact, the barge operator had to come and do it for me. That is how bad it was. It was very embarrassing.

I can remember running camps there in my previous occupation with SU Queensland; I took kids over there for football camps and we created some great memories. More recently, in my older years I can remember going on regular fishing trips with my friends who go there every year—not that much fishing is done, but plenty of red wine is drunk and plenty of songs are sung. I have great memories of North Stradbroke Island.

The point I want to make is that in all that time that I went to Straddie I was totally oblivious to sandmining even occurring. You would not know it is occurring. It shows that everyday life on Straddie, tourism and mining can all co-exist. In fact, I cannot say it any better than the member for Moggill before me and the Premier when they said that this was a clear election commitment that we made—very clear. The people of Queensland but, more specifically, the people of Stradbroke island spoke very clearly. It was an emphatic win for the LNP, both in the eastern electorates of Brisbane and also throughout Queensland. So it is only right that we honour our election commitment because people voted for it.

We are committed to this project because we are committed to employment. We are committed to creating employment in this government. The only way that we can create employment is to ensure that we produce things, to improve productivity. That is the way that we will get to our four per cent target that the Premier has set in two terms of government. The Labor way of increasing employment is to put people on in the Public Service, increasing government expenditure on jobs that do not produce anything. My figures may not be exactly right, but I will get the gist of this. In the five years leading up to us coming into power, the increase in employment costs were at least eight to nine per cent per year. Is that right?

**Mr Davies:** That's about right, Tim.

**Mr MANDER:** We have now got that under control.

**Mrs Frecklington:** 0.2 per cent.


**Mr MANDER:** It is 0.2 per cent. We have now got this under control; the adults are now running the government and we are talking about increasing productivity.

So, members of the House, it is quite apparent that this is good policy. This is policy that we went to the election with; this is policy that the people voted for; and our only alternative is to actually support this and to make sure that we have true employment opportunities on Stradbroke island. I

congratulate my colleague, the minister for national parks and recreation, for opening up Stradbroke island and other areas in this state to ecotourism. These industries can co-exist. We can create employment and create a better economy and a better—

**Mrs Frecklington:** Environment?

**Mr MANDER:** Environment—thank you very much, I was lost for words there for a moment, member for Nanango—which is obviously better for the people of North Stradbroke Island and the people of Queensland. I congratulate the minister for very good policy, of course simply following through with our election promise, and I commend this bill to the House.

 **Mr DOWLING** (Redlands—LNP) (12.40 am): Tonight I am delighted to be able to speak on the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill 2013. The only challenge that I have is where to actually begin. Where do I start on this contribution? Do I begin with the commitment that was echoed by the Premier earlier and the commitment by the member for Cleveland, Mark Robinson? Do I begin with the environment and the benefits and the positives that will be achieved in that area? Do I begin with employment and the opportunity that was stolen by the previous government from the island community? Do I touch on the history of Stradbroke island and how we have ended up there? Do I talk about the Indigenous community and their position on this issue? I think I really need to begin by saying there are two things that as a government we must deliver: one is confidence, and one is certainty. I commend the minister for bringing this legislation on and for delivering on both of those: for delivering on confidence for people to invest in our community; and certainty, so that they know that that investment is safe, it is not misplaced and that their trust in this government is not misguided.

I am going to go right back to where I started, and that is our election commitment. Anyone who did not believe that we were about the four pillars, one of which is mining and resources, was clearly either not in this country or completely void of any electronic media, because that was our entire campaign: four pillars, mining and resources. We gave an undertaking to the people of Stradbroke island through not only the Premier and the member for Cleveland that we were going to do this, but we made the commitment to the rest of Queensland through every forum and every medium that we could that we were committed to delivering sustainability and certainty to the people of Stradbroke island.

I have heard concerns about the environment, and I think there was no better demonstration of a good environmental outcome and sustainability and best practice when it comes to mining than the fact that the Premier at the time Anna Bligh and Kate Jones, the environment minister, went to a pristine sand dune for a photo shoot where they actually undermined Stradbroke island, where they actually stuck the boot in and were trying to wheel and deal through a greens deal. They actually sat on a rejuvenated sand dune; an unbelievable demonstration of what the mining practices of certainly Sibelco, in this case, were able to deliver on Stradbroke island. There was no greater demonstration than to see the Premier of the day and the minister of the day—both long gone from this place—sitting on a sand dune that was allegedly pristine. But it was rejuvenated! What a wonderful, wonderful Kodak moment.

**A government member:** Irony!

**Mr DOWLING:** It is irony. But then you get to employment, and those opposite would have people working in the tourism industry, which is a seasonal and transient industry. It is not there 24/7; it is not a highly paid or highly skilled industry. Those opposite would have people doing those low-paid, part-time jobs instead of 365-day-a-year jobs with real skills, real opportunities and a big pay packet. Labor would sooner have them either unemployed or in a lowly paid job. It is absolutely hypocrisy to the nth degree.

What Labor also failed to do was actually look at and consider a properly structured transition from a mining economy and a tourism economy to a tourism economy only. I said in the hearing that was held in this very chamber that when Labor interfered with the process, they cut the transition time too short. There was never going to be a proper transition from two good economies to one that was not properly developed. They just do not think a plan through. They think them up, but they do not think them through. It is: Ready! Fire! Aim! It has always been the Labor way to do a deal with a mate. It was never about doing it properly and delivering for that island community.

It was never about engagement because if you want to talk about engagement, I could go to Stradbroke island tomorrow and I could find Indigenous community leaders that support sandmining wholeheartedly and who understand the importance and significance of sandmining on Stradbroke

island to their economy and to their families. I could also go out and find people who are opposed to it, so it is a divided community on that front. But there are more jobs, there is more sustainability and there is more viability in sandmining at present.

No-one doubts that there will be a transition to another economy, but it cannot be done tomorrow or next week. It needs to be done over time. It needs to be done thoughtfully and carefully, and that is what Labor failed to do. They are clueless when it comes to delivering on a strategy and on a plan. It is all about a media cycle. It is all about a headline. It is all about spin. It is that 30-second grab every night in the news.

I also recall very fondly as did the Minister, the Hon. Tim Mander, holidaying on Stradbroke island. If we want to look at history, sandmining has been there for 64 years and it has co-existed. I can tell you that that island is as beautiful and as precious today as it was the day they started mining there. In actual fact, some parts of it are improved. When you look at weed management and weed eradication, when the sandmining has gone through, the weeds are gone and the native fauna is also enhanced.

**Mr Davies:** More koala trees!

**Mr DOWLING:** Koala vegetation, I take interjection from the member for Capalaba. It is about leaving a better environment than that which they found, and that is what this company and this operation has done all the way through.


When I was a councillor in Redland City Council—and most members would be aware of that—I had the privilege of going to Stradbroke island to have a tour through the sand mine and look at their operation to see how they work their way through the sand mine and how they then re-establish all the vegetation, how they get involved in feral animal management and how they leave a much better environment. Even in council they understand its significance. I was asked on behalf of the mayor of Redland City Council, Councillor Karen Williams, to actually table a letter to the hearing which basically said exactly that: transition is key. They do not want a government running roughshod—as Labor did—across a community and just gutting their jobs with no plan for the future, no proper transition and no strategy to develop and to turn the tourism industry that is there today into a mature, viable industry. There is no doubt whatsoever that Stradbroke can be sustained on tourism—there is nothing surer—but it is how we get to that point. It is how we expose that market and develop that market and work in partnership; but it takes time, and that is what this legislation will achieve. The other thing the previous government did was actually almost set about—and if you believe in conspiracy there is one theory—

**Mrs Frecklington** interjected.

**Mr DOWLING:** I take the interjection from the member for Nanango—or manipulation. They actually made the mine path not viable. They had such a restricted mine path that they actually were going to do more harm if they continued with that practice than if they had done it in the way they had proposed.

These miners are environmentalists. They are very careful and strategic in what they do. They do not want to leave a scarred landscape; they want to leave an environment better than the one they found. Their strategy and their mine path were actually manipulated. It was corrupted by those opposite when they were in power because of a green deal. It was never about delivering a good outcome. It was never about managing that transition from a solid mining industry to a casual, transient tourism industry. It was about just doing a deal. It was about a media grab. It was about a headline. It was never about engagement. It was never about community consultation. It was about a green deal—nothing more.

*(Time expired)*

 **Hon. MF McARDLE** (Caloundra—LNP) (Minister for Energy and Water Supply) (12.50 am): I rise to speak in support of the bill before the House. I congratulate the minister on bringing the bill into the House. One of the things that struck me in the Premier's contribution and those of many other members of this House is that this is a simple statement of us putting into practice a commitment we made at the election. We said to people in this state and to people on the island that we would honour the right to have mining operating on the island for a considerable period of time to allow a transition from mining into other industry.

We made it quite clear, after talking to the people on the island, that we would follow their wishes, follow their ideals and come up with a policy that ensured mining and the economy would continue until such time as we could transition to another form of income for the people on that island. And we did that. We went to the election and said that we would achieve for them what they wanted to sustain their own economy for themselves, their family and generations to come.

No-one in this House can doubt that that was a clear statement by the LNP. No-one can doubt that people on Stradbroke island voted for it. Indeed, the people across this state understood quite clearly where we stood with regard to Stradbroke island. No-one can argue that we kept this a hidden scenario. No-one can argue that we did a deal with anybody prior to the election without telling the electorate what we were going to do. It is a bold statement of fact. We made a commitment. We have held our commitment. We are now in the House putting through legislation to ensure the commitment is followed through on.

One of the things that worries me is that whenever we stand in this House and debate an issue that has a tint of the environment to it, the ALP seem to believe that they are the only party in this nation that has a care for the environment. I say to members of this House and to members of the ALP in particular: every member of this House is particular about the environment. This government only acts in the best interests of the environment in the long term. Whatever we do, we take into account the wishes and desires of people who live in the area and, equally, we understand the implications of the steps we take to ensure that, long term, the environment is protected.

It is simply a nonsense to say that the LNP does not care about the environment. We do care about the environment. I recall very clearly that yesterday at the Resources Council lunch the Premier made it quite clear that we are going to set a very high bar for the environment in relation to resource mining. We are at all times going to protect the environment and make certain that, whatever action is taken by individuals, corporations or other entities, the environment will always be the bar that people must reach to ensure that the environment over time is well and truly protected.

I was not aware that mining had been taking place on Stradbroke island for something like 60-odd years. The fact that I was not aware of that to me indicates quite clearly that the environment and mining have co-existed on that island for many, many, many years. Many members of this House have made it quite clear that when you look at Stradbroke island today you would not even know mining was taking place, because it has been so well looked after in that long period of 60 years. There are people in this House who have had contact with the island on a much more regular basis than I have, and they understand better than I do that the people who are undertaking the mining also care for the environment.

One of the reasons Sibelco is going to, if the bill is passed tonight, have the right to seek an extension of their mining licence until 2035 is to allow a transition of the economy from mining to other sectors that would help the people of the island sustain themselves in years to come. It is my understanding that there are something like 2,000-plus people who live on the island and about 600 of those people get their income directly or indirectly from mining. That is a very significant number as a proportion of the whole. If mining suddenly ceased without the ability to transition to other forms of economy, you would find a significant number of people having to leave the island. That could have implications right across the whole sector of the island with regard to tourism, shops closing, schools and the like. The implications of simply not taking into account a long-term impact of closing down the mining, shutting out so many different jobs and the impact that will have on the economy of the island, would be dramatic, in my opinion.

What we have here is a very strong plan, understanding clearly that at some point in time a transition has to occur but you cannot do it overnight. It smacks in my opinion of a contrast between this government and the ALP, because this government clearly has an idea that we have to plan for the future. We are developing a plan for 30 years in this state, to develop this state into what we want it to be over that 30-year time line. That is something completely refreshing, as far as I am concerned. I can recall being on the other side of the House, year in year out, while the Labor Party simply lurched from one disaster to having a plan to another disaster to having another plan. Those days are well and truly gone.


The Queensland Plan will be a plan put in place to ensure for 30 years we will direct what we want the state to be. That is planning. We have a 30-year plan being prepared regarding water and energy—more planning undertaken. There is also a 30-year plan with regard to agriculture. It is a shift in how the government looks at the long-term growth of this state. We do it by understanding the needs of the state and understanding how we can achieve for the long term for people right across



Queensland—our children and our grandchildren. This is what we are doing on Stradbroke island. This is what we are saying is the right way to go about it. Do not rush into a decision that could have dire consequences. Make certain you understand the implications. Make certain you understand that over a period of time we can plan to transition the island into a tourism or other destination as its sole and only source of income. That is what we are about.

As I said earlier, it is so important to understand that this bill came before the House for one simple and straightforward reason: we listened to the people of Stradbroke island. We told them what we were going to do. We made a commitment and we are now here tonight ensuring that commitment is passed by the House when the ballot is taken in the House in a few moments.

I conclude by saying that Stradbroke island deserves a plan to transition to what it wants to become over a period of time. But if we do not take the time to understand what that is, how to go about it and what the outcome is going to be, we could leave the island in a disastrous situation. It is time for this government, as it has done on this occasion, to plan for the island and to make certain the long-term benefit for all who live there is uppermost in its mind. I support the bill before the House.

 **Hon. GW ELMES** (Noosa—LNP) (Minister for Aboriginal and Torres Strait Islander and Multicultural Affairs and Minister Assisting the Premier) (12.58 am): I rise to make a short contribution to the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill 2013.

**Mr McArdle** interjected.

**Mr ELMES:** And a very good contribution too, as I am reminded by my ministerial colleague. I had the distinct honour prior to the last election of being the shadow minister for the environment in opposition. I had the opportunity to go to North Straddie with Mark Robinson, the member for Cleveland. I spent a good deal of time going from one end of that island to the other to look at what had been done by the company Sibelco in terms of its commitment not just as miners but its commitment as a very good custodian and champion for North Stradbroke Island. What is wrong with the argument that is being put forward by the Labor opposition tonight is the fact that it is operating from a point of view that bears no substance and has no credibility. In this case we have a mining company that has been on North Stradbroke Island for a long period of time. If anyone had spent any time on North Stradbroke they would have seen the rehabilitation work that Sibelco undertakes on the island and its commitment to the island, particularly its commitment to the workers on the island. Those workers are not just so-called European workers; there are Indigenous workers on North Stradbroke Island as well.

Sibelco knew then when I was there and it knows now that there is a time frame when it has to transition off that island. It also knows that even when the last bit of mining is done there is still a responsibility from that company to continue the rehabilitation work to ensure that it leaves that island as pristine as is humanly possible. When you have been to North Stradbroke and looked at the rehabilitation work that Sibelco has done, you cannot tell the difference. I defy anyone to tell the difference. Tonight many times we heard the story when Kate Jones and former Premier Anna Bligh were over there and they propped themselves up to do a press conference and they were doing it on rehabilitated land. They did not know. They could not tell, but there they were. I was in the House at the time when this piece of nonsense first came about. The then Premier and the then environment minister, Kate Jones, decided that they were going to do something to advance the cause of Indigenous people on North Stradbroke Island and they decided all of a sudden to close down all of the mining and have ecotourism. I can recall that they mentioned 400 ecotourism jobs on North Stradbroke Island. Did they have a plan to put ecotourism on North Stradbroke Island? No, they did not. It was like everything that Labor did—it was driven by press release. Having got the television coverage, they were able to come back to Brisbane and they got some brownie points from their greenie mates and the job was done from their point of view. Did they ever at any point have any idea or compassion or understanding for the people who live there and work there and want to continue to live there and work there? That is what those on the other side of the House forgot about—that is, that people actually call that place home. If they are going to call it home, they want to have a job. They want to be able to raise their kids. They want to be able to send those kids to school. They want to have a future on North Stradbroke Island. If we listen to what the Labor Party opposition is talking about tonight, they would not have any of that.

I think I would be, at least on my side of the House, one of the people who perhaps has a slight tinge of green about them and I come from a community that celebrates that. I am here to tell members that I am very happy to stand up here tonight and talk about the commitment of Sibelco to North Stradbroke Island and what it is trying to do. The best champion—the greatest champion—that

North Stradbroke Island has is the member for Cleveland. He is a great champion because he has fought from the day he came into this parliament to make sure that there is a future for North Straddie, and the future is not mining. At the end of the day, the future for North Stradbroke is tourism. But we have to get from mining to ecotourism and tourism in particular. At the same time we have to ensure that, as the member for Caloundra mentioned earlier, the 2,000 people who live on North Stradbroke have a future, because if they do not they are going to go on the dole queue. If they do not, the school is going to close down, the businesses will close down and no tourists will want to go there at the end of the day.


There are something like, as I understand from the point of view of the Quandamooka people, 50 to 60 families who are living—

**Mrs Frecklington:** Fourteen per cent of the employment on the island.

**Mr ELMES:** Thank you very much; 14 per cent of the people who live on the island are from the Quandamooka people. I know enough about Indigenous politics to know, particularly in terms of North Straddie—and you might be surprised to know this, Madam Deputy Speaker—that there are factions within the Indigenous community on North Stradbroke, as there are factions within the Australian Labor Party in this House. From time to time those factions have a bit of a blue. I also know that most of the Quandamooka who live on North Stradbroke Island want to have a future for themselves, they want to have a future for their kids and their families and they want to be able to live on the island of their choice.

Only today we have announced a \$200,000 plan that is going to roll out over the next 18 to 24 months which will help in that transition process, and it is going to be a great process overseen by the Minister for Tourism, the Hon. Jann Stuckey, that will enable that transition process to take place to move from mining to what will undoubtedly be the future for North Stradbroke Island—that is, tourism. Many people in this House—and if there are any people after one o'clock still listening to the debate happening in this House—will have visited North Stradbroke Island as one of the favourite places in the world that they go to. They go there to camp. They go there to four-wheel drive. They go there to enjoy the environment.

I am here to tell members that I am immensely proud of the job that Sibelco has done in making sure that the environment on North Stradbroke Island is something that it can be justifiably proud of. When we look at the plans that Sibelco has for when it transitions off that island, when you look at the infrastructure that it has put in place, when you look at the rehabilitation that it has put in place, when you look at the wind power generation that it has plans to put in place on that island, it defies logic—it just defies logic—that we would listen to some of the nonsense coming from the other side of the House that all of a sudden we have to close the whole thing down and it all has to go; it all has to go because Anna Bligh and Kate Jones had some sort of half-hearted vision that they thought could win themselves a couple of votes in the lead-up to an election campaign. I am here to tell members that the person that this House should be listening to, the person who really has a passion for North Stradbroke Island—not these people over there who are just doing it because it is politics—is the member for Cleveland. The member for Cleveland went to an election campaign and said what the LNP government was going to do and got the mandate from the people and the mandate from the people who live on North Stradbroke Island, and we are delivering it.

 **Hon. AP CRIPPS** (Hinchinbrook—LNP) (Minister for Natural Resources and Mines) (1.08 am), in reply: I thank all members for their participation in this debate. From the outset I want to reiterate that the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill 2013 is an important bill that delivers on the government's election commitment to deliver a framework to extend sandmining on North Stradbroke Island in order to ensure a smooth transition of the island economy to alternative industries. I want to touch briefly on the amendments of the Vegetation Management Framework Amendment Act 2013 which have been included in this bill to address an unnecessary duplication between the VMA and the state development assessment provisions. I did not touch on it in my second reading contribution to the debate and I noted that the member for South Brisbane in her contribution asked me to touch on it, and I am certainly happy to do so.

The bill will amend the Vegetation Management Framework Amendment Act 2013. The purpose of that act was to reduce red tape and regulatory burden for landholders, businesses and government while also retaining the vegetation management legislation. To achieve this a range of reforms were made to the vegetation management framework to streamline its operation and reduce regulatory burden and red tape. The act introduced three new clearing purposes for which vegetation clearing can occur. Two of those purposes were for high-value agriculture clearing, which includes

perennial and annual horticulture, and broadacre cropping. Clearing can occur for the establishment, cultivation and harvesting of dryland cropping but does not include clearing for grazing or plantation forestry activities and irrigated high-value agriculture clearing, which includes perennial and annual horticulture and broadacre cropping supplied with water by artificial means. While clearing for irrigated high-value agriculture is permissible for irrigated improved pasture for grazing, it does not include plantation forestry activities.

The amendments to the act will remove the requirement for applicants applying for high-value and irrigated high-value agriculture clearing permits under new sections 22DAB and 22DAC of the act to demonstrate how they will minimise and mitigate the effects of the proposed clearing and for providing a significant beneficial impact under the Vegetation Management Act. These provisions will duplicate the requirements of the State Development Assessment Provisions. The omission of these sections will offer the applicant greater flexibility to either provide a significant beneficial impact or an offset as per the requirements of the State Development Assessment Provisions module 8: native vegetation clearing to support the Vegetation Management Framework Amendment Act.

In responding to some of the contributions that were made during the debate, I would like to thank the chairman of the Agriculture, Resources and Environment Committee for ably chairing the committee throughout its deliberations on the bill. I would also like to thank the member for Cleveland for his contribution to the debate. I concur with several speakers who pointed out the outstanding advocacy of the member for Cleveland for the community on North Stradbroke Island, which is part of his electorate of Cleveland. I reiterate the point that was made quite rightly on several occasions that he was returned by the people living on North Stradbroke Island rather handsomely at the 2012 state election with the full knowledge of the LNP's election commitment to extend sandmining to provide for an orderly transition process for that community to industries other than sandmining.

The member for South Brisbane made no meaningful contribution to this debate. The member for South Brisbane made a series of unsubstantiated assertions for which she provided no evidence to this parliament. The member for Woodridge repeated the same series of unsubstantiated assertions for which she also provided absolutely no evidence to this parliament. Unfortunately, the member for Condamine brought great shame on himself by making an allegation of corruption against the government for which he provided no evidence. He is obliged to notify the relevant authorities if he has any evidence whatsoever to substantiate his claim. It will be extremely interesting indeed to see if the member for Condamine does so or if he is the empty vessel that we all suspect him of being.

The member for Bundamba not only repeated but recycled and rehashed the same series of unsubstantiated claims and allegations for which once again she provided absolutely no evidence to this parliament, which has become a consistent theme of all of the contributions from the members of the opposition to this debate—no evidence, just allegations, just assertions, just a smear campaign, just rumour-mongering, just innuendo. Then we had the member for Dalrymple. It has become the practice of the member for Dalrymple to come into this parliament during the course of debates on bills and repeat sections of various submissions made to the parliamentary committee during its consideration of the bill. Tonight, the member for Dalrymple surpassed this record by reading out his own dissenting report attached to the committee report. He also repeated a series of unsubstantiated claims made by opposition members and his colleague the member for Condamine without any evidence.

The member for Rockhampton made perhaps the most irrelevant contribution to this debate by expressing his concerns about the perceived impacts of sandmining on Shoalwater Bay in Central Queensland. Not only is Shoalwater Bay not the subject of this bill but also, quite frankly and clearly, that is the modus operandi of the members of the opposition—not to make any relevant contribution to the bill whatsoever. Not only was the subject of Shoalwater Bay completely irrelevant to this bill but also the member for Rockhampton failed to present any evidence to support his intimation that there are any similarities, or parallels, or comparisons that can be drawn between the sandmining that had previously occurred at Shoalwater Bay and the methodologies and equipment that is used to extract the sand on North Stradbroke Island. The member for Rockhampton failed to do so and as a result confirmed the irrelevancy of his contribution to this debate.

