



# RECORD OF PROCEEDINGS

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## TUESDAY, 19 APRIL 2016

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The Legislative Assembly met at 9.30 am.



Mr Speaker (Hon. Peter Wellington, Nicklin) read prayers and took the chair.

For the sitting week, Mr Speaker acknowledged the traditional custodians of the land upon which this parliament is assembled.

### ASSENT TO BILLS



**Mr SPEAKER:** Honourable members, I have to report that I have received from His Excellency the Governor a letter in respect of assent to certain bills. The contents of the letter will be incorporated in the *Record of Proceedings*. I table the letter for the information of members.

The Honourable P.W. Wellington MP  
Speaker of the Legislative Assembly  
Parliament House  
George Street  
BRISBANE QLD 4000

I hereby acquaint the Legislative Assembly that the following Bills, having been passed by the Legislative Assembly and having been presented for the Royal Assent, were assented to in the name of Her Majesty The Queen on the date shown:

Date of assent: 24 March 2016

“An Act to amend the Food Act 2006, the Health Ombudsman Act 2013, the Hospital and Health Boards Act 2011, the Pest Management Act 2001, the Public Health Act 2005 and the Transplantation and Anatomy Act 1979 for particular purposes”

“An Act to amend the Coroners Act 2003, the Disability Services Act 2006, the Guardianship and Administration Act 2000, the Powers of Attorney Act 1998, the Public Guardian Regulation 2014 and the Working with Children (Risk Management and Screening) Act 2000 for particular purposes”

“An Act to amend the Housing Act 2003, the Plumbing and Drainage Act 2002, the Queensland Building and Construction Commission Act 1991, the Queensland Building and Construction Commission and Other Legislation Amendment Act 2014, the Residential Tenancies and Rooming Accommodation Act 2008 and the Sustainable Planning Act 2009”

“An Act to amend the Mineral Resources Act 1989 for particular purposes”

These Bills are hereby transmitted to the Legislative Assembly, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Yours sincerely

Governor

24 March 2016

*Tabled paper:* Message, dated 24 March 2016, from His Excellency the Governor to the Speaker advising of assent to certain bills on 24 March 2016 [\[448\]](#).

### SPEAKER'S STATEMENT

#### Referendum, Return of Writ




**Mr SPEAKER:** Honourable members, I inform the House that the writ issued by the Governor for the referendum on 19 March 2016 for the approval of the Constitution (Fixed Term Parliament) Amendment Bill 2015 has been returned to the Governor.

The Constitution (Fixed Term Parliament) Amendment Bill 2015 has been approved by a majority of the electors voting, with 1,302,398 electors voting to approve and 1,157,043 electors voting not to approve the bill. I table the writ for the information of members.

*Tabled paper:* Constitution (Fixed Term Parliament) Amendment Bill 2015, returned Writ for Referendum [\[449\]](#).

## PRIVILEGE

### Alleged Contempt of Parliament


 **Mr PYNE** (Cairns—Ind) (9.32 am): Mr Speaker, I rise on two matters of privilege. I have written to you today in the interests of an open and accountable parliament. I now table copies of this correspondence.

On 17 March a matter of privilege was referred to the Ethics Committee and I am not speaking about that issue. Section 266 of the standing orders gives a clear definition and, in fact, for clarity, lists examples of contempt of the Assembly. Yet this is exactly the behaviour that has gone on here. What I have experienced is covered by no fewer than seven of the examples, including but not limited to assaulting, intimidating or obstructing a member in the discharge of the member's duty and obstructing a member coming to or going from the House.

Mr Speaker, I ask that you refer this matter in its entirety to the Ethics Committee so that the member for South Brisbane and the member for Springwood are allowed procedural fairness. The standard we walk past is the standard we accept and this is not acceptable in any workplace.

## REPORTS

### Auditor-General

 **Mr SPEAKER:** Honourable members, I have to report that I have received from the Auditor-General three reports: report No. 14 for 2015-16 titled *Financial risk management practices at Energex*; report No. 15 for 2015-16 titled *Queensland public hospital operating theatre efficiency*, volumes 1 and 2; and report No. 16 for 2015-16 titled *Flood resilience of river catchments*. I table the reports for the information of members.

*Tabled paper:* Auditor-General of Queensland: Report to Parliament No. 14: 2015-16—Financial risk management practices at Energex [\[450\]](#).


*Tabled paper:* Auditor-General of Queensland: Report to Parliament No. 15: 2015-16—Queensland public hospital operating theatre efficiency, Volume One [\[451\]](#).

*Tabled paper:* Auditor-General of Queensland: Report to Parliament No. 15: 2015-16—Queensland public hospital operating theatre efficiency, Volume Two [\[452\]](#).

*Tabled paper:* Auditor-General of Queensland: Report to Parliament No. 16: 2015-16—Flood resilience of river catchments [\[453\]](#).

## SPEAKER'S STATEMENT


### World Haemophilia Day

 **Mr SPEAKER:** Honourable members, I advise that Sunday, 17 April was World Haemophilia Day. This annual event aims to promote awareness of haemophilia and other inherited bleeding disorders. Approximately 1,800 Queenslanders are currently living with haemophilia and other related bleeding disorders.

In support of World Haemophilia Day, many landmarks from around the world turned their lights red for the night. The Haemophilia Foundation Queensland has invited members to show their support for those affected by this disease by wearing a pin on their lapel today.

## SPEAKER'S RULING

### Answers to Questions on Notice

 **Mr SPEAKER:** Honourable members, in one of my first statements to this House as Speaker on 27 March 2015 I set out my undertakings and expectations as to how this parliament would be presided over. In regard to questions I stated—

Whilst there is a