I have already circulated to the House and tabled the explanatory notes associated with amendments that I plan to move during the consideration in detail to this bill, but I will speak to those amendments. The amendments to the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill 2013 are required to clarify and put beyond doubt that the winning of minerals may occur on Enterprise mining leases until 2035. They correct a drafting error in clause 9 of

the bill affecting the interpretation of new section 11G, replace the environmental authority currently incorporated into schedule 2A by clause 14 of the bill, which contains a number of errors, and remedy an incorrect reference to the Environmental Protection Act 1994.

Amendment No. 1 is required to ensure that the policy objective of continuing mining on North Stradbroke Island to 2035 is achieved. The proposed amendment puts it beyond doubt that any renewal of mining leases 1105, 1117 or 1120 would be on the basis that the winning of minerals from those leases is authorised until 2035.

Amendment No. 2 is required to ensure the effective operation of proposed new section 11G. In effect, proposed new section 11G(2) currently provides that where a properly made application for renewal of a mining lease is made and subject to certain conditions, the lease continues in force until the application is withdrawn, refused or granted. It is not intended that the minister would be entitled to refuse a properly made application for renewal of a lease. The word 'refused' was incorrectly included in this provision and will be removed to ensure that there can be no confusion about the scope of the ministerial discretion.

Amendment No. 3 is required to properly reference the Environmental Protection Act 1994 as a defined term in schedule 3 'Dictionary' in the North Stradbroke Island Protection and Sustainability Act 2011.

Amendment No. 4 is necessary to replace the environmental authority included in schedule 2A of the bill. Since the introduction of the bill some minor errors in the environmental authority have been identified that require correction. The necessary corrections are mostly due to typographical errors or the need to clarify terminology. A small amount of text was also omitted in error during the embedding of the text into the bill. The full and accurate replacement of the environmental authority will be incorporated into the bill by this amendment.

I would certainly like to acknowledge the significant efforts of my staff and officers of the Department of Natural Resources and Mines in the delivery of this important piece of legislation and recognise the assistance that we have received from the Department of Environment and Heritage Protection and the Department of State Development, Infrastructure and Planning. I am pleased to commend the bill to the House.

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

**AYES, 67**—Bates, Bennett, Berry, Bleijie, Boothman, Cavallucci, Choat, Costigan, Cox, Crandon, Cripps, Cunningham, Davies, C Davis, T Davis, Dempsey, Dickson, Dillaway, Dowling, Elmes, Emerson, Flegg, France, Frecklington, Grant, Grimwade, Gulley, Hart, Hathaway, Hobbs, Holswich, Johnson, Kempton, Krause, Langbroek, Latter, Maddern, Malone, Mander, McArdle, McVeigh, Millard, Minnikin, Molhoek, Nicholls, Ostapovitch, Powell, Pucci, Rickuss, Robinson, Ruthenberg, Seeney, Shorten, Shuttleworth, Smith, Springborg, Stevens, Stewart, Stuckey, Symes, Trout, Walker, Watts, Woodforth, Young. Tellers: Kaye, Menkens


**NOES, 11**—Byrne, Douglas, Hopper, Knuth, Mulherin, Palaszczuk, Pitt, Trad, Wellington. Tellers: Miller, Scott

Resolved in the affirmative.

### Consideration in Detail

Clauses 1 to 3, as read, agreed to.

Clause 4—

 **Ms TRAD** (1.27 am): Clause 4 in essence amends the objects of the act to provide for the extension of mining activities in the North Stradbroke Island region to 2035 for the Enterprise mine beyond the date Sibelco previously agreed to exit which was 2027. That is what we have been debating here tonight. This has been done at the request of Sibelco and without consultation with any other stakeholder prior to the introduction of this legislation. This is a fact that has been put on the public record by the minister's own department—by the deputy director-general I understand—and there is no running away from the fact that no-one, apart from Sibelco, was consulted in the drafting of this legislation.

At no point prior to the election did the Premier or the LNP commit to extend sandmining for another 22 years. This was not explicitly put at the last state election. I refute any suggestion that extending sandmining on North Stradbroke Island has the seal of approval not only from residents in the Cleveland electorate but also, more broadly, as Rowland's strategic advice to Sibelco outlined, from people on the mainland.

I want to refer to something that the member for Noosa and Minister for Aboriginal and Torres Strait Islander and Multicultural Affairs mentioned, and that is that this House need only listen to the member for Cleveland in relation to the views of the locals. Stradbroke island belongs to all Queenslanders. It does not just belong to a few. The imperative to protect this island, the responsibility that this government has, that we all have as legislators, to protect one of the most unique environmental habitats on this planet, is a responsibility that rests with all of us. At no stage did the LNP government put out an election commitment that said, 'If you vote for us we are going to keep sandmining on Stradbroke island until 2035.' Nowhere was that in any LNP election commitment. It may have been in the secret conversations that the then opposition leader had with the CEO of Sibelco and on which they are a bit fuzzy about the details.

**Mr Pitt** interjected.

**Ms TRAD:** I take that interjection from the Manager of Opposition Business.

**Mr HOPPER:** I rise on a matter of privilege. Madam Speaker, there is a dress code within this chamber. The Minister for Local Government is sitting in this chamber in shorts and a T-shirt and I would ask that he be removed from this chamber.

**Madam DEPUTY SPEAKER** (Miss Barton): Order! Member for Condamine, it is not a matter of privilege.

**Mr HOPPER:** I rise on a point of order. Madam Speaker, the Minister for Local Government is sitting in this chamber—it is not a division—and he is not appropriately dressed and I request that he be removed.


**Madam DEPUTY SPEAKER:** Give me a moment to consult the standing orders. The minister has left the chamber. It is not a point of order.

**Mr CRIPPS:** I listened intently for three minutes while the member for South Brisbane supposedly addressed clause 4. During that time, she repeated a series of unsubstantiated assertions that she had made during her speech in the second reading debate. Try as I might, I could not discern a question throughout the three-minute statement made by the member for South Brisbane. Therefore, I will take it as a statement and leave it there.

Clause 4, as read, agreed to.

Clauses 5 to 8, as read, agreed to.

Clause 9—

 **Ms TRAD** (1.33 am): This clause inserts section 11B, which allows for the renewal of the mining leases under the act, including the Enterprise mining lease, until 2035 as specified at section 11E. It is dubious at best that this government would seek to extend mining beyond a date by which the company had already agreed to exit.

This clause also inserts section 11F, which is particularly offensive. It removes appeal rights, including from the native title holder, the Quandamooka people. Quite frankly, this clause is a complete disgrace. For the Premier to engage in public outrage before the election on behalf of a mining company because of the removal of their appeal rights when their mining leases had already expired and then remove the appeal rights of the Indigenous native title holder in this legislation without consultation just shows who he and every single member of the LNP are here to serve. This follows the government's threat to illegally suspend the Indigenous native title holder's Indigenous land use agreement. It is clear who this Premier represents and who the LNP is here to serve. It is not ordinary Queenslanders or the Indigenous population, the native title holder. He represents any company with deep pockets that can spend a bit of cash in a marginal electorate. This is an indictment on this government and its complete arrogance and disregard for democracy in this state.

**Mr CRIPPS:** I have dealt extensively with the reasons behind the amendments to this act as a result of me presenting this bill during the course of my speech on the second reading debate. All members, including the member for South Brisbane, know exactly the reason why we are extending sandmining, to provide for a smoother transitional process for the community on North Stradbroke Island away from sandmining to alternative industries. Notwithstanding the protestations of the member for South Brisbane, that remains our objective and our clear election commitment. I am absolutely delighted to stand by it.

I move the following amendments—

**1 Clause 9 (Insertion of new ss 11A–11J)**

Page 9, lines 26 to 31 and page 10, lines 1 to 5—

*omit, insert—*

- (2) The following apply for any renewal of mining lease 1105, 1117 or 1120—
  - (a) the winning of a mineral from the place where it occurs in the area of the lease is an authorised activity for the lease;
  - (b) if, because of the renewal, the lease ends after 31 December 2035—
    - (i) after 31 December 2035, the winning of a mineral from the place where it occurs in the area of the lease is not an authorised activity for the lease; and
    - (ii) the mining lease ends at the end of 31 December 2040 and can not be renewed beyond that date.

**2 Clause 9 (Insertion of new ss 11A–11J)**

Page 11, line 12, 'withdrawn, refused or'—

*omit, insert—*

withdrawn or

Amendments agreed to.

Clause 9, as amended, agreed to.

Clauses 10 and 11, as read, agreed to.

Clause 12—



**Mr CRIPPS** (1.37 am): I move the following amendment—

**3 Clause 12 (Replacement of ss 16 to 21)**

Page 13, line 25, 'Environment'—

*omit, insert—*

Environmental

**Ms TRAD:** This clause replaces sections 16 to 31 of the act to facilitate the replacement of the environmental authority at the request of Sibelco. Surprise, surprise! The opposition does not support a process whereby a mining company effectively purchases, through campaign support, its environmental approval and sets it in legislation. As I said earlier during the debate, I would like either this minister or the Minister for Environment and Heritage Protection to point out where an environmental authority has been included in legislation. Including it in legislation means that consultation around alterations of conditions cannot occur with the local community. This is a complete and utter outrage. The claim that a 2003 assessment covers these same mining activities simply does not stack up with that assessment clearly stating that it did not apply to mining activities beyond stage 1 and did not apply to mining activities beyond 2013.

**Mr CRIPPS:** As the member for South Brisbane indicated, amendment 3 does properly reference the Environmental Protection Act 1994 as a defined term in the schedule 3 'Dictionary' of the North Stradbroke Island Protection and Sustainability Act 2011. On the point that the member for South Brisbane made, both myself and the Minister for Environment and Heritage Protection have noted the fact that, where possible, model conditions have been used for the environmental authority, but we have also incorporated into the environmental authority being imbedded in this legislation for the purposes of protecting the environmental values of North Stradbroke Island specific conditions in recognition of the unique environmental values of North Stradbroke Island.

Amendment agreed to.

Clause 12, as amended, agreed to.

Clause 13, as read, agreed to.

Clause 14—



**Mr CRIPPS** (1.39 am): I move the following amendment—

**4 Clause 14 (Insertion of new sch 2A)**

Page 14, lines 19 to 22 and pages 15 to 40—

*omit, insert—*

**Schedule 2A Environmental authority EPML00575913**

## Department of Environment and Heritage Protection

**Permit<sup>1</sup>****Environmental Protection Act 1994****Environmental authority**

*This environmental authority is issued by the administering authority under Chapter 5 of the Environmental Protection Act 1994.*

**Permit<sup>1</sup> number: EPML00575913**

The anniversary date of this environmental authority is 30 April. An annual return and the payment of the annual fee which is currently \$26,496.00 will be due each year on this day.

**Environmental authority holder(s)**

Name	Registered address
Stradbroke Rutile Pty Ltd T/A Stradbroke Rutile Pty Ltd	100 Eastern Parade GILLMAN SA 5013

**Environmentally relevant activity and location details**

Environmentally relevant activity(ies)	Location(s)	Description
Mining - ML mineral sand	ML1159, ML1164, ML 1121	North Stradbroke Island - Gordon Mine (20 kms south of Dunwich)
	ML1123	North Stradbroke Island - Vance Mine (4 kms north east of Dunwich)
	ML1109, ML1122.	North Stradbroke Island - Yarraman Mine (2kms south west of Point Lookout)
	ML1117, ML1121, ML1174, ML1175.	North Stradbroke Island - Ibis Mine (3 kms south east of Dunwich)
	ML1105, ML1113, ML1117, ML1119, ML1120, ML1129, ML1130, ML1153, ML1162, ML1163, ML1116	North Stradbroke Island - Enterprise Mine (5 kms south east of Dunwich)
	ML 1140, ML1117, ML1105, ML1119, ML1153, ML1162, ML1163.	North Stradbroke Island - Bayside Mine (Approx 2 km south of Dunwich)
	ML1112, ML1160, ML1172.	North Stradbroke Island - Amity (1.5 kms south east of Amity)
	ML1103, ML1118.	North Stradbroke Island - Dunwich

**Additional information for applicants**

Environmentally relevant activities

<sup>1</sup> Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation



**Permit**  
**Environmental authority**

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The description of any environmentally relevant activity (ERA) for which an environmental authority is issued is a restatement of the ERA as defined by legislation at the time the approval is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by an environmental authority as to the scale, intensity or manner of carrying out an ERA, then the conditions prevail to the extent of the inconsistency.

An environmental authority authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the authority specifically authorises environmental harm.

A person carrying out an ERA must also be a registered suitable operator under the *Environmental Protection Act 1994* (EP Act).

**Contaminated land**

It is a requirement of the EP Act that if an owner or occupier of land becomes aware a notifiable activity (as defined in Schedule 3 and Schedule 4) is being carried out on the land, or that the land has been, or is being, contaminated by a hazardous contaminant, the owner or occupier must, within 22 business days after becoming so aware, give written notice to the chief executive.



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Environmental authority

**Obligations under the *Environmental Protection Act 1994***

In addition to the requirements found in the conditions of this environmental authority, the holder must also meet their obligations under the EP Act, and the regulations made under the EP Act. For example, the holder must comply with the following provisions of the Act:

- general environmental duty (section 319)
- duty to notify environmental harm (section 320-320G)
- offence of causing serious or material environmental harm (sections 437-439)
- offence of causing environmental nuisance (section 440)
- offence of depositing prescribed water contaminants in waters and related matters (section 440ZG)
- offence to place contaminant where environmental harm or nuisance may be caused (section 443)

**Conditions of environmental authority****Location:**

Land description: ML1103; ML1105; ML1109; ML1112; ML1113; ML1116; ML1117; ML1118; ML1119; ML1120; ML1121; ML1122; ML1123; ML1129; ML1130; ML1140; ML1153; ML1159; ML1160; ML1162; ML1163; ML1164; ML1172; ML1174; ML1175.

**Relevant activity/ies:**

Mining - ML mineral sand

The environmentally relevant activity(ies) conducted at the location as described above must be conducted in accordance with the following site specific conditions of approval.

Agency Interest: General	
General	
Condition Number	Conditions
G1	This <b>environmental authority</b> authorises <b>environmental harm</b> referred to in the conditions. Where there is no condition or this <b>environmental authority</b> is silent on a matter, the lack of a condition or silence does not authorise <b>environmental harm</b> .
G2	In carrying out the <b>mining activity</b> authorised by this <b>environmental authority</b> on ML1120, ML1117 and ML1105, <b>disturbance of land</b> : <ul style="list-style-type: none"> <li>(a) may occur in the areas marked 'A' on the map (SP-925A) that is annexure A to this <b>environmental authority</b>;</li> <li>(b) must not occur in the areas marked 'B' on the map (SP-925A) that is annexure A to this <b>environmental authority</b>; and</li> <li>(c) may occur in the areas marked 'C' on the map (SP-925A) that is annexure A to this <b>environmental authority</b>, but only in accordance with condition (G5).</li> </ul>
G3	In carrying out the <b>mining activity</b> authorised by this <b>environmental authority</b> on ML1109, <b>disturbance of land</b> must not be conducted within a Category A or B environmentally sensitive area
G4	The <b>holder of this environmental authority</b> must: <ul style="list-style-type: none"> <li>(a) install all measures, plant and equipment necessary to ensure compliance with the</li> </ul>

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	<p>conditions of this <b>environmental authority</b></p> <p>(b) maintain such measures, plant and equipment in a proper and efficient condition</p> <p>(c) operate such measures, plant and equipment in a proper and efficient manner</p> <p>(d) ensure all instruments and devices used for the measurement or monitoring of any parameter under any condition of this <b>environmental authority</b> are properly calibrated.</p>
G5	<p>The <b>holder of this environmental authority</b> must prepare a management plan for the area marked 'C' on the map that is annexure A to this <b>environmental authority</b> for approval by the <b>administering authority</b>.</p> <p>The management plan must:</p> <p>(a) identify the <b>environmental value(s)</b> of the area marked 'C' on the map that is annexure A to this <b>environmental authority</b> and their location within ML1117;</p> <p>(b) provide an assessment of the potential adverse and beneficial impacts of the <b>mining activity</b> on the <b>environmental value(s)</b> identified in (a) above;</p> <p>(c) use the principles in the <b>risk management</b> system referred to in condition G13 to state the <b>control measures</b> to protect the <b>environmental value(s)</b> and the <b>key environmental value(s)</b>;</p> <p>(d) state <b>trigger level(s)</b> for indicators<sup>1</sup> of potential impacts on the <b>environmental value(s)</b> and <b>key environmental values</b> - the <b>trigger level(s)</b> must be set to alert the <b>holder of this environmental authority</b> of potential <b>environmental harm</b> prior to any unauthorised <b>environmental harm</b> occurring; and</p> <p>(e) include:</p> <p style="padding-left: 40px;">(i) details of the level and nature of <b>stakeholders(s)</b> consultation undertaken during the development of the management plan; and</p> <p style="padding-left: 40px;">(ii) a summary of the concerns and interest raised by <b>stakeholder(s)</b>.</p> <p>The <b>administering authority</b> must approve or refuse the management plan within 20 business days of being submitted to the <b>administering authority</b>.</p> <p><b>Disturbance of land</b> on the area marked 'C' on the map that is annexure A to this <b>environmental authority</b>:</p> <p>(f) must not commence unless the management plan is approved by the <b>administering authority</b>; and</p> <p>(g) must be carried out in accordance with the approved management plan.</p>

<sup>1</sup> NOTE: Indicators could include water level, water quality, stability, abundance of a significant species, variance between pre and post mining landform, concentrations of a contaminant in air, water or soil, indicators of impacts on an **environmental value(s)** between **pre-mining activity** and **post-mining activity**, but on the basis that they take account of naturally occurring variations in the **environmental value(s)**.

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Monitoring	
G6	Except where specified otherwise in another condition of this <b>environmental authority</b> , all monitoring records or reports required by this <b>environmental authority</b> must be kept for a period of not less than 5 years.
G7	A monitoring program must be conducted within the <b>zone of impact</b> to monitor any potential <b>environmental harm</b> .
G8	A written monitoring plan that describes the monitoring program must be prepared and maintained. The written monitoring plan must include as a minimum: <ul style="list-style-type: none"> <li>(a) locations for monitoring/sampling;</li> <li>(b) parameters monitored;</li> <li>(c) frequency of monitoring/sampling; and</li> <li>(d) <b>trigger level(s)</b> for each location.</li> </ul>
G9	The written monitoring plan must be submitted to the <b>administering authority</b> by 31 May each year.
G10	The monitoring plan must include a process for dealing with the exceedance of the <b>trigger level(s)</b> including the following steps: <ul style="list-style-type: none"> <li>(a) evaluation of the <b>risk</b> associated with the exceedance in accordance with the <b>risk treatment</b> process;</li> <li>(b) implementation of the actions arising from the <b>risk treatment</b> process which may include measures to prevent unauthorised <b>environmental harm</b>; and</li> <li>(c) an obligation to notify the <b>administering authority</b> of the exceedance as soon as practicable and to notify the outcome of the <b>risk treatment</b> process.</li> </ul>
Financial Assurance	
G11	The activity must not be carried out until the <b>holder of this environmental authority</b> has given financial assurance to the <b>administering authority</b> as security for compliance with this <b>environmental authority</b> and any costs or expenses, or likely costs or expenses, mentioned in section 298 of the Act.
G12	The amount of financial assurance must be reviewed by the <b>holder of this environmental authority</b> when a <b>plan of operations</b> is amended or replaced or the authority is amended.
Risk management	
G13	The <b>holder of this environmental authority</b> must develop and implement a risk management system for mining activities which mirrors the content requirement of the Standard for Risk Management (ISO31000:2009), or the latest edition of an Australian standard for risk management, to the extent relevant to environmental management, by no later than 3 months from the date this <b>environmental authority</b> takes effect
Notification of emergencies, incidents and exceptions	
G14	The <b>holder of this environmental authority</b> must notify the <b>administering authority</b> by written notification within 24 hours, after becoming aware of any emergency or incident which results in the release of contaminants not in accordance, or reasonably expected to be not in accordance with, the conditions of this <b>environmental authority</b> .
G15	Within 10 business days following the initial notification of an emergency or incident, or receipt of monitoring results, whichever is the latter, further written advice must be provided to the administering authority, including the following: <ul style="list-style-type: none"> <li>(a) results and interpretation of any samples taken and analysed.</li> </ul>



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	<p>(b) outcomes of actions taken at the time to prevent or minimise unlawful <b>environmental harm</b>.</p> <p>(c) proposed actions to prevent a recurrence of the emergency or incident.</p>
<b>Complaints</b>	
G16	<p>The <b>holder of this environmental authority</b> must record all environmental complaints received about the mining activities including:</p> <p>(a) name, address and contact number of the complainant</p> <p>(b) time and date of complaint</p> <p>(c) reasons for the complaint</p> <p>(d) investigations undertaken</p> <p>(e) conclusions formed</p> <p>(f) actions taken to resolve the complaint</p> <p>(g) any abatement measures implemented</p> <p>(h) person responsible for resolving the complaint.</p>
G17	<p>The <b>holder of this environmental authority</b> must, when requested by the <b>administering authority</b>, undertake relevant specified monitoring within a reasonable timeframe nominated or agreed to by the <b>administering authority</b> to investigate any complaint of <b>environmental harm</b>. The results of the investigation (including an analysis and interpretation of the monitoring results) and abatement measures, where implemented, must be provided to the <b>administering authority</b> within 10 business days of completion of the investigation, or no later than 10 business days after the end of the timeframe nominated by the <b>administering authority</b> to undertake the investigation.</p>
<b>Third Party Reporting</b>	
G18	<p>The <b>holder of this environmental authority</b> must:</p> <p>(a) within 1 year of the commencement of this <b>environmental authority</b>, obtain from an <b>appropriately qualified person</b> a report on compliance with the conditions of this <b>environmental authority</b>;</p> <p>(b) obtain further such reports at regular intervals, not exceeding 3 yearly intervals, from the completion of the report referred to above; and</p> <p>(c) provide each report to the <b>administering authority</b> within 90 days of its completion.</p>
G19	<p>Where a condition of this <b>environmental authority</b> requires compliance with a standard, policy or guideline published externally to this <b>environmental authority</b> and the standard is amended or changed subsequent to the issue of this <b>environmental authority</b>, the <b>holder of this environmental authority</b> must:</p> <p>(a) comply with the amended or changed standard, policy or guideline within 2 years of the amendment or change being made, unless a different period is specified in the amended standard or relevant legislation, the time specified in that condition;</p> <p>(b) until compliance with the amended or changed standard, policy or guideline is achieved, continue to remain in compliance with the corresponding provision that was current immediately prior to the relevant amendment or change.</p>
<b>Annual Environmental Report</b>	

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G20	<p>An Annual Environmental Report (AER) that assesses the environmental performance of the <b>holder of this environmental authority</b> must be submitted to the <b>administering authority</b> at each <b>annual return</b>. The report must address:</p> <ul style="list-style-type: none"> <li>(a) Status of compliance with the conditions of the <b>environmental authority</b>;</li> <li>(b) Monitoring results and their conformance with the <b>trigger level(s)</b>; and</li> <li>(c) Details of environmental incidents and complaints.</li> </ul>
<b>Agency Interest: Air</b>	
<b>Dust Nuisance</b>	
A1	<p>When requested by the <b>administering authority</b>, dust and particulate monitoring must be undertaken within a reasonable and practicable timeframe nominated by the <b>administering authority</b> to investigate any complaint (which is neither frivolous nor vexatious nor based on mistaken belief in the opinion of an <b>authorised person</b>) of <b>environmental nuisance</b> at any <b>sensitive place</b>, and the results must be notified within fourteen (14) days to the <b>administering authority</b> following completion of monitoring.</p>
<b>Point Source Releases to Air / Dust and Particulate Monitoring</b>	
A2	<p>The <b>holder of this environmental authority</b> shall ensure that all reasonable and feasible avoidance and mitigation measures are employed so that the dust and particulate matter emissions generated by the mining activities do not cause exceedances of the following levels when measured at any <b>sensitive</b> or <b>commercial place</b>:</p> <ul style="list-style-type: none"> <li>(a) Dust deposition of 120 milligrams per square metre per day, averaged over 1 month, when monitored in accordance with the most recent version of <i>Australian Standard AS3580.10.1 Methods for sampling and analysis of ambient air—Determination of particulate matter—Deposited matter – Gravimetric method</i>.</li> <li>(b) A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometres (PM<sub>10</sub>) suspended in the atmosphere of 50 micrograms per cubic metre over a 24-hour averaging time, for no more than 5 exceedances recorded each year, when monitored in accordance with the most recent version of either: <ul style="list-style-type: none"> <li>1. <i>Australian Standard AS3580.9.6 Methods for sampling and analysis of ambient air—Determination of suspended particulate matter—PM<sub>10</sub> high volume sampler with size-selective inlet – Gravimetric method</i>; or</li> <li>2. <i>Australian Standard AS3580.9.9 Methods for sampling and analysis of ambient air—Determination of suspended particulate matter—PM<sub>10</sub> low volume sampler—Gravimetric method</i>.</li> </ul> </li> <li>(c) A concentration of particulate matter with an aerodynamic diameter of less than 2.5 micrometres (PM<sub>2.5</sub>) suspended in the atmosphere of 25 micrograms per cubic metre over a 24-hour averaging time, when monitored in accordance with the most recent version of <i>AS/NZS3580.9.10 Methods for sampling and analysis of ambient air—Determination of suspended particulate matter—PM (sub)2.5(/sub) low volume sampler—Gravimetric method</i>.</li> <li>(d) A concentration of particulate matter suspended in the atmosphere of 90 micrograms per cubic metre over a 1 year averaging time, when monitored in accordance with the most recent version of <i>AS/NZS3580.9.3:2003 Methods for sampling and analysis of ambient air—Determination of suspended particulate matter—Total suspended particulate matter (TSP)—High volume sampler gravimetric method</i>.</li> </ul>



Agency Interest: Waste Management						
WM1	Unless otherwise permitted by the conditions of this <b>environmental authority</b> or with prior approval from the <b>administering authority</b> and in accordance with a relevant standard operating procedure, waste must not be burnt.					
WM2	The <b>holder of this environmental authority</b> may burn vegetation cleared in the course of carrying out extraction activities provided the activity does not cause <b>environmental harm</b> at any <b>sensitive place</b> or <b>commercial place</b> .					
<b>Tailings Disposal</b>						
WM3	The disposal of zircon mags must be at least 10 metres below final rehabilitation <b>constructed landform</b> .					
WM4	The <b>trigger level</b> for radiation is 0.12µSv per hour above background, at one (1) metre above ground level.					
WM5	Radiation levels must be monitored at the dry mill tailings disposal areas within one (1) month of the completion of the final <b>constructed landform</b> reshaping activities.					
<b>Agency Interest: Noise</b>						
<b>Noise Nuisance</b>						
N1	When requested by the <b>administering authority</b> , noise monitoring must be undertaken within a reasonable and practicable timeframe nominated by the <b>administering authority</b> to investigate any complaint (which is neither frivolous nor vexatious nor based on mistaken belief in the opinion of an <b>authorised person</b> ) of <b>environmental nuisance</b> at any <b>sensitive place</b> or <b>commercial place</b> , and the results must be notified within fourteen (14) days to the <b>administering authority</b> following completion of monitoring.					
<b>Noise limits</b>						
N2	The <b>holder of this environmental authority</b> must ensure that noise generated by the mining activities does not cause the criteria in <b>Table N1 – Noise limits</b> to be exceeded at a <b>sensitive place</b> or <b>commercial place</b> .					
<b>Table N1 – Noise limits</b>						
<b>Sensitive Place</b>						
<b>Noise level dB(A) measured as:</b>	<b>Monday to Saturday</b>			<b>Sundays and Public Holidays</b>		
	7am to 6pm	6pm to 10pm	10pm to 7am	9am to 6pm	6pm to 10pm	10pm to 9am
<b>LAeq, adj, 15 mins</b>	CV = 50 AV = 5	CV = 45 AV = 5	CV = 40 AV = 0	CV = 45 AV = 5	CV = 40 AV = 5	CV = 35 AV = 0
<b>LA1, adj, 15 mins</b>	CV = 55 AV = 10	CV = 50 AV = 10	CV = 45 AV = 5	CV = 50 AV = 10	CV = 45 AV = 10	CV = 40 AV = 5
<b>Commercial Place</b>						
<b>Noise level dB(A) measured as:</b>	<b>Monday to Saturday</b>			<b>Sundays and Public Holidays</b>		
	7am to 6pm	6pm to 10pm	10pm to 7am	7am to 6pm	6pm to 10pm	10pm to 7am
<b>LAeq, adj, 15 mins</b>	CV = 55 AV = 10	CV = 50 AV = 10	CV = 45 AV = 5	CV = 50 AV = 10	CV = 45 AV = 10	CV = 40 AV = 5

*Table N1 – Noise limits notes:*  
1. CV = Critical Value

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	<p>2. <i>AV = Adjustment Value</i></p> <p>3. <i>To calculate noise limits in Table N1:</i>  <i>If <math>bg \leq (CV - AV)</math>:</i>  <i>Noise limit = <math>bg + AV</math></i>  <i>If <math>(CV - AV) &lt; bg \leq CV</math>:</i>  <i>Noise limit = <math>CV</math></i>  <i>If <math>bg &gt; CV</math>:</i>  <i>Noise limit = <math>bg + 0</math></i></p> <p>4. <i>In the event that measured <math>bg</math> (<b>LA90, adj, 15 mins</b>) is less than 30 dB(A), then 30 dB(A) can be substituted for the measured background level</i></p> <p>5. <i><math>bg</math> = background noise level (<b>LA90, adj, 15 mins</b>) measured over 3-5 days at the nearest sensitive receptor</i></p> <p>6. <i>If the project is unable to meet the noise limits as calculated above alternative limits may be calculated using the processes outlined in the "Planning for Noise Control" guideline.</i></p>
<b>Agency Interest: Groundwater</b>	
GW1	The <b>holder of this environmental authority</b> must develop and implement, an ongoing Groundwater Monitoring Program (GMP) as part of mine planning and the <b>mining activity</b> .
GW2	<p>The GMP must comply with the following requirements:</p> <ul style="list-style-type: none"> <li>(a) the development of a suitable groundwater monitoring network (i.e bores/ piezometers), to monitor the level and flow of groundwater potentially impacted by the ongoing <b>mining activity</b>;</li> <li>(b) <b>pre-mining activity</b> conceptual modelling;</li> <li>(c) <b>pre-mining activity</b> predictive groundwater computer models;</li> <li>(d) standing water levels and total well depths in metres must be measured and recorded during each monitoring event and must be reported as the depth in metres from the top edge of the highest point of the casing collar to the water surface within the bore;</li> <li>(e) groundwater level trends and flows must be compared to groundwater models for model verification and confirmation or reassessment of groundwater level and flow predictions; and</li> <li>(f) evaluation of the <b>risk</b> of changes in groundwater levels and flows including appropriate modifications to the <b>mine path</b> and <b>control measures</b> to appropriately manage water levels to prevent or minimise <b>environmental harm</b>.</li> </ul>
GW3	<p>The groundwater monitoring network referred to in condition GW2 must:</p> <ul style="list-style-type: none"> <li>(a) be installed and maintained by an <b>appropriately qualified person</b>; and</li> <li>(b) be constructed in accordance with the Agriculture and Resource Management Council of Australia and New Zealand manual titled Minimum Construction Requirements for Water Bores in Australia, Edition 2, Revised September 2003, or more recent editions or supplements to that document as such become available.</li> </ul>
GW4	Any record made of the results of groundwater monitoring made in accordance with conditions GW2 and GW3 must be kept for not less than fifteen (15) years from the date the record was made.



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GW5	The holder of this environmental authority must ensure that the groundwater monitoring data gathered in accordance with this environmental authority is analysed and interpreted to assess the nature and extent of any environmental harm from the mining activity. The assessment must also include, but not be limited to, the location, nature (confined, unconfined etc.) of each aquifer, define groundwater contours and indicate direction of flow. The data collation, analysis and assessment must be conducted by an appropriately qualified person and must be submitted to the administering authority upon request.																																																																						
Agency Interest: Land and rehabilitation																																																																							
L1	Rehabilitation must commence progressively in accordance with the plan of operations.																																																																						
Rehabilitation acceptance criteria																																																																							
L2	All land disturbed by the mining activity must be rehabilitated as native bushland to ensure sustainable natural ecosystems at the point of progressive certification and surrender.																																																																						
L3	All land disturbed by the mining activity must be free from waste (excluding tailings generated from the mining activity that is used to construct landform).																																																																						
Landform																																																																							
L4	<p>All constructed landform built pre- 1 January 2007 must at least comply with the criteria specified in Table L1.</p> <p><b>Table L1 – Pre-1 January 2007 Landform Criteria</b></p> <table><tr><th rowspan="2">Mine Site</th><th rowspan="2">Description of Area</th><th>Total Area</th><th colspan="2">Type 1 Criteria</th><th colspan="2">Type 2 Criteria</th><th>Type3 Criteria</th></tr><tr><th>Area (ha)</th><th>Area (ha)</th><th>Proportion (%)</th><th>Area (ha)</th><th>Proportion (%)</th><th>Proportion (%)</th></tr><tr><td>Amity</td><td>Amity</td><td>269.3</td><td>40.6</td><td>15.1</td><td>221.9</td><td>82.4</td><td>72.2</td></tr><tr><td>Bayside</td><td>Bayside</td><td>748.6</td><td>166.9</td><td>22.3</td><td>473.8</td><td>63.3</td><td>100.0</td></tr><tr><td>Gordon</td><td>Gordon</td><td>1212.0</td><td>359.9</td><td>29.7</td><td>621.7</td><td>51.3</td><td>83.7</td></tr><tr><td>Ibis</td><td>Ibis</td><td>453.3</td><td>117.4</td><td>25.9</td><td>309.1</td><td>68.2</td><td>94.3</td></tr><tr><td>Yarraman</td><td>Yarraman</td><td>89.1</td><td>3.9</td><td>4.4</td><td>71.8</td><td>80.6</td><td>67.7</td></tr><tr><td>Enterprise and Yarraman</td><td>Yellow Violet complex</td><td>540.7</td><td>223.8</td><td>41.4</td><td>539</td><td>99.7</td><td>95.6</td></tr><tr><td>Enterprise and Bayside</td><td>Blue Lake complex</td><td>644.5</td><td>447.9</td><td>69.5</td><td>643.2</td><td>99.8</td><td>90.7</td></tr></table>	Mine Site	Description of Area	Total Area	Type 1 Criteria		Type 2 Criteria		Type3 Criteria	Area (ha)	Area (ha)	Proportion (%)	Area (ha)	Proportion (%)	Proportion (%)	Amity	Amity	269.3	40.6	15.1	221.9	82.4	72.2	Bayside	Bayside	748.6	166.9	22.3	473.8	63.3	100.0	Gordon	Gordon	1212.0	359.9	29.7	621.7	51.3	83.7	Ibis	Ibis	453.3	117.4	25.9	309.1	68.2	94.3	Yarraman	Yarraman	89.1	3.9	4.4	71.8	80.6	67.7	Enterprise and Yarraman	Yellow Violet complex	540.7	223.8	41.4	539	99.7	95.6	Enterprise and Bayside	Blue Lake complex	644.5	447.9	69.5	643.2	99.8	90.7
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L5	In the event that the areas listed in Table L1 are re-disturbed by the mining activity resulting in the reconstruction of landform post- 1 January 2007, the criteria referred to in condition L7 will apply to the re-mined area.																																																																						



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L6	In the event that the areas listed in Table L1 are re-disturbed by the <b>mining activity</b> resulting in changes to the <b>pre- 1 January 2007</b> values for area and proportion listed in Table L1, the <b>holder of this environment authority</b> must advise the <b>administering authority</b> in the <b>plan of operations</b> the changed values for area or proportion that will apply to the landform <b>pre-1 January 2007</b> .
L7	<p>Subject to condition L9, all <b>constructed landform</b> built <b>post- 1 January 2007</b> must comply with the following criteria:</p> <ul style="list-style-type: none"> <li>(a) slopes of <b>constructed landform</b> do not exceed 25 degrees from horizontal; and</li> <li>(b) 80% of the area of the <b>mining block</b> must have the <b>aspect element(s)</b> that existed in the <b>mining block, pre-mining activity</b>, returned to the same location in the <b>constructed landform</b> where the <b>volume difference index (VDI)</b> of any <b>mining block</b> is within the range of -2.5 to +5.5; and</li> <li>(c) regardless of the <b>volume difference index (VDI)</b> in conditions L7(b): <ul style="list-style-type: none"> <li>(i) at least 75% of the area of the <b>constructed landform</b> at each <b>mine site</b> must contain the <b>terrain element(s)</b> present in the <b>baseline topography</b> within the same <b>geomorphology unit</b>;</li> <li>(ii) the area covered by each <b>terrain element(s)</b> within the <b>geomorphology unit</b> in the <b>constructed landform</b> must not be less than 30% of the area covered by that <b>terrain element(s)</b> in the <b>baseline topography</b> within the same <b>geomorphology unit</b>; and</li> <li>(iii) the number of <b>terrain element(s)</b> in a <b>mining block</b> must represent; <ul style="list-style-type: none"> <li>(A) at least 80% of the number of <b>terrain element(s)</b> present in the <b>baseline topography</b> in that <b>mining block</b> where the <b>volume difference index (VDI)</b> of the <b>mining block</b> is positive; or</li> <li>(B) at least 50% of the number of <b>terrain element(s)</b> present in the <b>baseline topography</b> in that <b>mining block</b> where the <b>volume difference index (VDI)</b> of the <b>mining block</b> is negative.</li> </ul> </li> </ul> </li> </ul>
L8	In the event that the <b>landform</b> in a <b>mining block</b> cannot comply with the criteria in condition L7(c) due to compliance with conditions L7(a) and L7(b), the requirements of condition L7(a) and L7(b) take precedence to the extent of any inconsistency.
L9	The <b>constructed landform</b> does not have to comply with the criteria in condition L7 where the construction of the <b>landform</b> compromises the safety of employees.
L10	In constructing <b>landform</b> in areas specified in Table L1, it is preferable for the <b>baseline topography</b> to be used for determining the <b>aspect element(s)</b> , rather than the <b>pre-mining topography</b> .
<b>Geotechnical stability</b>	
L11	The geotechnical stability of the <b>constructed landform</b> must have a <b>factor of safety</b> of not less than 1.3.
L12	A <b>Registered Professional Engineer of Queensland (RPEQ)</b> possessing suitable qualifications and experience must certify the geotechnical stability required by condition L11 has been achieved in the <b>constructed landform</b> .

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Erosion																							
L13	All <b>land</b> disturbed by the <b>mining activity</b> must: (a) meet the criteria in conditions in L15 and L17 regarding revegetation; and (b) have the equivalent proportions of <b>litter</b> to that present in <b>representative unmined areas</b> within the <b>authorised mining tenement(s)</b> .																						
Revegetation																							
L14	The assessment of revegetated areas must comprise of sampling consistent with the <b>Queensland Herbarium Mapping Methodology</b> with appropriate modification for scale.																						
L15	Subject to condition L13 all <b>land</b> disturbed by the <b>mining activity</b> that has been revegetated <b>post- 30 June 1987</b> must comply with the criteria specified in Table L2. <b>Table L2 – Post- 30 June 1987 Revegetation Criteria</b>																						
	<table><tr><th>Performance Measure Category</th><th>Stratum</th><th>Performance Measure</th></tr><tr><td rowspan="3">Number of Species</td><td>Trees</td><td>All <b>native</b> species present in the <b>representative unmined plots</b> are present in the <b>rehabilitation</b>.</td></tr><tr><td>Trees and Understorey</td><td>The <b>native</b> species present in the <b>rehabilitation</b> is not <b>statistically significantly</b> less than 75% of the <b>native</b> species present in the <b>representative unmined plots</b> for the <b>vegetation community</b>.</td></tr><tr><td></td><td>All significant species listed in <b>The Register of the National Estate</b> must be present in the <b>rehabilitation</b>.</td></tr><tr><td rowspan="3">Density</td><td>Trees</td><td>The mean stem count of all <b>native</b> tree species greater than 2 m in height in the <b>rehabilitation</b> is not <b>statistically significantly</b> less than 75% of the mean value recorded in the <b>representative unmined plots</b> for the <b>vegetation community</b>. For each <b>native</b> tree species present in the <b>rehabilitation</b>, the mean stem count of <b>native</b> trees greater than 2 m in height in the <b>rehabilitation</b> is not <b>statistically significantly</b> less than 50% of the mean value recorded for the same <b>native</b> tree species in the <b>representative unmined plots</b> for the <b>vegetation community</b>.</td></tr><tr><td>Trees and Understorey</td><td>The mean stem count of <b>native</b> species in the <b>rehabilitation</b> is not <b>statistically significantly</b> less than 75% of the mean value recorded in the <b>representative unmined plots</b> for the <b>vegetation community</b>.</td></tr><tr><td>Cover</td><td>Trees</td><td>The mean <b>projective foliage cover (PFC)</b> of <b>native</b> species in the <b>rehabilitation</b> is not <b>statistically significantly</b> less than 75% of the mean value recorded in the <b>representative unmined plots</b> for the <b>vegetation community</b>.</td></tr><tr><td></td><td>Understorey</td><td>The mean <b>projective foliage cover (PFC)</b> of <b>native</b> species in the <b>rehabilitation</b> is not <b>statistically significantly</b> less than 75% of the mean value recorded in the <b>representative</b></td></tr></table>	Performance Measure Category	Stratum	Performance Measure	Number of Species	Trees	All <b>native</b> species present in the <b>representative unmined plots</b> are present in the <b>rehabilitation</b> .	Trees and Understorey	The <b>native</b> species present in the <b>rehabilitation</b> is not <b>statistically significantly</b> less than 75% of the <b>native</b> species present in the <b>representative unmined plots</b> for the <b>vegetation community</b> .		All significant species listed in <b>The Register of the National Estate</b> must be present in the <b>rehabilitation</b> .	Density	Trees	The mean stem count of all <b>native</b> tree species greater than 2 m in height in the <b>rehabilitation</b> is not <b>statistically significantly</b> less than 75% of the mean value recorded in the <b>representative unmined plots</b> for the <b>vegetation community</b> . For each <b>native</b> tree species present in the <b>rehabilitation</b> , the mean stem count of <b>native</b> trees greater than 2 m in height in the <b>rehabilitation</b> is not <b>statistically significantly</b> less than 50% of the mean value recorded for the same <b>native</b> tree species in the <b>representative unmined plots</b> for the <b>vegetation community</b> .	Trees and Understorey	The mean stem count of <b>native</b> species in the <b>rehabilitation</b> is not <b>statistically significantly</b> less than 75% of the mean value recorded in the <b>representative unmined plots</b> for the <b>vegetation community</b> .	Cover	Trees	The mean <b>projective foliage cover (PFC)</b> of <b>native</b> species in the <b>rehabilitation</b> is not <b>statistically significantly</b> less than 75% of the mean value recorded in the <b>representative unmined plots</b> for the <b>vegetation community</b> .		Understorey	The mean <b>projective foliage cover (PFC)</b> of <b>native</b> species in the <b>rehabilitation</b> is not <b>statistically significantly</b> less than 75% of the mean value recorded in the <b>representative</b>	
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			<b>unmined plots</b> for the <b>vegetation community</b> .	
		Ground	The mean <b>projective foliage cover (PFC)</b> of native species in the <b>rehabilitation</b> is not <b>statistically significantly</b> less than 65% of the mean value recorded in the <b>representative unmined plots</b> for the <b>vegetation community</b> .	



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L16	<p>Notwithstanding condition L15, the species specified in Table L3 must be present in all land disturbed by the mining activity that has been revegetated post- 30 June 1987.</p> <p><b>Table L3 – Species to be Present in Post- 30 June 1987 Revegetation</b></p>		
	Species	Common Name	Mines where species present pre-mining activity
	<i>Melichrus procumbens</i>	-	Bayside, Enterprise, Gordon and Ibis
	<i>Calytrix tetragona</i>	fringe-myrtle	Gordon and Ibis
	<i>Eriachne insularis</i>	wanderie grass	Bayside, Enterprise, Gordon and Ibis
	<i>Boronia saffrolifera</i>	safrole boronia	Vance
	<i>Banksia spinulosa var colina</i>	golden candlesticks	Enterprise and Vance
	<i>Petrophile canescens</i>	conesticks	Amity, Bayside, Dunwich, Enterprise, Gordon, Ibis, Vance and Yarraman
	<i>Petrophile shirleyae</i>	conesticks	Enterprise and Vance
	<i>Podocarpus spinulosus</i>	spiny-leaf podocarp or dwarf plum pine	Enterprise and Vance
	<i>Eucalyptus planchoniana</i>	planchon's stringybark	Amity, Bayside, Enterprise Gordon, Ibis, Vance and Yarraman
L17	<p>Subject to condition L13 all land disturbed by the mining activity that has been revegetated pre- 30 June 1987 must comply with the criteria specified in Table L4.</p> <p><b>Table L4 – Pre- 30 June 1987 Revegetation Criteria</b></p>		
	Performance Measure Category	Stratum	Performance Measure
	Number of species	Trees	The projective foliage cover (PFC) of <i>Acacia concurrens</i> (black wattle) in the rehabilitation is less than 40%.
		Trees and Understorey	For each vegetation community, the mean number of native species recorded in the rehabilitation is not less statistically significantly than 50% of the mean recorded in the representative unmined plots.
	Density	Trees	For each vegetation community, the mean stem count of each nominated species greater than 2 m in height in the rehabilitation is between 50 to 200% of the mean value recorded in the representative unmined plots.
	Cover	Trees	For each vegetation community, the mean projective foliage cover (PFC) of native species in the rehabilitation is not statistically significantly less than 75% of the mean value recorded in the representative unmined plots.

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		<b>Understorey</b>	For each <b>vegetation community</b> , the mean <b>projective foliage cover (PFC)</b> of <b>native</b> species in the <b>rehabilitation</b> is not <b>statistically significantly</b> less than 50% of the mean value recorded in the <b>representative unmined plots</b> .
		<b>Ground</b>	For each <b>vegetation community</b> , the mean <b>projective foliage cover (PFC)</b> of <b>native</b> species in the <b>rehabilitation</b> is not <b>statistically significantly</b> less than 40% of the mean value recorded in the <b>representative unmined plots</b> .
L18	<p>The revegetation criteria specified in Table L2 and Table L4 for the number of species do not apply:</p> <p>(a) where specific projects approved by the <b>administering authority</b> have been undertaken to increase fauna species diversity and abundance; and</p> <p>(b) to the fringing vegetation surrounding artificially created water bodies or watercourses approved by the <b>administering authority</b>.</p> <p><u>Note</u>- For the purposes of this condition, the following are considered to have been approved by the <b>administering authority</b>:</p> <p>(i) <i>Eucalyptus tereticornis</i> planted at the Bayside Mine for koalas;</p> <p>(ii) unnamed artificial wetland at the Bayside Mine that is inhabited by significant wallum frogs, other frog species, invertebrates and freshwater turtles; and</p> <p>(iii) Dam 1 and Dam 4 artificial wetlands at the Yarraman Mine that are inhabited by significant wallum frogs.</p>		
L19	<p>The following weed species must not be present in the <b>rehabilitation</b> in densities that prevent the revegetation criteria in Table L2 and Table L4 from being achieved.</p> <p>(a) <i>Pinus</i> spp; and</p> <p>(b) <i>Poaceae</i> spp, including <i>Brachiaria decumbens</i> (signal grass), <i>Megathyrus maximus</i> var.<i>pubiglumis</i> (green panic), <i>Megathyrus maximus</i> var. <i>maximus</i> (guinea grass), <i>Mellinis minutiflora</i> (molasses grass), <i>Andropogon virginicus</i> (whiskey grass) and <i>Mellinis repens</i> (red natal grass).</p>		
L20	All <b>land</b> disturbed by the <b>mining activity</b> and rehabilitated <b>post- 30 June 1987</b> that have already been mined and rehabilitated prior to 30 June 1987 must comply with condition L17.		

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Water Quality	
L21	<p>The quality of <b>waters</b> must meet one of the following criteria in the order of preference listed and be accompanied by justification to support the use of that criteria:</p> <ul style="list-style-type: none"> <li>(a) the difference in <b>relevant water quality parameters</b> between <b>pre-mining activity</b> and <b>post-mining activity</b> is not <b>statistically significant</b> (i.e. "historic assessment") - most preferred criteria;</li> <li>(b) the difference in <b>relevant water quality parameters</b> between the <b>post-mining activity</b> receiving water quality and the quality in a reference site is not <b>statistically significant</b> for the corresponding time period (i.e. "reference site assessment");</li> <li>(c) water quality guidelines developed in accordance with the process specified in the <i>Monitoring and Sampling Manual 2009 (Version 2, September 2010)</i> or revisions or more recent editions of this document as they become available for the water and for the <b>relevant water quality parameters</b> and criteria in these guidelines have been consistently achieved <b>post-mining activity</b>.</li> <li>(d) water quality guidelines developed in accordance with the process specified in the Australian and New Zealand Environment and Conservation Council (<b>ANZECC</b>) <i>Australian and New Zealand Guidelines for Fresh and Marine Water Quality</i> dated 2000 or revisions or more recent editions of this document as they become available for the water and for the <b>relevant water quality parameters</b> and criteria in these guidelines have been consistently achieved <b>post-mining activity</b> (i.e. "ANZECC process")- least preferred criteria.</li> </ul>
L22	<p>The reference site required by condition L21(b):</p> <ul style="list-style-type: none"> <li>(a) must not have been impacted by the <b>mining activity</b>; and</li> <li>(b) must be nominated by the <b>holder of this environmental authority</b>; and</li> <li>(c) must be acceptable to the <b>administering authority</b> prior to use;</li> <li>(d) must be in a similar ecological setting.</li> </ul>
L23	<p>The water quality monitoring required to be undertaken by condition L21 must be undertaken at a frequency of not less than quarterly whilst <b>mining operations</b> are being undertaken and not less than biannually when <b>mining operations</b> have ceased.</p>
Contaminated Land and Groundwater	
L24	<p>Before applying for surrender of a mining lease, the <b>holder of this environmental authority</b> must (if applicable) provide to the <b>administering authority</b> a site investigation report under the Act, in relation to any part of the mining lease which has been used for notifiable activities or which the holder is aware is likely to be contaminated land, and also carry out any further work that is required as a result of that report to ensure that the land is suitable for its final land use.</p>
L25	<p>Notwithstanding condition L21, a Site Investigation Report, prepared in accordance with the <i>Environmental Protection Act 1994</i> and <i>Guidelines for contaminated land professionals (DEHP, 2012)</i> or revisions or more recent editions of this document as they become available, must be submitted to the <b>administering authority</b> to:</p> <ul style="list-style-type: none"> <li>(a) demonstrate that the subject <b>land</b> and the groundwater affected by the diesel spill at the Amity Mine is suitable for the intended use; and</li> <li>(b) enable the <b>administering authority</b> to remove the site from the <b>Environmental</b></li> </ul>



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Management Register (EMR).																															
L26	Notwithstanding condition L21, a Salinity Investigation Report of the groundwater of the Amity Mine dredge areas and associated water expressions (i.e. Amity Swamp) must be submitted to the <b>administering authority</b> to: (a) provide and analyse water quality monitoring results; and (b) enable recommendations on the assessment of the rehabilitation success.																														
L27	The information required by conditions L25 and L26 must be reviewed and certified by a Third Party Reviewer before being submitted to the <b>administering authority</b> .																														
L28	A Third Party Reviewer must be appointed under the Environmental Protection Agency's (EPA's) Operational Policy <i>Third Party Reviewer Terms of Reference</i> or revisions or more recent editions of this document as they become available.																														
L29	Water quality monitoring required for the Salinity Investigation Report must be undertaken by a suitably qualified person in accordance with the latest edition of the <i>Monitoring and Sampling Manual 2009 (Version 2, September 2010)</i> .																														
L30	Water quality monitoring required for the Salinity Investigation Report must be undertaken from a sufficient number of sampling locations to provide <b>representative</b> data and enable an assessment of the rehabilitation success.																														
Water level																															
L31	<p><b>Acceptance criteria</b> for water level are not deemed to be met until:</p> <p>(a) an analysis of water level monitoring is undertaken to compare:</p> <p>(i) the historical water levels of the nominated waterbodies specified in Table L5, including <b>pre-mining activity</b> and <b>post-mining activity</b>, for a period of not less than ten (10) years; and</p> <p>(ii) seasonal variations for a period of not less than five (5) years; and</p> <p>(iii) the impact, if any, of the <b>mining activity</b> on the water levels of the nominated waterbodies specified in Table L5; and</p> <p>(b) water levels of the nominated waterbodies specified in Table L5 <b>post-mining activity</b>:</p> <p>(i) are not <b>statistically significant</b> to the <b>pre-mining activity</b> water levels; or</p> <p>(ii) any <b>statistically significant</b> variation to the <b>pre-mining activity</b> water levels must not be due to the <b>mining activity</b>.</p> <p>(c) it is demonstrated that there is no adverse impact on vegetation communities that are reliant upon a range in water level.</p> <p style="text-align: center;"><b>Table L5 – Nominated Waterbodies</b></p> <table><tr><th>Mine Site</th><th>Waterbody Name</th><th>Within authorised mining tenement(s)</th><th>Not within authorised mining tenement(s)</th></tr><tr><td rowspan="3">Amity</td><td>Welsby Lagoon</td><td>No</td><td>Yes</td></tr><tr><td>Amity Swamp</td><td>Yes</td><td>No</td></tr><tr><td>Flinders Swamp</td><td>No</td><td>Yes</td></tr><tr><td rowspan="5">Bayside</td><td>Kounpee Trench (also known as Wallen Wallen</td><td>Yes</td><td>No</td></tr><tr><td>Wallen Wallen Swamp</td><td>Yes</td><td>No</td></tr><tr><td>Lake Kounpee North</td><td>Yes</td><td>No</td></tr><tr><td>Kounpee Swamp</td><td>Yes</td><td>Yes</td></tr><tr><td>Lake Kounpee</td><td>Yes</td><td>Yes</td></tr></table>	Mine Site	Waterbody Name	Within authorised mining tenement(s)	Not within authorised mining tenement(s)	Amity	Welsby Lagoon	No	Yes	Amity Swamp	Yes	No	Flinders Swamp	No	Yes	Bayside	Kounpee Trench (also known as Wallen Wallen	Yes	No	Wallen Wallen Swamp	Yes	No	Lake Kounpee North	Yes	No	Kounpee Swamp	Yes	Yes	Lake Kounpee	Yes	Yes
Mine Site	Waterbody Name	Within authorised mining tenement(s)	Not within authorised mining tenement(s)																												
Amity	Welsby Lagoon	No	Yes																												
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	Wallen Wallen Swamp	Yes	No																												
	Lake Kounpee North	Yes	No																												
	Kounpee Swamp	Yes	Yes																												
	Lake Kounpee	Yes	Yes																												

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		Blaksley Lagoon	Yes	Yes
		Shag Lagoon	Yes	Yes
		Black Snake Lagoon	Yes	Yes
	Gordon	South Lagoon and Unnamed wetlands	Yes	Yes
		Canaipa Swamp	Yes	No
		Native Companion Lagoon	Yes	Yes
		Duck Lagoon	Yes	Yes
	Ibis	Ibis Central Lagoon	No	Yes
		Ibis Lagoon	No	Yes
		Dakka Bin Wet Heaths	No	Yes
		Bumbaree Swamp	No	Yes
		Little Canalpin Creek	Yes	No
		Little Canalpin Swamp	Yes	No
		Canalpin Swamp	Yes	No
		Jaragil Lagoon	Yes	No
		Mungaree Lagoon	Yes	No
		Odgee Lagoon	Yes	No
		Lamberts Swamp	Yes	No
	Enterprise	Freshwater Creek	No	Yes
		Eighteen Mile Swamp	Yes	Yes
		TAZI Trench	No	Yes
		Herring Lagoon	Yes	Yes
	Yarraman	Yarraman Dam 1	Yes	No
		Yarraman Dam 4	Yes	No
		Yarraman Lake	Yes	Yes
		Keyhole Lakes 2 and 3	No	Yes
		Fisherman's Creek	Yes	Yes
L32	The water level monitoring required to be undertaken by condition L31 must be undertaken at a frequency of not less than quarterly.			
Fauna				
L33	The holder of this environmental authority must demonstrate that populations of endangered, vulnerable rare or near threatened wildlife, as specified in the <i>Nature Conservation Act 1992</i> and subordinate legislation, on the authorised mining tenement(s) will return to levels equivalent to other similar habitats on North Stradbroke Island.			



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### Definitions

Key terms and/or phrases used in this document are defined in this section and **bolded** throughout this document. Applicants should note that where a term is not defined, the definition in the *Environmental Protection Act 1994*, its regulations or environmental protection policies must be used. If a word remains undefined it has its ordinary meaning.

**'acceptance criteria'** means the measures by which the actions implemented to rehabilitate the land are deemed to be complete (same as completion criteria).

**'administering authority'** means the Environmental Protection Agency or its successor.

**'annual return'** means the return required by the annual notice (under section 308 of the *Environmental Protection Act 1994*) for the **environmental authority** for the **mining activity**.

**'aspect element(s)'** means a discreet area containing a specific range of aspect values delineated at a mapping scale of 1:25,000. Aspect is the dominant orientation of the landform element at that location. The **aspect elements** and their values are specified in the table below:

Aspect Element	East/West Aspect (degrees)		North/South Aspect (degrees)	
	Mean	Standard Deviation	Mean	Standard Deviation
1	15.5	24.9	93.1	20.3
2	93.0	56.2	116.5	46.0
3	113.9	33.0	39.0	25.5
4	53.0	28.4	132.7	28.1
5	37.3	28.5	61.8	22.1
6	143.3	27.7	61.6	22.2
7	107.9	31.9	148.6	27.6
8	165.7	24.5	96.3	18.7
9	94.1	26.0	20.4	18.1
10	140.4	30.6	122.1	23.8
11	61.0	29.4	40.7	24.2
12	146.4	35.7	72.9	27.0
13	151.0	28.6	112.1	21.7
14	22.5	24.1	74.7	18.4
15	151.8	25.1	68.2	19.7
16	135.3	27.2	52.8	20.6
17	33.7	29.0	114.5	24.5
18	166.1	25.5	85.1	18.0
19	132.8	31.9	127.1	26.7
20	29.5	53.6	32.0	51.3
21	68.6	34.5	142.6	33.3
22	138.1	41.8	71.9	32.1
23	51.9	33.9	52.7	24.2
24	163.5	23.2	78.1	15.8

**'appropriately qualified person'** means a person who has professional qualifications, training, skills or experience relevant to the nominated subject matter and can give authoritative assessment, advice and analysis on performance relating to the subject matter using the relevant protocols, standards, methods or literature.

**'authorised mining tenement(s)'** means those mining tenements listed on page 1 of this **environmental authority**.

**'authorised person'** means a person holding office as an authorised person under an appointment

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under the <i>Environmental Protection Act 1994</i> by the chief executive.
' <b>ANZECC</b> ' means the Australian and New Zealand Environmental Council (ANZECC) and its successor/s (i.e. the Environment Protection and Heritage Council (EPHC) and the Natural Resource Management Ministerial Council (NRMMC)).
' <b>baseline topography</b> ' means the topography of the <b>authorised mining tenement(s)</b> on North Stradbroke Island as at 1964. This topography is considered to be the <b>pre-mining activity</b> topography where areas have historically been mined.
' <b>commercial place</b> ' means a workplace used as an office or for business or commercial purposes, which is not part of the <b>mining activity</b> and does not include employees' accommodation or public roads.
' <b>constructed landform</b> ' means those parts of the <b>authorised mining tenement(s)</b> that have been mined and/or received <b>tailings</b> for disposal. This includes dredge and dry mining pits, final voids and off-path tailings areas.
' <b>control measures</b> ' means actions that can be taken in order to minimise <b>environmental impact(s)</b> or <b>environmental harm</b> . Control measures can be, but are not limited to planning, procedural or engineering controls. Control measures has the same intent as <b>risk treatment</b> .
' <b>disturbance</b> ' of land includes: <ul style="list-style-type: none"> <li>(a) compacting, removing, covering, exposing or stockpiling of earth;</li> <li>(b) removal or destruction of vegetation or topsoil or both to an extent where the land has been made susceptible to erosion;</li> <li>(c) carrying out mining within a watercourse, waterway, wetland or lake;</li> <li>(d) the submersion of areas by tailings or hazardous contaminant storage and dam/structure walls;</li> <li>(e) constructing new temporary infrastructure, including any infrastructure (roads, tracks, bridges, culverts, dam/structures, buildings, fixed machinery, hardstand areas, airstrips, helipads etc) which is to be removed after the <b>mining activity</b> has ceased; or</li> <li>(f) releasing of contaminants into the soil, or underlying geological strata.</li> </ul>
' <b>EA</b> ' means environmental authority.
' <b>EC</b> ' means electrical conductivity.
' <b>environment</b> ' has the meaning given in the <i>Environmental Protection Act 1994</i> .
' <b>environmental authority</b> ' means <b>environmental authority</b> under the <i>Environmental Protection Act 1994</i> .
' <b>environmental harm</b> ' has the meaning given in the <i>Environmental Protection Act 1994</i> .
' <b>Environmental Management Register (EMR)</b> means the register kept by the <b>administering authority</b> under Chapter 7, Part 8 of the <i>Environmental Protection Act 1994</i> .
' <b>environmental nuisance</b> ' has the meaning given in the <i>Environmental Protection Act 1994</i> .
' <b>environmental value(s)</b> ' has the meaning given in the <i>Environmental Protection Act 1994</i> .
' <b>expected impact(s)</b> ' means the predicted changes under normal conditions of a value subject to the influence of the authorised <b>mining activity</b> . Methods available for the determination of expected impacts include: <ul style="list-style-type: none"> <li>• predictions based on historical data;</li> <li>• knowledge based intuition;</li> </ul>



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<ul style="list-style-type: none"> <li>• numerical analysis; and</li> <li>• modelling.</li> </ul>	
<p><b>'factor of safety'</b> means the ratio of resisting forces to driving forces. The resisting force is the friction developed in a material along a potential failure plane under given loading conditions. The driving force is primarily gravity but can also include vibration loading and unbalanced groundwater pressures.</p>	
<p><b>'geomorphology unit'</b> means a sub-province as mapped by the Geological Survey of Queensland in Cranfield, L.C and Tuttle, J. (2002) <i>South-East Queensland Region Geoscience Data Set SEQ GIS Version 2 – Data for exploration and land use</i> or revisions of this data set as they become available.</p>	
<p><b>'holder of this environmental authority'</b> means the holder of this <b>environmental authority</b>.</p>	
<p><b>'infrastructure'</b> means water storage dams, levees, roads and tracks, buildings and other structures built for the purpose of the <b>mining activity</b>.</p>	
<p><b>'key environmental value(s)'</b> means naturally occurring surface water bodies with associated aquatic flora and fauna communities that represent a surface expression of the main groundwater aquifer or are perched above the main aquifer due to the presence of one or more indurated layers.</p>	
<p><b>'land'</b> means land excluding waters and the atmosphere, that is, the term has a different meaning from the term as defined in the <i>Environmental Protection Act 1994</i>. For the purposes of the <i>Acts Interpretation Act 1954</i>, it is expressly noted that the term 'land' in this <b>environmental authority</b> relates to physical land and not to interests in land.</p>	
<p><b>'land use'</b> – means the selected post mining use of the land, which is planned to occur after the cessation of mining operations.</p>	
<p><b>'landform'</b> – means the elevation, slope and aspect of the <b>land</b> that make up the surface of the earth.</p>	
<p><b>'litter'</b> means the uppermost layer of organic material in a soil, consisting of freshly fallen or slightly decomposed organic materials such as leaves, twigs and sticks, which have accumulated on the ground surface.</p>	
<p><b>'m'</b> means metres.</p>	
<p><b>'measures'</b> includes any measures to prevent or minimise environmental impacts of the mining activity such as bunds, silt fences, diversion drains, capping, and containment systems.</p>	
<p><b>'mine path'</b> means the total area of disturbance as a result of the <b>mining activity</b> nominated in the <b>plan of operations</b> as stripped and/or cleared area.</p>	
<p><b>'mine site'</b> means, where relevant, each of the following:</p>	
ML1159, ML1164, ML 1121	North Stradbroke Island - Gordon Mine (20 kms south of Dunwich)
ML1123	North Stradbroke Island - Vance Mine (4 kms north east of Dunwich)
ML1109, ML1122.	North Stradbroke Island - Yarraman Mine (2kms south west of Point Lookout)
ML1117, ML1121, ML1174, ML1175.	North Stradbroke Island - Ibis Mine (3 kms south east of Dunwich)
ML1105, ML1113, ML1117, ML1119, ML1120, ML1129, ML1130, ML1153, ML1162, ML1163, ML1116	North Stradbroke Island - Enterprise Mine (5 kms south east of Dunwich)
ML 1140, ML1117, ML1105, ML1119, ML1153, ML1162, ML1163.	North Stradbroke Island – Bayside Mine (Approx 2 km south of Dunwich)

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ML1112, ML1160, ML1172.	North Stradbroke Island - Amity (1.5 kms south east of Amity)
ML1103, ML1118.	North Stradbroke Island - Dunwich
<b>'mining activity'</b> means that specified in the <i>Environmental Protection Act 1994</i> .	
<b>'mining block'</b> means an area of the <b>mine path</b> or pit that is represented by a line perpendicular to the centreline of the <b>mine path</b> or pit, measured at 100 metre (m) intervals along the centreline. Where a dredge path or dry mining pit intersect, the dry mining pit is considered to be part of the dredge path.	
<b>'mining operations'</b> means, for the purposes of this <b>environmental authority</b> , clearing, topsoil stripping, dredging or otherwise extracting, <b>infrastructure</b> development (includes but is not limited to roads, intrusive exploration activities, water and electricity transmission, stockpiles), <b>tailings</b> placement etc, but excludes measures taken solely to control <b>environmental impact(s)</b> or limit <b>risk</b> , monitoring, <b>rehabilitation</b> and gaining access to areas for these purposes.	
<b>'NATA'</b> means National Association of Testing Authorities, Australia	
<b>'native'</b> means that provided in the <b>Queensland Herbarium Mapping Methodology</b> .	
<b>'native bushland'</b> means vegetation originating naturally on North Stradbroke Island.	
<b>'nominated species'</b> means <i>Allocasuarina torulosa</i> , <i>Angophora leiocarpa</i> , <i>Banksia spp.</i> , <i>Callitris spp.</i> , <i>Corymbia spp.</i> , <i>Eucalyptus spp.</i> , and <i>Lophostemon confertus</i> .	
<b>'plan of operations'</b> means that specified in the <i>Environmental Protection Act 1994</i> .	
<b>'post-mining activity'</b> means after <b>mining operations</b> have been completed.	
<b>'post- 30 June 1987'</b> means revegetation undertaken after 30 June 1987.	
<b>'post- 1 January 2007'</b> means the construction of <b>landform</b> undertaken on or after 1 January 2007.	
<b>'pre-mining activity'</b> means prior to <b>mining operations</b> commencing.	
<b>'pre-mining topography'</b> means the topography as encountered by the <b>post-1 January 2007</b> , <b>mining activity</b> at the time of that mining.	
<b>'pre-30 June 1987'</b> means revegetation undertaken on or before 30 June 1987.	
<b>'pre-1 January 2007'</b> means the construction of <b>landform</b> undertaken before 1 January 2007.	
<b>'protected area'</b> means – a protected area under the <i>Nature Conservation Act 1992</i> ; or	
(a) a marine park under the <i>Marine Parks Act 1992</i> ; or	
(b) a World Heritage Area.	
<b>'protective foliage cover (pfc)'</b> means that provided in the <b>Queensland Herbarium Mapping Methodology</b> .	
<b>'Queensland Herbarium Mapping Methodology'</b> means Neldner, V.J., Wilson, B.A, Thompson, E.J. and Dillewaard, H.A. (2005) <i>Methodology for Survey and Mapping of Regional Ecosystems and Vegetation Communities in Queensland</i> , Version 3.1 updated September 2005, Queensland Herbarium, Environmental Protection Agency, Brisbane pp.128 or revisions of this document and methodology as they become available.	
<b>'Registered Professional Engineer of Queensland (RPEQ)'</b> means a professional engineer registered under the <i>Queensland Professional Engineers Act 2002</i> .	
<b>'rehabilitation'</b> means the process of reshaping and revegetating <b>land</b> to restore it to a stable <b>landform</b> and in accordance with the <b>acceptance criteria</b> set out in this <b>environmental authority</b>	



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and, where relevant, includes remediation of contaminated land.
<b>'relevant water quality parameters'</b> means pH, conductivity, turbidity or suspended solids, aluminium, iron, zinc and silicon.
<b>'representative'</b> means a sample set which covers the variance in monitoring or other data either due to natural changes or operational phases of the <b>mining activity</b> .
<b>'representative unmined areas'</b> means, at each <b>mine site</b> , two (2) or more representative control plots that are established in typical areas of similar chemical and physical characteristics, as nominated by the <b>holder of this environmental authority</b> . <b>Rehabilitation</b> must be compared with those <b>representative unmined areas</b> that most typically reflect erosion within the <b>authorised mining tenement(s)</b> .
<b>'representative unmined plots'</b> means, at each <b>mine site</b> , two (2) or more representative control plots that are established in typical areas of each <b>pre-mining activity vegetation community</b> , as nominated by the <b>holder of this environmental authority</b> . <b>Rehabilitation</b> must be compared with those <b>representative unmined plots</b> that most typically reflect the <b>pre-mining activity vegetation community</b> that the <b>holder of this environmental authority</b> is seeking to redevelop in the <b>rehabilitation</b> .
<b>'risk'</b> means the change of something happening that will have an impact on objectives.
<b>'risk management'</b> means the culture, processes and structures that are directed towards realizing potential opportunities whilst managing adverse effects.
<b>'risk treatment'</b> means the process of selection and implementation of measures to modify <b>risk</b> .
<b>'sensitive place'</b> means; <ul style="list-style-type: none"> <li>• a <b>dwelling</b>, residential allotment, mobile home or caravan park, residential marina or other residential premises; or</li> <li>• a motel, hotel or hostel; or</li> <li>• an educational institution; or</li> <li>• a medical centre or hospital; or</li> <li>• a public park or gardens (excluding a <b>protected area</b> under the <i>Nature Conservation Act 1992</i>, the <i>Marine Parks Act 1992</i> or a World Heritage Area); or</li> <li>• a place used as a workplace, an office or for business or commercial purposes which is not part of the <b>mining activity</b> and does not include employees accommodation or public roads.</li> </ul>
<b>'stakeholders'</b> means an individual or group concerned with or affected by the environmental performance of the <b>holder of this environmental authority</b> .
<b>'statistically significant(ly)'</b> means when the difference between groups of data is sufficient for a statistical test to reject the <i>null hypothesis</i> (i.e. where the data has been analysed using a valid statistical analysis tool and there is a 95% probability that the conclusions are correct).
<b>'tailings'</b> means the sand and slimes generated from the <b>mining activity</b> .
<b>'terrain element(s)'</b> means a discreet area containing a specific range of elevation, slope and aspect values delineated at a mapping scale of 1:10,000. The terrain elements and their values are specified in the table below:

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Terrain Element	Elevation (m)		East Aspect (degrees)		North Aspect (degrees)		Slope (degrees)	
	Mean	Standard Deviation	Mean	Standard Deviation	Mean	Standard Deviation	Mean	Standard Deviation
1	48.5	14.0	130.1	35.1	50.9	24.7	3.4	2.4
2	2.4	2.1	116.8	54.3	97.5	48.4	0.6	0.9
3	59.3	8.4	73.0	45.4	135.2	31.1	3.5	2.3
4	75.3	12.5	164.3	22.9	90.3	19.2	8.8	3.9
5	39.9	9.5	156.7	29.3	101.2	26.2	5.6	3.7
6	93.5	8.5	32.9	34.2	73.6	26.6	4.1	2.2
7	65.9	10.6	56.2	28.2	139.7	33.1	11.3	4.7
8	161.3	17.8	147.6	32.2	107.3	30.3	9.2	4.8
9	83.7	10.5	126.6	33.6	46.9	25.9	4.8	2.5
10	33.9	7.1	43.2	38.3	112.7	40.0	3.4	2.5
11	37.6	11.1	25.0	17.3	111.4	19.9	12.8	4.3
12	115.3	16.6	71.1	41.9	138.3	26.1	5.6	3.1
13	2.9	2.5	36.5	33.3	75.6	37.3	0.7	1.2
14	76.8	15.7	69.1	29.7	32.1	18.7	17.2	4.3
15	92.0	16.1	137.5	22.8	51.4	18.4	14.6	4.5

Terrain Element	Elevation (m)		East Aspect (degrees)		North Aspect (degrees)		Slope (degrees)	
	Mean	Standard Deviation	Mean	Standard Deviation	Mean	Standard Deviation	Mean	Standard Deviation
16	36.0	23.0	42.4	13.7	132.5	13.2	29.6	6.2
17	119.1	10.1	66.5	34.0	38.1	23.8	7.4	4.2
18	92.1	15.5	120.6	28.0	144.0	20.5	15.7	4.6
19	110.5	7.2	148.3	31.1	71.5	27.4	4.9	2.6
20	123.5	10.6	164.1	17.4	94.3	20.3	9.8	3.2
21	58.5	10.9	135.5	21.5	133.7	20.9	10.1	3.8
22	130.7	23.2	17.7	16.7	85.6	22.1	17.4	4.3
23	48.0	10.0	145.9	22.1	57.9	20.0	15.4	4.3
24	91.7	12.6	43.1	23.5	51.2	19.2	10.8	3.4
25	57.6	9.8	168.3	12.3	95.5	15.2	19.4	4.6
26	47.5	21.8	156.8	14.6	71.7	20.8	28.2	4.8
27	25.4	7.9	53.0	67.2	24.1	32.6	6.4	9.5
28	142.9	11.1	61.5	65.5	92.7	27.3	5.4	3.1
29	106.4	11.2	17.7	20.3	90.1	20.7	10.7	3.6
30	140.5	9.4	135.9	27.5	51.6	21.9	5.7	2.8
31	38.2	10.4	66.9	24.6	150.7	19.0	11.9	5.9
32	26.7	10.1	169.4	12.1	87.5	14.5	16.4	5.3
33	66.9	8.0	31.6	34.1	73.1	26.9	5.2	3.3
34	42.4	11.2	53.0	29.0	45.1	21.9	8.5	4.5
35	59.9	18.8	44.5	19.9	48.1	18.5	26.1	5.3
36	22.4	12.9	85.9	28.7	25.3	15.8	18.5	7.1
37	100.5	16.6	167.2	14.2	94.2	17.3	18.7	4.9
38	4.2	4.3	48.1	24.4	132.8	26.0	2.7	3.2
39	89.6	8.8	103.2	40.4	143.3	27.2	5.2	3.1
40	109.8	13.2	39.4	23.1	127.5	22.1	21.0	5.1
41	147.8	18.2	107.3	38.8	142.5	21.0	14.0	4.6
42	51.5	9.4	13.3	17.4	88.5	17.2	12.2	4.8
43	7.1	6.2	128.8	27.8	45.3	24.9	3.3	3.3
44	23.4	10.1	130.6	27.1	135.3	23.6	9.5	5.8
45	78.3	9.6	15.3	15.3	96.1	18.9	16.3	5.0
46	13.0	7.4	29.3	33.3	87.2	30.1	5.9	4.1
47	45.8	22.4	25.4	16.2	68.1	18.8	23.1	4.9
48	160.1	15.5	52.0	38.7	56.6	30.4	7.9	3.9

'the Act' means the *Environmental Protection Act 1994*.

'trees' means the definition of predominant stratum (or layer) provided in the **Queensland Herbarium Mapping Methodology**.

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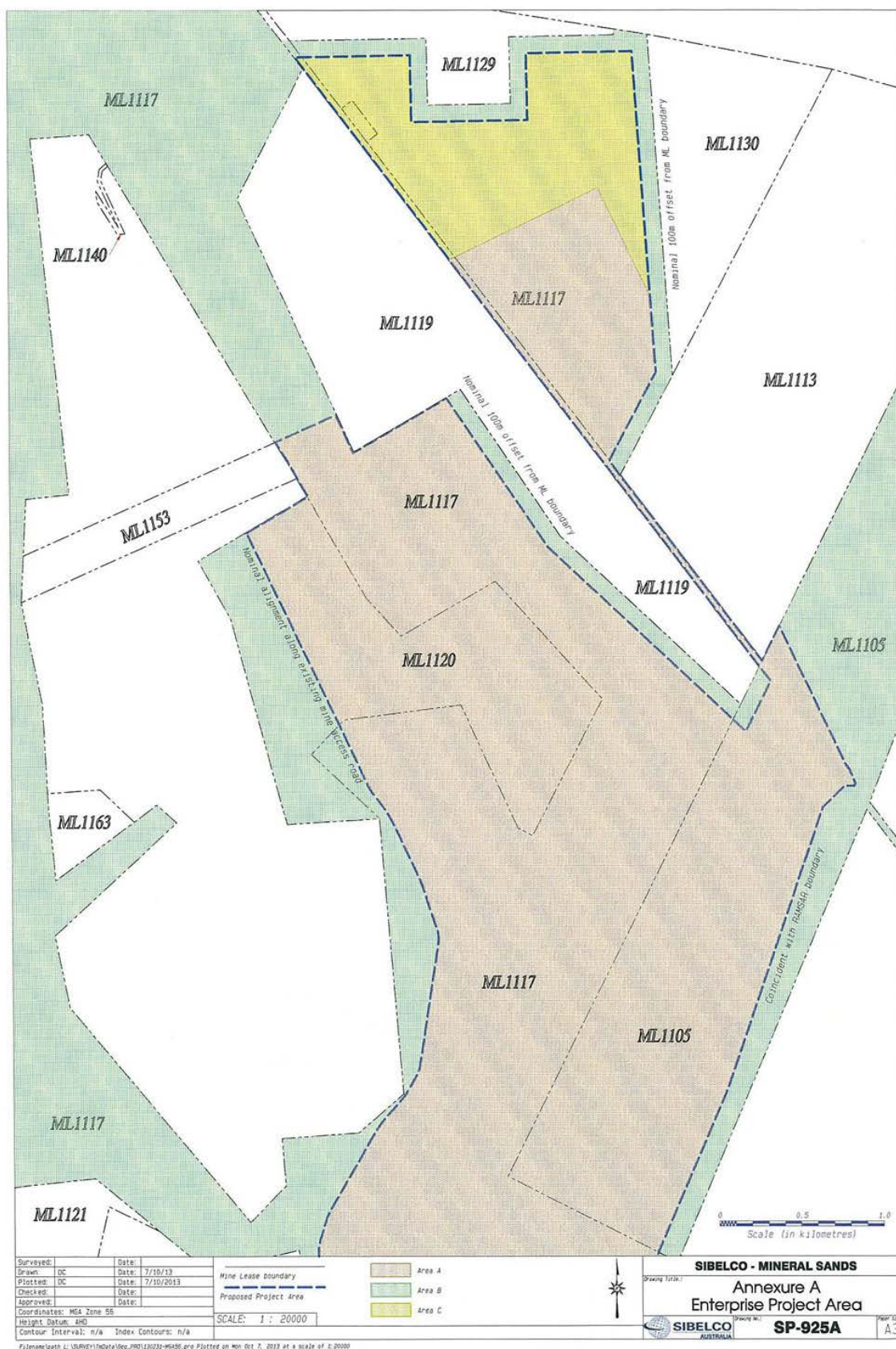
<b>'trigger level(s)'</b> means the level of change in an <b>environmental value(s)</b> that initiates a <b>risk management</b> response to prevent <b>environmental harm</b> .
<b>'understorey'</b> means that provided in the <b>Queensland Herbarium Mapping Methodology</b> .
<b>'µS/cm'</b> means micro siemens per centimetre.
<b>'vegetation community'</b> means that provided in the <b>Queensland Herbarium Mapping Methodology</b> .
<p><b>'volume difference index (VDI)'</b> is expressed by the following formula:</p> $VDI = (Tv - Mv) / AMB$ <p>Where</p> <p>VDI = Volume Difference Index</p> <p>Mv = Volume of material mined from a <b>mining block</b> (m<sup>3</sup> in situ)</p> <p>Tv = Volume of <b>tailings</b> from another <b>mining block</b> used to fill the same <b>mining block</b> referred to in Mv after it was mined (m<sup>3</sup> as placed)</p> <p>AMB = Area of the <b>mining block</b> referred to in Mv (m<sup>2</sup>)</p>
<b>'waste'</b> means that specified in the <i>Environmental Protection Act 1994</i> .
<b>'water quality'</b> means the chemical, physical and biological condition of water.
<b>'watercourse'</b> has the same meaning given in the <i>Water Act 2000</i> .
<b>'waters'</b> includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), groundwater or any part thereof.
<b>'zone of impact'</b> means those areas, whether on or off the <b>authorised mining tenement(s)</b> , where the <b>mining activity</b> could or do result in a change in the <b>environment</b> . Also refer to the definition for <b>environmental impact(s)</b> .

END OF PERMIT

**Attachments**

Annexure A Enterprise Project Area – Drawing Number SP-925A







**Ms TRAD:** This clause inserts new schedule 2A 'Environmental authority', which was also requested by Sibelco in its May briefing note to the government, which has been tabled through the estimates process earlier this year. It also includes the map of mining lease areas provided by Sibelco. I cannot recall a mining company ever having their maps legislated in this parliament, particularly when we consider all of the environmental sensitivities around this issue. Sibelco asked to have their map included in the legislation, and they did.

**An honourable member** interjected.

**Ms TRAD:** If only Clive Palmer knew, yes. I will take that interjection. If only Clive Palmer knew how much it would cost to get his own legislation up in this House.

The environmental authority removes protection against mining of category A or B environmentally sensitive areas for the Enterprise mine lease. The department claims that there are no category A or B environmentally sensitive areas in mining lease areas. However, as I outlined earlier tonight, it has been established that there are actually culturally sensitive areas in the mining lease area as recorded on the Aboriginal cultural heritage database. They are yet to be included in the Aboriginal cultural heritage database.

For the benefit of the parliament, for the benefit of the people of Queensland and especially for the benefit of the Quandamooka Yoolooburabee people, perhaps the minister would like to ask his counterpart minister to table those sections of the database that do actually outline those areas of cultural significance that are included in the area to be mined by Sibelco until 2035.

**Mr CRIPPS:** The question from the member for South Brisbane seeks to question the legitimacy of the environmental authority that we are embedding into this bill and into the act to protect the important environmental values of North Stradbroke Island. I think it is an extremely responsible step for the government to be taking to ensure that not only model but specific conditions are being put into the environmental authority to protect the environmental values of North Stradbroke Island.

Can I make the point to all honourable members, as I did earlier tonight, that one of the most extraordinary and incompetent things that the former government did when it passed its legislation relating to North Stradbroke Island through this House was that it failed completely and utterly to provide any provision for the remediation of mine sites on North Stradbroke Island. They were so distracted by getting a media release out, so distracted by doing a press conference on North Stradbroke Island—during which they embarrassed themselves by claiming that rehabilitated land was pristine sand dunes—that they introduced into this House a flawed, error-riddled piece of legislation that we are now fixing up.

We are actually providing for the extension of the mining leases with non-winning conditions at the conclusion of the mining activity so that the mining proponent will actually have the ability to access the site to remediate it. That is responsible law. That is responsible public policy. It is something that the previous government did not practise. So distracted were they by their Greens preference deals that they failed to protect the environment. We are not making the same mistake.

Amendment agreed to.

Clause 14, as amended, agreed to.

Clauses 15 to 17, as read, agreed to.

### Third Reading

**Hon. AP CRIPPS** (Hinchinbrook—LNP) (Minister for Natural Resources and Mines) (1.44 am):  
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. AP CRIPPS** (Hinchinbrook—LNP) (Minister for Natural Resources and Mines) (1.44 am):  
I move—

That the long title of the bill be agreed to.

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

Motion agreed to.

## MINISTERIAL STATEMENT

### Parliamentary Crime and Misconduct Committee



**Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (1.45 am): In accordance with the resolution passed in the House yesterday, I can report that I have now had a briefing from the chair of the PCMC, the member for Gladstone. I can now report that my concerns raised in this House over the last 48 hours have been substantiated. The PCMC inquiry into Dr Ken Levy was tainted from the outset. I have alleged over the last 48 hours bias by the members for Bundamba, Nicklin, South Brisbane and Inala.

The PCMC met yesterday afternoon for their final determination in relation to the matter and the investigation with respect to Dr Ken Levy. Having left Dr Ken Levy out in the corridor waiting for his chance to respond to the serious allegations, Dr Levy was never afforded the opportunity to respond. Inside—

**Ms PALASZCZUK:** I rise to a point of order, Madam Speaker.

**Madam SPEAKER:** Leader of the Opposition, what is your point of order?

**Ms PALASZCZUK:** I am very concerned about the Attorney-General moving this motion because in documents before the PCMC from Philip Nase, which are on the public record, the Attorney-General is named as a party. I find that he is bordering on bias by raising these issues when clearly he is named and by the documents his office is implicated.

**Madam SPEAKER:** Please take your seat. Leader of the Opposition, the minister currently has the call. I am going to allow the minister to continue. There will be an opportunity later on for the Leader of the Opposition to put her point. I call the Attorney-General and Minister for Justice.

**Mr BLEIJIE:** Thank you, Madam Speaker. I will continue my ministerial statement. The PCMC met this afternoon, having left Dr Ken Levy outside. This was his final opportunity to provide his evidence and respond to the allegations that were made against him in various hearings. Dr Ken Levy, I am advised, was not afforded that opportunity.

Inside the committee meeting the PCMC were determining whether or not the allegations of bias were founded. We have clearly seen tonight, with the statements made by the chair of the PCMC, that the committee had decided that there was a level of bias, therefore the PCMC could not proceed with the investigation into Dr Ken Levy. In its report tomorrow the matter is going to be referred on to an ethics committee by resolution of this House. A second motion was moved whereby selective transcripts would be released. Having the PCMC decide that with regard to some of its members there could be a perception of bias—

**Ms TRAD:** I rise to a point of order, Madam Speaker.

**Madam SPEAKER:** Attorney-General, take your seat. What is your point of order?

**Ms TRAD:** The Attorney-General is misrepresenting the deliberations of the PCMC.

**Madam SPEAKER:** That is not a point of order. Please take your seat.

**Ms TRAD:** He is misrepresenting the deliberations.

**Madam SPEAKER:** I call the Attorney-General.

**Mr BLEIJIE:** As I was saying, having the resolution, which the honourable member for Gladstone advised tonight, that the PCMC would now no longer be hearing this matter, I can only ascertain that one of the reasons for that is that there is a perception of bias amongst some of the members of the PCMC. They had resolved in one of their motions, pursuant to the briefing I had, that they would recommend to the House that the matter of Dr Ken Levy be referred to an ethics committee. A second motion was moved in the PCMC, I am advised, that a selection of transcripts would be released, as was the case, by the chair last evening.

So we had the allegations of bias. The committee met yesterday afternoon. Having denied Dr Levy the opportunity to respond to the allegations over various days and testimony, the committee then decided to refer it off to an ethics committee but released selective transcripts. In my view, the PCMC has all but confirmed its bias by some of its members. Despite this bias, honourable

colleagues, the PCMC, having ascertained the position of bias, then proceeded to vote on the two motions—one, to refer this matter to the Ethics Committee and, secondly, to release selective transcripts. So the very members that I have alleged perceived bias then voted on motions on this particular issue. What is concerning me is that these particular members should have gone into the PCMC meeting yesterday afternoon and recused themselves from any further deliberation on these matters.

**Opposition members** interjected.

**Madam SPEAKER:** Order, members!

**Mr BLEIJIE:** And, Madam Speaker, I submit that they should not have proceeded to the votes whilst those members were still in the room. More concerning is the selective release of transcripts. I note that one of the transcripts released was the—

**Opposition members** interjected.

**Madam SPEAKER:** Order, members! I call the Attorney-General.

**Mr BLEIJIE:** I note that one of the transcripts released was from the public hearing—already in the public domain. The second transcript that was released was the original testimony of Dr Ken Levy. The third transcript that was released was testimony by one Mr Lee Anderson. Other transcripts and other hearings were not released. I believe that there has been a denial of natural justice and procedural fairness owed to Dr Ken Levy particularly in the light of the fact that we now have a selective release of evidence or testimony out in the public. I submit to you, Madam Speaker, that this continues to be a trial by media by those honourable members opposite and they should have ceased—

**Opposition members** interjected.

**Mr BLEIJIE:** Madam Speaker, those honourable members with alleged perceived bias, who I submit on their own motion of the committee have referred this matter out of the hands of the PCMC to an ethics committee, should have ceased their work and sought the guidance of this House. There are serious failings of the parliamentary committee too large to ignore. The risk to Dr Ken Levy's reputation is too great to not be taken seriously enough by this House.

In conclusion of the ministerial statement, I confirm my statements in the last 48 hours. I have severe reservations with respect to the investigation into Dr Ken Levy, the Acting Chairman of the CMC, based on the alleged perceived bias by honourable members opposite and the member for Nicklin.

## MOTION

### Parliamentary Crime and Misconduct Committee



**Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (1.53 am), by leave, without notice: I move—

That the House notes—

1. the chair of the Parliamentary Crime and Misconduct Commission (PCMC) has foreshadowed the PCMC will report that members of the committee may have been biased;
2. in light of paragraph 1 above that the PCMC, as currently constituted, cannot fairly determine the matter currently before it;
3. notwithstanding the PCMC's own findings of bias by some of its members the chair has tabled transcripts taken by the committee and authorised to be released by the committee with no finding or determination made against any person;
4. that Dr Ken Levy has not been afforded any opportunity to respond or comment on the transcripts tabled;
5. the tabling of transcripts in the absence of a response by Dr Levy may be highly prejudicial and may lead to 'trial by media';
6. no conclusions can or ought to be drawn simply from the tabled transcripts; and
7. in order to ensure natural justice and procedural fairness, Dr Levy be afforded the opportunity to respond by statement to be tabled in this House at the earliest opportunity.

Interruption.

## PRIVILEGE

### Alleged Intimidation of a Member



**Ms TRAD** (South Brisbane—ALP) (1.53 am): Madam Speaker, I rise on a matter of privilege suddenly arising.

**Madam SPEAKER:** What is your matter of privilege suddenly arising?

**Ms TRAD:** Madam Speaker, the Attorney-General's statements in the House just now refer to deliberations of the PCMC and some detail about findings of bias by members of the committee. Given that I am one of the committee members named by the Attorney-General, I feel it important under standing order 248 to get up and explain that this is not the case, Madam Speaker. The PCMC did not make any decisions or deliberations or conclusions in relation to bias. The PCMC acquitted its responsibilities by discharging the matter to the Ethics Committee for appropriate consideration, and that was a unanimous decision—a unanimous decision. Furthermore, Madam Speaker—

**Mr NICHOLLS:** Madam Speaker, I rise to a point of order.

**Madam SPEAKER:** I will ask both members to please take their seats. I will address this issue first. Member for South Brisbane, in speaking to a matter of privilege suddenly arising you speak to the issues where you feel aggrieved. I would ask you to please wrap that up. There is a motion before the House. Does the Treasurer still want to raise a point of order?

**Mr NICHOLLS:** Madam Speaker, I rise to a point of order. The member refers to standing order 248, which is 'Point of order and matter concerning powers, rights and immunities'. So far she is actually debating the contents of the motion that is being discussed. I would ask that you bring her back to the matters that she sought to raise under standing order 248 and not to debate the issue.

**Madam SPEAKER:** Thank you very much, Treasurer. Take your seat. That is what I just addressed the member to do in respect of the matter. So, member, please wrap this up.

**Ms TRAD:** I will, Madam Speaker. Thank you for your indulgence. Madam Speaker, the position that has been put by the Attorney-General seeks to intimidate these members of the committee that he has named.

**Madam SPEAKER:** Member, there is a motion before the House. I ask you to wrap up your matter of privilege.

**Ms TRAD:** I will. Madam Speaker, I want to make it clear that it is wrong that there is any suggestion that the PCMC has made any finding of bias against me, the member for Bundamba, the member for Inala or the member for Nicklin.

**Madam SPEAKER:** Member, I ask you to take your seat. There is a motion before the House. I call the member for Gladstone.

## MOTION

### Parliamentary Crime and Misconduct Committee

Resumed from p. 4147.



**Mrs CUNNINGHAM** (Gladstone—Ind) (1.56 am): I rise to speak to the motion that has been moved by the Attorney-General. Part 1 of that motion says—

The Chair of the Parliamentary Crime and Misconduct Commission (PCMC)—

the Parliamentary Crime and Misconduct Committee; sorry, there is an error in that motion—


has foreshadowed the PCMC will report that members of the committee may have been biased;

The observation and the statement about perceived bias was made by the Attorney-General. The committee in its deliberations—and I certainly hope I am not breaching committee proceedings by saying this—was concerned that the matters be heard in an environment that was beyond reproach. The committee also believes that the triggers for the matters to be heard by an ethics committee had also been reached, and it was also in part on that basis that a referral to an ethics committee was recommended and supported by the committee. It was also in part because of the statements by the Attorney-General that he believed that members of the PCMC had shown bias that the PCMC's recommendation included that the ethics committee be a select committee for the purpose of hearing the Ken Levy matter. The motion continues—

that Dr Ken Levy has not been afforded any opportunity to respond or comment on the transcripts tabled;

Dr Levy has had access to those transcripts. It is true, in the briefing that I gave the Attorney-General, that the opportunity this afternoon did not transpire. But can I say on the record that there have been several opportunities for Dr Levy to comment on the matters that are before the committee.

I would like to believe that the committee and this House offer natural justice and procedural fairness to all individuals involved in this matter. Indeed, that is part of the consideration why certain transcripts were released and certain transcripts were not. But I believe firmly that the information that was released was not intended in any way to be prejudicial but to forthrightly, transparently and honestly represent the matters that have been before the committee over the last period of time. Of the three transcripts that have been released, one is a public transcript and the other two are proceedings of the committee, but the majority decision of the committee today was to release the three transcripts that I tabled earlier today. I certainly will be interested in any further debate on this matter and certainly in the decision of this House.

 **Hon. JW SEENEY** (Callide—LNP) (Deputy Premier and Minister for State Development, Infrastructure and Planning) (2.00 am): I rise to support the motion moved by the Attorney-General and to express my surprise and dismay at the comments that have been made by the member for Gladstone in response.

**Ms Palaszczuk** interjected.

**Mr Mulherin** interjected.

**Madam SPEAKER:** Order!

**Mr SEENEY:** We have a situation here where this committee is clearly dysfunctional.

**Opposition members** interjected.

**Madam SPEAKER:** Order! Members!

**Mr SEENEY:** We have a situation where a committee that faced an accusation or a possibility of bias itself conceded that it had shown bias. The issues raised this morning by the Attorney-General were indefensible for members of the PCMC. They were indefensible for any member who understood the parliamentary committee system in this House. To engage in that sort of comment and debate about a matter that was before the committee is indefensible. The committee itself recognised that. Following the ministerial statement made by the Attorney-General this morning, there has been no attempt to avoid that indefensible situation. Instead, the committee has conceded, quite rightly, that it is no longer in a position to consider the matter fairly.

The reason that I am dismayed and disappointed at the comments made by the member for Gladstone relate to the transcripts that were released in this House previously. The decision about which transcripts were going to be released was made by a committee that itself had conceded bias. The transcripts that were released were but part of the proceedings of the committee. The question that leaps out is: how did the committee decide which transcripts to release and which not to release? Was that decision influenced by the bias that the committee itself has conceded?

It is too much to expect that the bias that they have conceded, the bias that has influenced the activities of the committee up to this point, was not a factor in deciding which of those transcripts should be released. I am dismayed and disappointed that the member for Gladstone would, first of all, as chairman of the committee allow that committee to make that decision about which transcripts to release and which not to release. But then to come into the parliament and suggest that that was a fair situation leaves me dismayed and disappointed.

It is also disappointing that Dr Levy was not given the opportunity to respond to the accusations made in these transcripts before they were released. We have a situation where a committee that has conceded bias has decided to selectively release some of the transcripts which contain accusations against a particular person and then not give that person an opportunity to respond. That is an outrageous situation. It is a denial of any sort of procedural fairness or natural justice. It calls into question the understanding that members of this committee have about their role. The members of this committee, I believe, have clearly demonstrated that they do not understand the role of their committee. They do not understand the role that they are supposed to play as bipartisan members of that committee, because their actions to date have been anything but bipartisan. They have sought to make every political opportunity possible out of this situation. They have in the instances illustrated by the Attorney-General this morning shown bias that in my view is undeniable and bias in their own

view that cannot be defended and that was not defended today. They never sought to defend the situation. They conceded that they could no longer hear the matter before them and suggested that another committee be formed to do that.

The motion that the Attorney-General has moved tonight is the first step in redressing that situation. The first step is to allow a person who has been accused or a person who has appeared before this committee to have a right of reply to the transcripts that were selectively released by the member for Gladstone. How could anybody suggest that is not a fair proposition? The person who was denied the opportunity to put their case to the committee this afternoon and then was subject to transcripts containing accusations made by the committee being released publicly should at least have the opportunity to respond. The motion before the House seeks to give Dr Levy the opportunity to respond.

**Ms Trad** interjected.

**Mr SEENEY:** The member for South Brisbane can make all sorts of noises. She can scream, yell and carry on in that semi-hysterical way that we have come to know, but the basic logic of the proposition being put in the motion by the Attorney-General cannot be denied even by someone as hysterical as her. You cannot deny that a person who is accused in any forum should have the right to answer the accusations—to put their side of the story. What we have here is a committee that has already conceded bias has decided to put those accusations into the public forum—to table them in the House, to make them available publicly, but to deny the opportunity of the person involved a right of response. That cannot be justified and it cannot be argued as being any sort of reasonable situation to allow it to stand.

The Attorney-General has, quite rightly, on behalf of the government moved a motion tonight which makes it very clear that this parliament will allow an opportunity for Dr Levy to have his side of the story heard, in the same way that the member for Gladstone tabled the transcripts which contain all of the allegations that were made. For the benefit of members who have not had an opportunity to read them, the transcripts tabled by the member for Gladstone contain all of the hysterical allegations that you would expect from the member for South Brisbane and the member for Bundamba. All of those allegations are in the transcripts that have been tabled and are now public property. They are now available publicly. What they did was take all of those allegations that were conceived in bias and concoct a situation where they themselves voted to put those allegations into the public domain without giving the person the subject of those allegations the opportunity to respond. That is simply unacceptable, and it cannot be justified except by the hysterical rantings of those opposite.

I would suggest that the motion that has been moved by the Attorney-General is but the first step in addressing the situation that this dysfunctional committee has placed before this parliament. It is but the first step, but it is a step that must be taken tonight as soon as is practicably possible following the release of the documents by the member for Gladstone.

In conclusion, I repeat that I am dismayed and disappointed that the member for Gladstone as chairman of the committee has allowed this situation to develop to the point that it has. I am dismayed and disappointed that the member for Gladstone has allowed this biased committee to vote on this course of action. I am dismayed and disappointed that the member for Gladstone fails to understand the gravity of the situation that she has allowed to develop in this parliament tonight.

**Honourable members** interjected.

**Madam SPEAKER:** Deputy Premier, we will pause the clock. Members, I appreciate that this is a heated debate but the interjections are not being taken and they are too loud. I call the Deputy Premier.

**Mr SEENEY:** I can but conclude by urging all honourable members to support the motion that has been moved by the Attorney-General. It is the very least we can do to return some sense of fairness and justice to a situation which would be intolerable in any forum, let alone the parliament of Queensland.



**Ms PALASZCZUK** (Inala—ALP) (Leader of the Opposition) (2.10 am): I move—

That all words after 'House' be deleted and replaced with 'conduct a full public independent judicial inquiry into the truthfulness of the statements made by the acting chair of the CMC, Dr Ken Levy, to the PCMC'.

I cannot believe what we have seen from the executive, from this parliament today in this House. Let me start from early morning when we saw the Attorney-General come into this House and allege bias against members of this House. At the time I raised a point of order. I was very concerned that this Attorney-General would raise issues on which the chair of the CMC had publicly stated that

all members should refrain from comment. Why was I concerned that this Attorney-General had made those comments? It was very clear because of the two public documents that had been tabled—one was from the acting chair and one was from Philip Nase. I quote from Philip Nase's letter in which he clearly says—

The caller was a Mr Lee Anderson. He said he had been speaking to the AG and had a thought to pass on to Ken.

The Attorney-General is mentioned as a participant in relation to matters that could be perceived to have been before the PCMC.

**Mr Bleijie:** Why didn't they call me as a witness?

**Ms PALASZCZUK:** We do not know if you were called as a witness. I do not know. We do not know because the hearings were conducted in private. If we want to talk in this House about an alleged perception of bias—

**Honourable members** interjected.

**Mr Seeney** interjected.

**Madam SPEAKER:** Order, members! Deputy Premier, I would ask you to cease your interjections. I call the Leader of the Opposition.

**Ms PALASZCZUK:** If we want to talk about alleged perception of bias, I put it to the House that the Attorney-General is alleged to be biased by raising issues in which he is directly implicated by letters from the committee, from Philip Nase. What we are seeing in this House this evening is nothing less than a cover-up from an executive that wants to run and hide. I have listened in all seriousness tonight—

**Mr Bleijie:** No, you haven't.

**Ms PALASZCZUK:** Yes, I have—to what the independent chair of the Parliamentary Crime and Misconduct Committee has said. In response to the motion moved by the Attorney-General, the chair has raised concerns about the content of that motion. She herself has raised concerns. Earlier this evening we saw the chair of the PCMC table documents in this House. I have had a brief chance to peruse some of those documents. These documents speak for themselves. These documents finally reveal to Queenslanders the truth.

**Mr Seeney:** Why didn't you table all of them?

**Mr Bleijie:** They have been tabled, Deputy Premier.

**Mr Seeney:** Why didn't you table all of the transcripts?

**Madam SPEAKER:** Order!

**Ms PALASZCZUK:** I am not on the committee.

**Madam SPEAKER:** I will pause the clock. I call the Leader of the Opposition.

**Ms PALASZCZUK:** Over the last hour we have seen a parade of the senior executive leadership team running in and out of the Premier's office. We saw the Deputy Premier going in. We saw the Treasurer going in. We saw the Attorney-General going in. We saw the Leader of the House going in. They were running in and out of the Premier's office, 'What do we do? What do we do?' It was crisis meeting at the helm.

Queenslanders have every right to be concerned because what these documents reveal is that the acting chair of the CMC has given contradictory evidence to the PCMC.

**Mr Seeney:** No, you are judging him already. You have not heard his side of the story.

**Ms PALASZCZUK:** I am stating facts. I am making statements of fact.

**Government members** interjected.

**Madam SPEAKER:** Order, members!

**Ms PALASZCZUK:** If we want to talk about allegations, you have done nothing but attack the independence of the CMC since you came into government. It is absolutely disgraceful.

**Honourable members** interjected.

**Madam SPEAKER:** Leader of the Opposition, I ask you to direct your comments through the chair. I also ask members on my left and my right to cease their interjections. I call the Leader of the Opposition.

**Ms PALASZCZUK:** I recall earlier this year when we had the matters before the committee about the shredding of Fitzgerald documents, and what did we hear from the Attorney-General? 'Ross Martin must face the committee. Ross Martin must be brought to justice.' That is what the Attorney-General did. The Attorney-General of the state did not act as the first law officer. You went after Ross Martin and you hounded him. That is what you did. That is exactly what you did as Attorney-General and you are an absolute disgrace.

**Madam SPEAKER:** Leader of the Opposition, I ask you to address your comments through the chair.

**Ms PALASZCZUK:** Secondly, what did the Attorney-General do? He said everything needs to be open and public. There is nothing more open and nothing more public than to have a full independent—

**Mr Pitt:** Public inquiry.

**Ms PALASZCZUK:**—public judicial inquiry. This is a cover-up that goes to the heart of the Premier's office.

**Honourable members** interjected.

**Madam SPEAKER:** Leader of the Opposition, resume your seat. I will start warning members under the standing orders if they do not pay attention to the chair. Your interjections are not being taken and they are interjections at cross purposes. I call the Leader of the Opposition.

**Ms PALASZCZUK:** This is the biggest cover-up I have ever witnessed in the Queensland parliament. The executive's statements are completely contradictory in terms of the way they treated Ross Martin as chair of the CMC compared with the way they are now treating the Acting Chair of the CMC, Ken Levy. These documents speak for themselves. What we saw with the motion moved previously by this Attorney-General was that the Attorney-General obviously did not want these documents to see the light of day.

**Mr Bleijie** interjected.

**Ms PALASZCZUK:** No, this is a cover-up. These documents show clearly that Dr Levy, the Acting Chair of the CMC, went up to the Premier's office, went up to level 15, to the Premier's office, to be prepped for his interview with Des Houghton and got his riding instructions. These are the facts. Every member of the executive should hang their head in shame.

**Government members** interjected.

**Ms PALASZCZUK:** You should hang your head in shame. Why did the Premier not come forward—

**Honourable members** interjected.

**Madam SPEAKER:** Order, members!

**Mr Seeney** interjected.

**Mr Pitt** interjected.

**Ms PALASZCZUK:** Why did the Premier not come forward and say that Lee Anderson had—

**Madam SPEAKER:** Order! Leader of the Opposition, take your seat. Deputy Premier and Leader of Opposition Business, I warn you both under standing order 253A and I call the Leader of the Opposition.

**Ms PALASZCZUK:** Also in these documents there are allegations that phone calls were made, from memory, from the Attorney-General's office. What did the Attorney-General know? This is why we need a full public judicial inquiry. It involves the Attorney-General's office. It involves the Premier's office. I want to know what did the Attorney-General know and when?

What did the Premier know; where and when? What did the Deputy Premier know; where and when? These are matters that go to the heart of how our democracy is run in this state. If the motion had been previously passed to silence the members of the PCMC, Queenslanders would have been left in the dark and every member of this House would have been left in the dark, and no-one would have been wiser. Not one person would have been wiser.


Queenslanders are waking up to the truth, and the truth is a stark reality. Dr Levy was appointed for a further seven months with no advertisement, yet the Treasurer who sits opposite over here can appoint an under-Treasurer after a worldwide search that leads straight back to his office, where he appoints someone within one week. How can it take 14 months to appoint a chair of the



CMC, one of the most important positions in this state with its independence and integrity? This is the person who is supposed to be dealing with these outlaw motorcycle gangs, the person who is supposed to be looking at misconduct, the person who is supposed to be the guardian of integrity in this state. How can Queenslanders continue to have confidence in this government if you continue to allow him to continue in this situation?

The only resolution that members can definitely vote on tonight is for a full independent judicial inquiry. I implore all members: if you believe in fairness and integrity, if you want to get to the heart of the matter, if you want to allow procedural fairness and if you want to ensure that there are no allegations of bias, the only way is to have a former judge conduct a judicial inquiry into this matter. This is nothing less than a cover-up. The Attorney-General has a lot of explaining to do and the Premier has a lot of explaining to do, because Lee Anderson was involved and the documents also imply that his chief of staff, Ben Myers, also knew about it as well. This is what is alleged in these transcripts. No wonder they are all sitting there with their heads in their laps. No wonder they are not looking and they do not want to hear about it. This is absolutely shameful! This is shameful, and it is disgraceful that we are debating this at 2.30 in the morning of the last sitting week of the Queensland parliament. We can all remember how we ended the last sitting week of last year. That was not very good, but this is far worse.

These public transcripts speak thousands of words. Queenslanders will now know the truth, and the real test about the integrity of this House, the integrity of the government and the integrity for the rest of Queensland is: will this government act? Will this government act and say, 'We are going to get to the bottom of it. We are going to have a full, independent judicial inquiry.' I will not accept anything less, and I will go out there every single day until the next election until you commit to a full, independent judicial inquiry.

 **Mrs MILLER** (Bundamba—ALP) (2.23 am): I second the amendment to the motion moved by the Leader of the Opposition. I am the deputy chair of the PCMC. I would like to place on record and support what the chair of the PCMC has said this evening in relation to the deliberations of the PCMC this afternoon. I am very concerned that the Attorney-General, who is supposed to be the first law officer of this state and beyond reproach, has moved in this House a motion that is fundamentally false and dishonest and wrong to the very core of the motion.

In relation to point 1, the motion moved by the Attorney-General says—

The chair of the PCMC has foreshadowed the PCMC will report that members of the committee may have been biased. .

This is dishonesty. It is false. It is wrong. It is as simple as that. I now go on to point 3. It says—

Notwithstanding the PCMC's own findings of bias by some of its members ...

There were no findings of bias at the PCMC, so therefore point 3 of this motion moved by the Attorney-General is fundamentally false, it is dishonest and it is wrong.

I go now to point 4 of the motion moved by the Attorney-General, and this point says—

That Dr Ken Levy has not been afforded any opportunity to respond or comment on the transcripts tabled.

I would like to advise that that is fundamentally false as well. I cannot by law divulge the proceedings of the committee, but I can assure members of the House that point 4 is fundamentally false as well.

I would like to go on and also say that I agree with the amendments moved by the Leader of the Opposition in relation to the fact that a full independent judicial inquiry is the only way forward. My view is that the members opposite, particularly the National Party members, have never forgotten and never forgiven Bill Gunn for bringing Tony Fitzgerald to look into police corruption in 1987, and the members opposite have waited 26 years to get even with the children of Fitzgerald, which was the CJC, which is now the CMC, and the Queensland Crime Commission—

**Mrs Frecklington** interjected.

**Mrs MILLER:** I take that interjection from the member for Nanango because you come from Bjelke-Petersen's seat, and look what happened to him! So what we have here is a situation which just really appals me—that is, that the Attorney-General can come into this House, the people's House of Queensland, and move a motion here that is dishonest, wrong, and just outrageous. Can I just say that the real opportunity here is that the Attorney-General and the LNP government opposite wants to nobble the CMC and the PCMC because they have never got over the fact that the Fitzgerald inquiry uncovered the corruption that was in this state for decades.

I would also like to point out that the only way forward is a full, independent judicial inquiry. That is what is needed. That is certainly what is needed at this stage, because there are people in Queensland who want to know what is going on in this state. The people of Queensland, we have to respect, put many of the LNP representatives into power. We accept that. But I tell you what, the members of the community of Queensland will never again put up with corruption because they lived with corruption prior to 1987. They lived with it, and they will not put up with it again. As the Leader of the Opposition has said, we will go from the Torres Strait islands down to Coolangatta and out west, and we will preach from every pulpit in every community in relation to this issue that this is a cover-up.

This is similar to Richard Nixon's Watergate. In fact, this is Newman's 'Levygate'. It is a disgrace that at 2.30 am on the last sitting of the parliament we are here in this parliament debating what is clearly a falsehood. I say to the decent members, if there are any opposite in the LNP—

**Ms Trad:** Where are the Liberals? Where are they?

**Mrs MILLER:** Where are the Liberals? Where are the people who are the decent people—

**Mr Pitt:** Looking sheepish.

**Mrs MILLER:** They are looking very sheepish, because 'Levygate' is going to come back and bite them. Members should not vote for something here this morning that the chairperson of the PCMC and I as the deputy chairperson have outlined to them to be fundamentally wrong in its very nature—fundamentally dishonest. If the members of the LNP opposite here this morning vote for this motion they will be judged by their community members. I say to the members of the LNP opposite that what they should be doing is looking at the Attorney-General. They should be supporting the amendment moved by the Leader of the Opposition to have a fully independent judicial inquiry. The truth must come out in relation to Newman's 'Levygate'. It must come out. The truth must be there.

I would like to place on record my support for what the independent member for Gladstone, the chair of the PCMC, has said. That is, Dr Ken Levy has been afforded several opportunities to respond—several opportunities. I cannot go any further in relation to that because if I did so I would be breaching the act under which we operate.

I say to everybody in this parliament: we all remember—well, I do not know whether some of the younger members might remember. A lot of us in this parliament remember what this state was like pre 1987. In fact, it was the moonlight state.

**Government members** interjected.

**Madam SPEAKER:** Order, members. There is too much noise. There are too many interjections. I call the member for Bundamba.

**Mrs MILLER:** It was the moonlight state. We also had a situation where people in Queensland thought this state was run by a government which was rotten to the core. What we have here tonight with this motion moved by the Attorney-General is the same situation, whereby a motion before this House demonstrates that they are still rotten to the core. It is not on. Other members of the PCMC, if they would like to speak tonight, will confirm what the chair and I as deputy chair—the two senior members of the PCMC—have said in relation to this.

**Government members** interjected.

**Madam SPEAKER:** Order! Pause the clock. Member for Bundamba, I ask you to pause. Members, I would ask you to keep your interjections down. They are not being taken. I call the member for Bundamba.

**Mrs MILLER:** In conclusion, this government, this Premier, this Deputy Premier and this Attorney-General have dug a hole themselves. They had no need to get into this state at all. Normally what happens is that there is bipartisan support for an acting chair. That did not happen. Like the Leader of the Opposition said, they have not even advertised. They have not even been able to do that. What a joke! What an absolute joke!

I say again: we will not allow this type of alleged corruption of the process to go on in this state. For those of us who grew up in this state—like me, colleagues in this parliament and many millions of people in this state—in the Bjelke-Petersen era, in an era when there was corruption after corruption and corruption in this parliament, where we had Leisha Harvey go to jail, where we had other ministers go to jail, where they were proven to be corrupt—

**Government members** interjected.

**Madam SPEAKER:** Order! Pause the clock.

**Mrs MILLER:** We will not allow this to happen again.

**Madam SPEAKER:** Member for Bundamba, I ask you to take your seat for a moment. I appreciate, again, that this is a heated debate and there are strong statements being made, but it is not assisting the dignity of the House with the noise starting to escalate as members' interjections are climbing over the top of each other and competing with the person with the call. I call the member for Bundamba.

**Mr Dowling:** The person with the call is making the most noise.

**Madam SPEAKER:** I now warn the member for Redlands under 253A.

**Mrs MILLER:** Thank you very much, Madam Speaker, for your protection from the member for Redlands—

**Ms Trad:** A former PCMC member.

**Mrs MILLER:**—who is also a former PCMC member. We had a situation in the early eighties where Don Lane was jailed, where Brian Austin was jailed, where Leisha Harvey was jailed, where Russ Hinze died with allegations of corruption against him, where we had a Premier of Queensland—Bjelke-Petersen—who was tried on corruption charges. We also had a situation where Terry Lewis was tried and jailed for corruption. Queensland was the laughing stock of Australia. The point is that the LNP members opposite want to take this state back there. We will not allow this to happen.

I also remind the House—

**Government members** interjected.

**Madam SPEAKER:** Order, members. I think the night is going to stretch even more with the interjections and the interplay. I would ask you to keep your interjections down. I call the member for Bundamba.

**Mrs MILLER:** I would also like to remind members of this House about the memorandum of understanding in the Mundingburra by-election. A lot of people may have forgotten that, but that was an absolutely grubby act.

This goes to the heart of democracy. It goes to the heart of good governance of this state. This goes to the heart of what this parliament is about. Everybody in this chamber represents their own people in their own communities. I put it to every member that no-one—no-one at all in this state—wants to go back to the moonlight state, back to decades of corruption. I also put it to the House that this LNP government has waited 26 years to get even with the CMC. They want to nobble the CMC and they want to nobble the PCMC.

Madam Speaker, I would particularly ask you to rule on the truthfulness of this motion that the Attorney-General has moved. Madam Speaker, tonight you have heard from the chair of the PCMC. You have heard from myself as the deputy chair of the PCMC. Madam Speaker, we are at one in relation to the truth in relation to the proceedings of the PCMC. We are at one and we agree with the proceedings of the PCMC. The Attorney-General was not there—unless he was told by members of his side who were appointed to the PCMC. If that is so, the members of the LNP who are on that committee have in fact breached their duties in accordance with the act. Madam Speaker, I would ask you to rule on the truthfulness of this honestly and sincerely.

**Madam SPEAKER:** I will ask you to please take your seat and pause the clock. Order, members! The member for Bundamba has asked me to make a ruling in respect of the truthfulness of aspects of this motion. It is not up to the chair to determine the matters that are contained in this motion and therefore I am not able to do so. There is a debate before the House and the issues that are being discussed are in fact appropriate to debate rather than for the chair to rule upon.

**Mrs MILLER:** Thank you very much, Madam Speaker. In conclusion and referring to the amendment moved by the Leader of the Opposition, the truth must come out. The only way for the truth to come out in relation to Newman's 'Levygate'—

**Madam SPEAKER:** Member for Bundamba, I ask you to refer to members by their correct titles.


**Mrs MILLER:** Levygate, Madam Speaker. He is not a member.

**Madam SPEAKER:** You referred to the Premier but not by his title. I ask you to refer to members by their correct titles.

**Mrs MILLER:** Okay; Premier's 'Levygate', Madam Speaker. We have a situation here now where the Attorney-General has clearly verbaled the chair of the PCMC in relation to a briefing that he had. We also have a situation where the truth of the matter must come out. We have a situation

here where, I think very reasonably and responsibly, the Leader of the Opposition has called for a full independent judicial inquiry. Madam Speaker, if the government has nothing to hide, it will do it—it has nothing to fear—and it will today act to appoint a judge, preferably from interstate, to conduct a full independent judicial inquiry, and it is only with a full independent judicial inquiry that the truth will come out.

Madam Speaker, I have been an observer of this parliament nearly all my life. Madam Speaker, I have been a member of this parliament for nearly 14 years and it saddens me that I am here this morning at 20 minutes to three placing on the record the falseness, the inaccuracies and the fibs in a motion that is going to be moved here in the parliament tonight. I am saying to all Queenslanders—every single Queenslanders in this state: please do not allow our great state to fall into corruption again.

 **Hon. TJ NICHOLLS** (Clayfield—LNP) (Treasurer and Minister for Trade) (2.43 am): If we have ever heard such a diatribe of rubbish in this place in relation to this issue, it is hard pressed to remember. We have a simple motion here. We have a simple motion that reflects the information that has been provided by the chairman of the committee to the Attorney-General. I refer to the statement made at 11.35 pm yesterday evening by the chairman of the PCMC. Here is the statement from *Hansard*—

One of those decisions that was made related to the concern that the Attorney-General expressed in relation to perceived bias by members of the committee in relation to statements that were made. On the basis in part of those concerns, the decision was made by the committee this afternoon to refer the matter to a newly constituted select Ethics Committee ...

There you have it, Madam Speaker. The chairman of the PCMC is saying that when they gathered together on the basis of their own perceived bias they were unable to confidently reach a conclusion in relation to the matters that have been referred to them, and there you have the truth of the first statement made by the Attorney-General in the motion tonight—

The Chair of the ... (PCMC) has foreshadowed the PCMC will report that members of the committee may have been biased ...

There you have her statement and the statement made in the motion tonight, and you can see that they line up.

I hear a lot of talk about cover-ups. There has been no cover-up. All the information has been made available. Indeed, it was tabled tonight. The transcripts were tabled tonight. If there had been any attempt to cover up, there could have been action taken by the government to stop the release of that material. But did the government do that? No, it did not. It did not. What we saw was the chair of the PCMC table transcripts that were selected by the members of the PCMC who had already apprehended their own bias. So after they had made a decision themselves that their report could be tainted because they apprehended there would be a bias, they then made a decision and selected what was to be released and the executive government in this place did not stop that occurring.

So where is the evidence of the cover-up? Where is the evidence of the cover-up? Hang on a second: how foolish of me! Here is the evidence of the cover-up—transcript of hearings Friday, 1 November, transcript of hearings in camera Wednesday, 13 November, transcript of hearings Monday, 18 November. What a cover-up! All those documents that the committee itself wanted tabled have been tabled. What has occurred if there is a cover-up is the failure to release all of the evidence—all of the transcripts. If all of the protestations about their desire for openness and transparency had played out, we would have seen all of the transcripts displayed here. If they had a real desire, as members opposite have said, for openness, transparency and fairness, they would have afforded the subject of their inquiry an opportunity to respond to the matters that have been put there.

We heard again this evening the member for Gladstone's disappointment—and I believe she was disappointed—that they were unable to have Dr Levy present his response to the allegations that have been raised in the evidence put forward by the transcripts and presumably other material that we have not seen tonight. But today Dr Levy was denied that opportunity. He was denied that opportunity and then the transcripts were released and we have then seen the flow of vitriol that has come out of the ALP this evening condemning him without even letting him defend himself. So all of the principles that they stand for—about fairness, about transparency—they threw out the window in the last hour as they proceeded to condemn Dr Levy without any opportunity to defend himself. I heard them refer to comments that the Attorney might have made about Mr Ross Martin, and at no stage did anyone walk into this place and say, 'I have lost complete and utter faith in Ross Martin and he should be sacked.' At no stage did that happen. What did happen—

**Honourable members** interjected.

**Madam SPEAKER:** Order! Pause the clock. Members, the number of interjections is only going to make the debate longer because I will pause the clock until we get control of the House and respect for the person with the call. I call the Treasurer.

**Mr NICHOLLS:** What we saw when Mr Martin was subject to inquiry was a full and open inquiry. Who established a full and open inquiry into the operations of the CMC? It was this government. It was not a secretive, behind closed doors selective transcript inquiry; it was a full and open public inquiry into the affairs of the CMC that saw I think over 4,000 pages of Fitzgerald testimony shredded.

Tonight, we are seeing the complete opposite: a group of people who apprehend that they will have a bias or that their outcome might be perceived as biased, who have themselves decided, according to the chair, on the basis in part of those concerns, to refer the matter to a newly constituted Ethics Committee so that no bias in relation to the matters in discussion could be assessed. So on their apprehension that bias could be a problem they have said, 'We can't decide it,' but notwithstanding that they have made a decision about what they will and will not release to the public.


So the hypocrisy of the position becomes abundantly available. We have now a committee that, in truth, is unable to discharge the functions that it has been given to accurately and effectively supervise the operations of the PCMC and to act in an impartial and fair manner. We have members who have already publicly said that they have lost faith in the chair of the PCMC. So they have prejudged an outcome. They have then sat on a committee. When it has been brought to their attention, they have realised the error of their ways. The chair of that committee has said, 'We apprehend our report will be tainted because of bias so we are going to recommend that it go to another committee' and then they make a decision about the material that ought to have been released. In the meantime the person who is the subject of their inquiry has no opportunity to respond despite coming down here and waiting, as I understand, an hour and a half to present his case to the PCMC this afternoon.

The only people who are complaining and going back to the past—and there is no suggestion on this side of the House that anything else will be the case—are the members of the ALP, who cravenly go back to the events of 26 or 27 years ago because they have no vision for the future. They realise that what they are saying tonight is in direct contradiction to the way the PCMC ought to operate in a fair, frank and unbiased fashion, because they have been unable to do that tonight.

Tonight, we have had the accusation being made against Dr Levy. We have had the calls to resign being made against Dr Levy. We have had the public performance by the Leader of the Opposition, who, on the only day she chose to go to a PCMC inquiry was the day it was the open inquiry, and then we have days of secret inquiry and then we do not give the person the subject of that inquiry, whose name has been pushed through the media with those accusations, the right of response.

So what does the motion moved by the Attorney-General today call for? It says simply, 'We should let Dr Levy have his say. He should give his side of the story. He should be able to respond to the unfounded allegations that have been made, to the evidence that has been presented, to the evidence that has been tabled selectively'—and I would say highly prejudicial to his reputation—to avoid him having a trial by media and to note that no finding has been made.' No finding has been made in relation to Dr Levy and his actions.

So you have a series of highly prejudicial events pushed out by a committee that says that it has an apprehension of its own bias causing concerns about its report. We are simply saying, 'There is nothing that you can take out of the material that has been presented for the reasons that are set out in the motion and Dr Levy should be afforded the same right of reply that is afforded to members of the public who seek a right of reply when statements are made in this House.' It is an entirely sensible motion. The hysteria on the other side is entirely unwarranted. Dr Levy is entitled to have his say as much as any other person is and he is not entitled, nor does he deserve, to have his reputation tarnished and abused in the way that the ALP is doing simply for cheap political shots.

 **Ms TRAD** (South Brisbane—ALP) (2.55 am): I rise to make a contribution to the debate and in support of the Leader of the Opposition's amendment to the motion. I think it is important that we reflect upon how this government has treated the PCMC generally since it came to power. We know that late last year this government reconstituted the membership of the PCMC to exclude the member for Gaven, because, as has become apparent, the member for Gaven could not be controlled by those opposite.

**Madam SPEAKER:** Member for South Brisbane, I ask you to address the motion or the amendment before the House. The hour is late and the tolerance for matters going wide is wearing thin.

**Ms TRAD:** Madam Speaker, thank you. I appreciate your guidance. In relation to some of the comments that have been made tonight about the member for Gladstone, I would like to put on the record that I have found the comments from the Deputy Premier to be incredibly offensive and incredibly intimidating. The member for Gladstone is a longstanding Independent member of this parliament. The member for Gladstone will on occasion disappoint the Labor members of this parliament. The member for Gladstone will on occasion disappoint the LNP members of this parliament. But to come in here and suggest for one single second that the member for Gladstone has not discharged her duties as the independent chair of the PCMC in relation to this issue is an absolute outright lie.

**Madam SPEAKER:** Member for South Brisbane, that word is unparliamentary in this chamber. I ask that you withdraw.

**Ms TRAD:** Madam Speaker, I withdraw. The member for Gladstone, working in cooperation with every member of the committee, working in cooperation with the expert assistance of the secretariat and the Clerk of the Parliament, has spent a long time deliberating on all of the information, all of the evidence that has been provided throughout our investigation of this matter. There have been long deliberations, there have been long discussions and there has been, I think, quite a strong level of bipartisanship brought at every decision-making juncture in relation to this issue. Let me address some of the issues.

**Mr CRANDON:** I rise to a point of order. It is my view that the member is misleading the parliament in that last statement that she made.

**Madam SPEAKER:** That is not a point of order. I ask you to take your seat.

**Ms TRAD:** In relation to the assertion that the PCMC has foreshadowed that members of the committee may have been biased is incorrect, as the member for Bundamba has outlined. In relation to point 2 of the motion that has been put by the Attorney-General—that the PCMC as currently constituted cannot fairly determine the matter currently before it—that has been addressed. The issues raised by the Attorney-General have meant that the PCMC has made a determination to send the matter off to the Ethics Committee.

For anyone in this House to suggest, as the Deputy Premier has, that the committee has conceded bias on this matter is simply incorrect. It is wrong. I am offended by any suggestion that the committee has conceded bias on behalf of anyone.

I want to address something that the Deputy Premier said in relation to the transcripts being full of allegations. These transcripts, as the Leader of the Opposition has said, speak for themselves. There are questions and there are answers. There are questions from members of the committee and there are answers from witnesses. That is the way parliamentary committees work. Just because those members opposite do not like the questions or they do not like the answers, it does not mean that they should be kept secret.

Let us be clear what has been happening over the last two days. This has been a deliberate strategy of sabotaging the PCMC. This has been a deliberate strategy of sabotaging the inquiry that has happened. And why is that? Because if you sabotage the inquiry, if you sabotage the PCMC, then perhaps you need to go back to square one and perhaps the transcripts do not get released. I am mindful of the words that the member for Gladstone used when she tabled the transcripts earlier this evening in the House. She said 'in the interests of truth'. Let us not lose sight of that. I know it might be uncomfortable for those opposite, but in the interests of truth these transcripts have been tabled and they have been made public.

And what is the truth? Let us talk about the truth. The truth is that Dr Ken Levy came to a public hearing of the PCMC and responded in a way to the Leader of the Opposition's questions which suggested that he had no contact with government before he published his op-ed piece. That is the truth. He came to a public hearing and he said that he had no contact with the government. The truth is that a few days later he wrote to the PCMC and he said, 'I have to correct my statements, I think I got it wrong. I have been reminded of contact from the Premier's office to the CMC and I need to correct my statement.' The transcripts will also show that under questioning Dr Levy also on 13 November revealed that he had had another conversation with Lee Anderson which he did not disclose on 1 November and he certainly did not disclose in his letter to the committee correcting the

record on 4 November. On 13 November Dr Levy said, 'By the way, I initiated a conversation with Lee Anderson asking him who I should contact to get the story that I wanted up?' And who was that journalist? It was Des Houghton. That is the truth.

Then we get to the testimony by Lee Anderson. That is there for everyone to read. It is dated 18 November. What do those transcripts reveal? Those transcripts revealed that not only did Ken Levy initiate a conversation with Lee Anderson to ask him who was the best journalist to call from the *Courier-Mail* to get this story up, but these transcripts also revealed statements made by Lee Anderson in the hearing that he had not only suggested Des Houghton but he also contacted Des Houghton first and had a conversation with him about Lee Anderson making the approach. We also found out that Dr Levy called Lee Anderson and asked to pop in and talk to him about his interview with Des Houghton.

**Mr NICHOLLS:** I rise to a point of order. We are debating a motion moved by the Attorney-General in relation to a right of reply by Dr Levy to which an amendment has been made. We are not debating the contents of the transcripts that have been released. I would ask you to bring the speaker back to the contents of the motion under debate and not the transcripts which she is seeking to make an argument out of.

**Mr DEPUTY SPEAKER** (Dr Robinson): Order! I ask the member for South Brisbane to speak directly to the motion.

**Ms TRAD:** Thank you. At point 6 of the Attorney-General's motion it does actually talk about the tabled transcripts which is what I am actually talking about. So, we find out that Lee Anderson, who is the director of the government media unit—so this is the top spin doctor of the LNP government.

**Mr NICHOLLS:** I rise to a point of order. If we are speaking to the amendment now, there is no reference to the transcripts at all. I would ask you to bring the speaker back to the amendment.

**Mr DEPUTY SPEAKER:** If the member for South Brisbane can address the amendment.

**Ms TRAD:** I am speaking against the Attorney-General's motion and for the amendment and I am speaking for a full independent judicial review which will reveal, as per the tabled transcripts, that Dr Ken Levy went in to the Premier's office and asked for assistance in relation to the content of his article.

**Mr NICHOLLS:** I rise again to a point of order.

**Madam SPEAKER:** I ask the member for South Brisbane to take her seat. What is your point of order.

**Mr NICHOLLS:** We are debating the amendment which calls for a judicial inquiry, we are not debating the contents of the transcripts in relation to it. We are debating the need, according to the amendment being moved, for it not the actual contents of the transcripts.

**Madam SPEAKER:** What is your point of order?

**Mr NICHOLLS:** I would ask you to bring the member back to the subject matter of the motion.

**Madam SPEAKER:** Member for South Brisbane, I ask you to address the motion or the amendment.

**Ms TRAD:** Thank you. The amendment does talk about a full judicial inquiry to investigate the truthfulness of the CMC acting chair. I am addressing the issue of the truthfulness and the discrepancies between the evidence provided by Lee Anderson and Dr Ken Levy. What we do know is that the director of the government media unit, Mr Lee Anderson, identified the journalist who Dr Ken Levy should talk to. He facilitated the initial contact. He then prepped Dr Levy for the interview. He told him what topics to cover, he told him what areas to avoid and he also did a question and answer session with him so he was adequately prepped for his interview with Des Houghton.

Madam Speaker, I put to you that all of this information came out under questioning by members of the committee: the member for Greenslopes, the member for Bundamba, the member for Gladstone, the member for Coomera. All of these answers came out from questioning by all of the members from all across the political divide. These are questions and answers that the people of Queensland deserve to know. They need to understand what is going on here: that the discrepancies between the evidence provided by Dr Ken Levy and the evidence provided by Lee Anderson are significant which is why the Leader of the Opposition's motion to have a full judicial independent review is critical. It is necessary. I will tell you why it is necessary: because when questioned about whether this level of facilitation and assistance was appropriate Mr Lee Anderson said he thought it



was. He said he thought it was. Having regard for why the CMC was established in the first place, having regard for the culture of mateship and scratching each other's backs, which was a culture identified by the Fitzgerald inquiry that needed to be changed—

**Mr NICHOLLS:** Madam Speaker, here we go again, delving back into the past, not addressing the subject matter of the motion.

**Madam SPEAKER:** I ask the member for South Brisbane to address the amendment.


**Ms TRAD:** Thank you, Madam Speaker. Look, I know the hour is late and I will not take up too much time. The Fitzgerald inquiry was a commission of inquiry by a judicial officer.

**Mr NICHOLLS:** We are not talking about the judicial inquiry.

**Madam SPEAKER:** I would ask the Treasurer to please take his seat. The member has the call, and I do ask her to address the amendment, but more interjections and points of order will delay proceedings.

**Ms TRAD:** The Leader of the Opposition has put forward an amendment that I think is a very reasonable amendment. It addresses the concerns that have been expressed by the Attorney-General. It addresses the concerns that Queenslanders would rightly have about the discrepancy in the evidence between that of Mr Lee Anderson and that of Dr Ken Levy. The only way that this issue can be resolved, and resolved outside of the party political spectrum, is for an independent judicial inquiry: nothing more, nothing less. In fact, nothing less will do.

It is incumbent on us to make sure that we maintain the CMC, not only because, as we have seen in recent days, it plays a critical function in terms of addressing the organised crime network in Queensland, but also because it plays an important role in terms of the misconduct inquiries that Queensland needs. We need it because we have a history. We need it as every state needs some sort of independent misconduct review commission that stands apart from the executive of government and that stands apart from this parliament. It needs to address concerns of misconduct and concerns of criminal activity, and it needs to do so in a way that is protected from any sense of fear or favour by the executive government of the day. I think the Leader of the Opposition's amendment to the motion is entirely sensible and it should be supported by every single member of this House who has a conscience.

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (3.11 am), in reply: I will start with the member for South Brisbane. I think the biggest admission that we heard this evening in this debate was from the member for South Brisbane saying that the PCMC is unable to deal with these matters impartially because it is political. If that is the view of the member for South Brisbane, did she hold that view two weeks ago when this started? Did the member for South Brisbane have that view when she sat and made public commentary condemning Dr Ken Levy, thinking the whole time that the PCMC can never deal with this because it is political? That is the admission that the member for South Brisbane just made: the PCMC is unable to deal with this matter because it is political. Now she is calling for some judicial inquiry.

Again I say to the member for South Brisbane: I made the allegation of bias in the past 48 hours and the committee has all but confirmed that apprehension of bias by making sure that the PCMC is not dealing with this matter anymore. When the member for Bundamba made her contribution, she talked about the PCMC being able to deal with this, that it was impartial, that she was the deputy chair, that they were all in there holding hands and singing *Kumbaya*, but that is not just true, because the member for Bundamba would have the same attitude as the member for South Brisbane, that is, that the PCMC does not have the ability and would not have the ability to deal with this matter.

This process was tainted from the outset and it should have been stopped earlier. The process was tainted when the Leader of the Opposition, on 1 November, waltzed in and booted the member for South Brisbane off the committee and made a political statement and started a political witch-hunt for Dr Ken Levy. That is when this stunt started and that is when the witch-hunt began. The Leader of the Opposition will stand condemned, because she would have started that witch-hunt based on information the member for Bundamba and the member for South Brisbane gave the opposition leader. They said, 'Come in and get this guy.' That is what has happened here. We see it now for what it is: a political witch-hunt by those biased members on a committee.

Again I make the point that if the members of the PCMC were not biased, why are not they hearing the matter today? Why are not they hearing the matter tomorrow? They are not, because they have taken it out of the jurisdiction of the PCMC, recognising the fact that there are biased members on that committee who cannot deal impartially with these matters in a bipartisan way and were going to pass judgement in that political witch-hunt on Dr Ken Levy.

We hear the member for Bundamba talk about the CMC and that this government is out to get the CMC. We are reforming the CMC to make it an organisation that fights crime, an organisation that spends its \$50 million of taxpayer's money wisely, an organisation that stops itself from self-destructing from the inside out. To see that, one has to only read former Australian Federal Police Commissioner Mick Keelty's report into the CMC. It is not enough for the member opposite, the member for Bundamba, to talk about the toxic culture in the CMC that Dr Ken Levy has to deal with as he charges ahead with the reforms to the CMC. They do not believe Mick Keelty and I guess now that I have tabled that document, he will be next on the list. They will call for his resignation because he has provided a report on the CMC. As far as the Labor Party goes, anyone who opposes or offers a contrary view to the Labor Party is a target and is not independent. The Labor Party thinks that anyone who does not agree with it should be condemned, should be slaughtered, should be cut-off at the head. That is what the Labor Party thinks.

Let us look at the report from former Australian Federal Police Commissioner Mick Keelty. If the Labor Party does not think there is enough in that report, which I tabled today, it only needs look at the PCMC report on the CMC itself produced some months ago. One of the first recommendations of the PCMC report into the CMC is that there should be a structural change to the CMC. It is not working effectively. In fact, they said that the position of chairman should be split, there should be a CEO position and the chairman should not have the pressure that chairmen such as Dr Ken Levy and others have had to deal with. We have announced a structural reform process. Dr Ken Levy, pursuant to Mick Keelty's advice today in the report, is doing a great job in trying to reform the CMC against all obstacles and against a toxic culture in the CMC that does not like the change. If it is not the Mick Keelty report that the Labor Party should rely on and if it is not the former PCMC report that the Labor Party should rely on, perhaps it should rely on the report of the honourable Ian Callinan and Professor Aroney. How much more evidence does the Labor Party need to say that we have a problem in the CMC and we have to have structural reform within CMC? That is what we are going to be doing.

**An honourable member** interjected.

**Mr BLEIJIE:** I take the interjection. This is not about shutting things down; it is about opening it up and allowing the opportunity for a gentleman with a long and distinguished career in the Public Service to defend himself against allegations. He has been denied natural justice up until this point in time. We have a PCMC committee that was tainted from the outset. I submit to the House that it should have been shut down as soon as the Leader of the Opposition made it a political witch-hunt of Dr Ken Levy. As soon as the member for Nicklin started making public comments that Dr Ken Levy should resign, he should have recused himself from the committee. As soon as the member for Inala made comments that Dr Levy should resign, she should have recused herself from the committee. As soon as the member for Bundamba tweeted on Facebook that Dr Ken Levy should resign, she should have recused herself from the committee. As soon as the member for South Brisbane tweeted on Facebook that Dr Ken Levy should resign, she should have recused herself from the committee. As soon as the opposition leader put a tweet out that said the Queensland Labor opposition believed Dr Ken Levy should have resigned, they should all have recused themselves from the committee because Dr Ken Levy was never going to get a fair trial. He was never going to get a fair hearing with the likes of the member for Nicklin making public comments and the Labor Party making public comments. He was never going to get a fair trial. It was always in the Labor Party opposition's mind that it was going to be a trial by media. That is the submissions from speakers tonight.

When we talk about the contact between relevant people, there is no crime in the chairman of the CMC talking to people. That is no crime. There are lots of accusations that he should not have particular contact. In fact, I might remind members of a couple of the provisions in the CMC act, particularly section 59(1) which expressly requires the CMC and units of public administration to work cooperatively to achieve optimal use of available resources. The CMC also has a statutory charge or responsibility in section 8 to be part of the prevention of major crime, as do sections 7, 8, 23, 25A, 26 and 275. The investigation of major crime, specifically in the form of criminal activity, including drug trafficking and violence, engaging members of criminal motorcycle gangs and associates is expressly contemplated in section 27(1)(b), the fourth dot point.

The CMC have a role and responsibility to work with all levels of government to fight major crime in Queensland, just as we are tackling the issue of criminal motorcycle gangs in the state. So then we have the member for Bundamba. Not only have they already judged that Dr Ken Levy has misled the committee, but now the member for Bundamba is accusing everyone of corruption. We have gone from allegations of misleading committees to corruption. Where does it end with the Labor Party? Where does the gutter politics end with the Labor Party? It is a big sewer. It is a big, deep sewer. Members of the Labor Party spend most of their time in that big, deep sewer.

Through this motion tonight we are giving the parliament the opportunity, firstly, to recognise the fact that this committee process was biased and tainted from the outset. Secondly, I am submitting to parliament this evening that the committee process was not only tainted but should have been fixed when it started on 1 November. We have now also heard the comments of the chair of the committee—as the honourable the Treasurer quoted earlier—in relation to perceived bias by members. Hence the PCMC is not going to be dealing with this anymore.

In conclusion, this is a political witch-hunt by the Labor Party. I draw the attention of the House to the first item of the motion where it says ‘the chair of the Parliamentary Crime and Misconduct Commission, the PCMC’. Obviously there is an administrative error there. It is the Parliamentary Crime and Misconduct Committee.

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

**AYES, 12**—Byrne, Cunningham, Douglas, Hopper, Knuth, Mulherin, Palaszczuk, Pitt, Trad, Wellington. Tellers: Miller, Scott

**NOES, 65**—Barton, Bennett, Berry, Bleijie, Boothman, Cavallucci, Choat, Costigan, Cox, Crandon, Cripps, Crisafulli, Davies, C Davis, T Davis, Dempsey, Dickson, Dillaway, Dowling, Elmes, Emerson, France, Frecklington, Grant, Grimwade, Gulley, Hart, Hathaway, Hobbs, Holswich, Johnson, Kempton, Langbroek, Latter, Maddern, Malone, Mander, McArdle, McVeigh, Millard, Minnikin, Molhoek, Nicholls, Ostapovitch, Powell, Pucci, Rickuss, Robinson, Ruthenberg, Seeney, Shorten, Shuttleworth, Smith, Springborg, Stevens, Stewart, Stuckey, Symes, Trout, Walker, Watts, Woodforth, Young. Tellers: Kaye, Menkens

Resolved in the negative.

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

**Madam SPEAKER:** Ring the bells for one minute.

**AYES, 65**—Barton, Bennett, Berry, Bleijie, Boothman, Cavallucci, Choat, Costigan, Cox, Crandon, Cripps, Crisafulli, Davies, C Davis, T Davis, Dempsey, Dickson, Dillaway, Dowling, Elmes, Emerson, France, Frecklington, Grant, Grimwade, Gulley, Hart, Hathaway, Hobbs, Holswich, Johnson, Kempton, Langbroek, Latter, Maddern, Malone, Mander, McArdle, McVeigh, Millard, Minnikin, Molhoek, Nicholls, Ostapovitch, Powell, Pucci, Rickuss, Robinson, Ruthenberg, Seeney, Shorten, Shuttleworth, Smith, Springborg, Stevens, Stewart, Stuckey, Symes, Trout, Walker, Watts, Woodforth, Young. Tellers: Kaye, Menkens

**NOES, 12**—Byrne, Cunningham, Douglas, Hopper, Knuth, Mulherin, Palaszczuk, Pitt, Trad, Wellington. Tellers: Miller, Scott

Resolved in the affirmative.

## ADJOURNMENT

**Mr STEVENS** (Mermaid Beach—LNP) (Leader of the House) (3.33 am): I move—

That the House do now adjourn.

### 11 Army Cadet Unit, Logan



**Mrs SCOTT** (Woodridge—ALP) (3.34 am): There are many options for young people today for recreational pursuits with so many sporting clubs, martial arts, an extensive network of PCYC clubs, dance schools, bands, choirs, orchestras and other options within the arts. These pursuits offer healthy exercise, teamwork and friendship, develop self-confidence and assist in both physical and mental development and so much more. Many of these skills may also develop into lifelong pursuits and even lead to a very fulfilling profession.


Other options which have attracted many young people in recent years which offer all of the other desirable benefits as well as discipline, respect and camaraderie are the cadet units to all three armed services as well as our emergency services such as the SES. I have enjoyed a long association with the 11 Army Cadet Unit, Logan, based in Meadowbrook. This unit commenced at Woodridge High and transferred to the present regiment site several years ago. The unit has grown and is now the largest non-school based unit in the nation, with over 150 cadets ranging in age from 12½ to 18.

It was a great pleasure to once again attend their passing-out parade where many cadets received awards for their activities throughout the year. They now have an excellent percussion marching band, which assists with their marching. I heard a comment from one of the Army Reservists saying, 'I wouldn't expect my Army Reserve troops to be able to accomplish some of their marching manoeuvres.' They marched proudly, and their family members and invited guests applauded accordingly.

Captain Leeanne Morris, the commanding officer, is sadly leaving the unit after 11 years, being promoted to regional headquarters where she will still have involvement with this unit, albeit less frequently. She gave an emotional farewell, and we applaud her for her leadership and the influence she has had in shaping these fine young men and women. Parents and carers play a critical role in supporting the unit and their son or daughter, and they too received thanks and acknowledgement.

A week later I attended the unit dining-in night along with my husband and a number of other official guests. This was a fitting way for the unit to wind up its activities for the year and farewell its leader. I personally wish to thank Leeanne for her time with the 11 Army Cadet Unit, Logan and wish her well in her new role. She has left a legacy of fine young men and women who will be the leaders of tomorrow.

### **Sunshine Coast Marathon; Get in the Game**


 **Hon. SL DICKSON** (Buderim—LNP) (Minister for National Parks, Recreation, Sport and Racing) (3.37 am): I rise to speak about an event I have had the pleasure to be involved with since its inception in 2012. This event is the Sunshine Coast Marathon and Community Run Festival. Having just completed its second year, the festival is now a fixture in the calendars of both serious and fun-loving competitors from across the Sunshine Coast, throughout Queensland, interstate and around the world. Families can take advantage of the terrific observation points in and around the Alexandra Headland event precinct, where they can watch and cheer on friends and family taking part in this fantastic event.

This event proudly raises much needed funds and awareness for seriously ill children and their families who are assisted by a range of worthy charities including the facilities that Ronald McDonald House provides. This year 5,800 people competed and \$192,000 was raised and distributed to charities. Planning is well underway for next year's marathon, which is to be held on Sunday, 31 August 2014.

In August, local event organisers travelled to New South Wales and promoted the Sunshine Coast Marathon at the City to Surf in Sydney. There are events for everyone, starting with the full 42-kilometre marathon, a half-marathon, a 10-kilometre run, a five-kilometre run and a two-kilometre fun run. This year we also had a one-kilometre fun run and a one-kilometre fun run wearing thongs. I would encourage anyone who has the slightest interest in jogging and those who just want to have some fun to enter next year's event and support this most worthy cause.

I would also like to talk about Get in the Game and the impacts it has had on the Sunshine Coast. Get Going had 32 projects right across the Sunshine Coast region. Get Playing had nine projects, and Get Started had 2,037 vouchers distributed across the region. We all know the impact of obesity in our young people aged between five and 15. Twenty-three per cent of them are being diagnosed with obesity. We have to do something to break that cycle. Now is our opportunity. Working together in a united fashion, members throughout Queensland need to promote Get in the Game and a healthy lifestyle because our society is dependent upon it. Our Health budget has now reached 26 per cent. Within 20 years it will be 50 per cent of the Queensland budget. We can all make a difference. We need to go back to our electorates and communicate to young people: become fit and healthy. Do not become an impact on the health system. Be healthy citizens from now into the future.


### **Silky Oaks Children's Haven**

 **Mr SYMES** (Lytton—LNP) (3.40 am): Silky Oaks is a child safety service provider in the Lytton electorate that has a strong and long history on the bayside. Silky Oaks was initially born in the heart of retired missionary Betty Cornell, who was concerned for children in Queensland who did not have a supportive home environment. Through her efforts, the original children's home was set up in the Brisbane suburb of Toowong in August 1940. In January 1947 Silky Oaks moved to its current location in Manly. Since that time, Silky Oaks has extended its range of services to families within the

local community. Currently Silky Oaks provides the following services: child care, an op shop, counselling, residential care, a driving school program, support accommodation and the monthly Silky Oaks market day, which is well supported by local Manly West and Manly residents.

On Sunday, 3 November I attended its AGM to hear the positive work being done by this organisation to help at-risk youth who live on the campus under the guidance of CEO Darren Frame. The Silky Oaks op shops and market days produced increased profits this year which has allowed management to put more money back into its service delivery. In late October the organisation was successful in receiving funding from the Department of Communities, Child Safety and Disability Services of \$1.749 million per annum for the next three years. I look forward to working with staff, management and residents in assisting at-risk youth by delivering services that will improve young people's lives. This funding is on top of Anglicare funding of half a million dollars per year for the next three years in the area and builds on the Newman government's election commitment of more front-line services to make Queensland the safest state to raise a family.

### Collinsville Energy Park

 **Mrs MENKENS** (Burdekin—LNP) (3.42 am): I rise to inform the House of developments in Collinsville. Collinsville is a very important part of my Burdekin electorate, which by the way I do regularly visit, despite what the member for Bundamba has claimed while pretending to care about the people of Collinsville. It is typical Labor grandstanding in this House and it is not actually assisting the people of Queensland. It is merely perpetuating union ire.

**A government member** interjected.

**Mrs MENKENS:** Collinsville is a wonderful town; it really is, and it has wonderful battling people who live there.

There are a lot of initiatives occurring, initiatives such as the Newman government's 30-year strategic vision to drive growth and jobs in Queensland's resources sector and innovative partnerships that this great state is once again getting on with business, prospering under such initiatives as Royalties for the Regions.


Small communities such as Collinsville are often well supported by industry. This week, RATCH-Australia committed \$100,000 to two Collinsville primary schools over the next five years, which will go towards the purchase of educational resources. Collinsville State School and Scottville State School will each receive \$10,000 each year for the next five years from RATCH, the company which is developing the Collinsville Energy Park.

Collinsville Power Station is located 90 kilometres south-west of Bowen and four kilometres west of Collinsville and is wholly owned by RATCH-Australia. The Collinsville Power Station was operated until December 2012 as an intermediate plant fuelled by locally mined coal, with a total output of 180 megawatts. It has four 30-megawatt and one 60-megawatt generator units, which were completely refurbished in 1998 through a joint venture with Transfield Collinsville Pty Ltd and NRGenerating Holdings.

RATCH-Australia is in the process of decommissioning and putting under care and maintenance the Collinsville coal fired power station. The Collinsville solar photovoltaic power station will entail the construction and operation of a 20- to 30-megawatt solar photovoltaic power station at the site of the Collinsville Power Station, which will provide electricity to about 6,000 to 7,500 homes each year, and construction is expected to start mid next year. RATCH also hopes to develop a 30-megawatt hybrid solar thermal power station to provide electricity to about 20,000 homes each year. In total, the two renewable energy inclusions will provide electricity for around 27,000 households per year.

*(Time expired)*

### Brisbane Central Electorate

 **Mr CAVALLUCCI** (Brisbane Central—LNP) (3.45 am): I recently had the pleasure of attending the Community Action Network awards night held at the New Farm Neighbourhood Centre, run by Fiona Hunt—an event better known locally as the CAN awards. The CAN awards are an outstanding event where representatives and volunteers of community groups spanning my electorate come together to acknowledge those who dedicate so much of their lives to serving our community.


There were 88 nominations in total for the 11 awards. I had the privilege of presenting some of those awards, some of which I will go through now. The Community Organisation Award went to the Rotary Club of New Farm, now one of my most active and dedicated organisations in our Brisbane Central community. The Corporate Social Responsibility Award was won by Ray White New Farm, headed by local Matt Lancashire. This local business contributes financially to so many important local events such as fetes, festivals and fundraisers.

The Ron Muir Award—in memory of one of our most dedicated community members—went to the very prominent Mr Barry Neighbour, who works tirelessly on running the New Farm Soccer Club. The Closing the Gap Award was won by Martha Dorante, who recently celebrated her 25th year at New Farm State School, working with local Indigenous students. The Community Spirit Award went to Matthew Ray, who is a very active and committed member of the local Scouts Association. The Volunteering in the Community Award was awarded to Lyndell Price of the well-known Sands Queensland organisation, a group that supports parents and families who have lost a newborn baby or suffered loss through miscarriage or stillbirth.

The Brisbane Grammar School Homework Club took out the Outstanding Education Environment Award. The Gay and Lesbian Welfare Association, mostly known as GLWA, won the LGBTIQ Award for nobly supporting the community with a daily counselling service, completely run by volunteers. The GLWA also works tirelessly for LGBT seniors in our community.

When I say that community organisations and volunteers are the backbone of our community, these winners and nominees place that statement beyond doubt. I am very proud to represent an electorate where people look out for one another and extend a hand to those who need extra support. In Brisbane Central we are home to many organisations run by talented, committed and dedicated volunteers who give hours of service to support the diversity and uniqueness of our community. In the parliament tonight I salute and thank them for all the work they do every day to make Brisbane Central an even better place to live.


### **McMaster, Mr P**

 **Mr WELLINGTON** (Nicklin—Ind) (3.47 am): This morning at quarter to four in the morning I take this opportunity to recognise a Nambour St John's College student Peter McMaster, who was chosen as one of six students to represent Australia at an international event hosted in Norway earlier this year. This international event, which I understand was organised by the Olympic movement, enabled students from all corners of the world to come together in Norway and learn about how we all can better preserve our environment while also promoting sport. The message was simple. No matter what part of the globe the students came from, they were all able to return to their respective communities after the event with the message: preserving our environment and participating in sporting events is a worthy goal and an achievable goal.

I understand that before Peter was chosen to represent Australia he was nominated by Nambour St John's College as a student who followed the Olympic ideals. I understand Peter's nomination was then supported by both the Queensland Olympic Council representatives and also the Australian Olympic Committee representatives which resulted in him travelling to Norway. While in Norway he lived in the Olympic village, attended a Norway school and participated in various sports with students from around the world.

Peter McMaster has now been awarded a soccer scholarship to return to Norway and attend the Pierre de Coubertin school next year where he will repeat year 12. I understand Peter is now trying to raise \$15,000 to support his studies next year, and I accordingly ask the Minister for Sport and the Minister for Education to consider supporting Peter next year as an ambassador for Queensland and Australia while he is overseas. I know Peter's family is proud of him. St John's College and our whole community is very proud of Peter's endeavours, and we wish him all the best for the next chapter in his life.

### **Kallangur Electorate**

 **Mr RUTHENBERG** (Kallangur—LNP) (3.49 am): I bring a message of great joy. On 14 December in Kallangur around Norths Leagues and Services Club we are doing a humungous—humungous, members—Christmas in Kallangur event. We are going to have over 65 stalls with lots of joy going on. We are going to have this huge area set aside for kids.

**A government member:** How much joy?

**Mr RUTHENBERG:** Oh, lots of joy! We are going to have this huge area set aside for kids. There are going to be rides, there is going to be an animal farm and there is going to be face painting. The kids are going to have so much fun. That is not all, Madam Speaker. We are also going to have a big stage set up and on the stage we are going to have people dancing. The whip cracker from Kingaroy is going to be there. We will have dancing going on. Later in the evening we are going to sing some Christmas carols.

**Mrs Frecklington:** What day is it?

**Mr RUTHENBERG:** 14 December. Put it in your diary—three o'clock to eight o'clock in the evening. All the families are going to be down there. It is going to be the place to be on 14 December.

**Mr Costigan:** Any steak knives?

**Mr RUTHENBERG:** Any steak knives? It depends what the stalls have, my friend. Madam Speaker, let me tell you this: there is even more exciting news than that, and that is that I am sponsoring a shopfront window contest all the way through the electorate. So if you come on out, about 60 stores have already signed up and they are going to have their shopfront windows all done up for three weeks, and the folks who like it can walk into the store and vote for it. There are big cash prizes on hand for the winner. The winner of the shopfront contest will walk away with about 3½ grand worth of prizes. We have some good corporate sponsors on board.

But that is not all. You can shop in a participating store and if you spend over the allocated amount you get a ticket and you go in the draw. We have these three humungous wheelbarrows full of stuff, and they will go in the draw to win one of those three wheelbarrows. Madam Speaker, I am truly excited because this is about celebration. But do you know what, Madam Speaker? The piece de resistance of this whole thing is that all of the money that we raise—and we are hoping to raise \$3,000 to \$4,000—will go to the Petrie SES because the SES support our entire community.

So I am really excited. I am really excited in the run down to Christmas. Madam Speaker, can you imagine—and I can because we used to do this as a kid—carols by candlelight starting with 'Tis the season to be jolly, fala la la la, la-la la la'. Can you imagine that? How good is that? Kids love that stuff. How about, 'You better watch out, you better not cry, you better not pout'. Madam Speaker, I take this opportunity to wish all my colleagues a merry Christmas.

### **Airlie Beach Whitsunday Life Saving Club**



**Mr COSTIGAN** (Whitsunday—LNP) (3.52 am): Madam Speaker, compliments of the season to you. I think I might have to borrow some red cordial from the member for Kallangur at this early hour of the morning! I rise in the chamber this morning to recognise the lifesaving community in my electorate of Whitsunday. It is very pleasing from my point of view that in recent years we have established a lifesaving club under the auspices of the Royal Life Saving Society of Queensland in Airlie Beach, and I commend President Stu Casey for getting into the community and getting that club up and running. It is very humbling for me as the local MP to serve that club as club patron.


The Airlie lifesaving club has only kicked off in the last couple of years. We commenced our beach patrols at the man-made Boathaven Beach on Saturday, 9 November. It was a terrific day and an historic day. The member for Caloundra, as patron of the Ithaca-Caloundra City Life Saving Club, would be very pleased that his good friends, the Barry family, came up in good numbers to present our club, the Airlie lifesaving club, with its first ever inflatable rubber boat. So a rubber duckie has finally come to the Airlie Beach lifesaving club, and that is certainly a step in the right direction for a fledgling club. It is a very family oriented club, as members can imagine. The Trewitt family comes to mind. It was wonderful seeing mum and dad and the three boys on the beach that day. I was quite pleased to get out on the rubber duckie with the club captain and go for a ride and spin into the waters of Muddy Bay checking for the odd rogue croc which is known to pop up every now and then.

It is certainly a club that is engaging with the community. In fact, the club has partnered with the charter boat industry to provide water safety education for young backpackers. That issue is very important and serious when we think of the perils of the water. That is something that should not be lost on the community. I also want to acknowledge the good work of the Surf Life Saving Queensland community. I also am very humbled to serve as the deputy patron of the North Barrier Branch involving the eight clubs from Sarina in the south through to Forrest Beach in the north. It was terrific to be at Mackay's Harbour Beach some months ago for the North Barrier Branch annual presentation awards night in the company of many friends. I look forward to going to the neighbouring electorate of




Burdekin next month when the North Barrier Branch championships are hosted by the Bowen club, and quite a number of lifesavers with the Bowen Surf Life Saving Club happen to reside in my electorate of Whitsunday. Our lifesavers play a pretty important role in the community and we wish all of them every success for a safe and happy festive season.

### **Ronald McDonald House Charities**

 **Mr SHUTTLEWORTH** (Ferry Grove—LNP) (3.55 am): I rise in the House this morning to discuss an event I attended on Saturday, 9 November—McHappy Day. Apart from a new-found appreciation I have for the drive-through attendants, I also took the opportunity to reflect upon the valued contribution that this charity, Ronald McDonald House, makes to many families throughout the state. Many of us would know that this charity is providing temporary accommodation for families of seriously ill children in need of medical treatments at Townsville Hospital, the Royal Children's Hospital and the Mater Children's. Families who are normally located more than 50 kilometres from the hospital their child is attending qualify for this assistance. However, it would come as no surprise that the organisational demands exceed its means to deliver. It is currently looking to expand significantly. The charity has been in existence in Australia for 32 years and currently there are 14 operational homes throughout Australia. Families might stay a day, a month or even years, and up to 299 families will be there each and every night. I visited Ronald McDonald House Charities at Herston on Thursday, 24 October and met with Brett Thompson, the learning program manager whom I had met some months earlier on a trip to Sydney, where it became apparent that my understanding of this charity was quite narrow. In attendance at the meeting were Christopher Macauley, the principal executive officer; Helen Boysen, the executive officer of operations; and Bebe Mawer, the development and relationship officer. The visit was most enlightening and clearly this charity is responsible for the delivery of a number of initiatives in addition to that which we are all familiar with—that is, the accommodation.

Throughout the visit I was to learn not only of its need for funds and volunteers and other forms of assistance but also of other programs it undertakes. The Ronald McDonald House Charities Charlie Bell Scholarship is a program which provides financial assistance towards vocational or tertiary studies for students who have experienced serious illness. These one-off grants of up to \$5,000 are to assist in fee payments for accredited programs. The Ronald McDonald House Charities EdMed program includes professional development for teachers to enable them to support children with chronic illnesses. Whilst medical recovery might occur, there is a real risk that the loss of continuity in education will impede a child for life. Low esteem and other associated effects will also often be evident in children with long-term illnesses which would be better managed through programs which ensure connectedness with peers and the child's school. In closing, I want to thank Brett for his continued efforts within Ronald McDonald House Charities and encourage all members to increase their support of this charity in the future.

### **Nanango Electorate, Schools; Premier's Reading Challenge**

 **Mrs FRECKLINGTON** (Nanango—LNP) (3.58 am): I rise to talk about some wonderful school students from the electorate of Nanango, and it is wonderful that the Hon. John-Paul Langbroek, the Minister for Education, is in the House to hear about these wonderful students. Today I had the pleasure to host four of the junior school captains from Kilcoy State High School and their principal Chris Dench. Next year students Serena Gold, Shaun Beazley, Laine Smith and Tom Goode are all undertaking the role of being a junior school captain as part of the getting ready for secondary school initiative. It was wonderful to talk to these lovely students. One of their questions today was about how late we sit at night. It has just clicked over to 4 am in the morning, so I will be pleased to talk to them about that. They also had the pleasure of telling me about the success of Kilcoy State School and Mount Kilcoy State School in that both had a team in the first Lego League tournament at QUT last weekend, a robotics competition of which there were 48 teams from across the state. Those two teams from that area are now off to the national finals, and I congratulate them and wish them good luck.

I also want to talk about what a wonderful week I have had in relation to the Premier's Reading Challenge. Over 1,030 students in the Nanango electorate are participating in this challenge, and I must give credit to Coolabunia State School, which has 99 students enrolled in the school and 99 students were presented with this award. This is the eighth year in a row that Coolabunia State School has achieved this. I congratulate those teachers. I also quickly want to talk about St Mary's College and congratulate librarian Melanie Burr for encouraging four amazing students who have

completed 50 books through the Lexile program. Those students are Lachlan Watson, Patrick Berends, Riley Frank and, very proudly, Elke Frecklington. These four amazing students have not only read 50 books this year but have had to complete a comprehension test around those books through the wonderful Lexile program. I am sure librarian Melanie Burr would encourage a lot of other schools throughout Queensland to have their students participate in this wonderful program. I congratulate all of the students from the Nanango electorate.

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 4.01 am (Thursday).

## **ATTENDANCE**

Barton, Bates, Bennett, Berry, Bleijie, Boothman, Byrne, Cavallucci, Choat, Costigan, Cox, Crandon, Cripps, Crisafulli, Cunningham, Davies, C Davis, T Davis, Dempsey, Dickson, Dillaway, Douglas, Dowling, Elmes, Emerson, Flegg, France, Frecklington, Gibson, Grant, Grimwade, Gulley, Hart, Hathaway, Hobbs, Holswich, Hopper, Johnson, Katter, Kaye, Kempton, Knuth, Krause, Langbroek, Latter, Maddern, Malone, Mander, McArdle, McVeigh, Menkens, Millard, Miller, Minnikin, Molhoek, Mulherin, Newman, Nicholls, Ostapovitch, Palaszcuk, Pitt, Powell, Pucci, Rice, Rickuss, Robinson, Ruthenberg, Scott, Seeney, Shorten, Shuttleworth, Simpson, Smith, Springborg, Stevens, Stewart, Stuckey, Symes, Trad, Trout, Walker, Watts, Wellington, Woodforth, Young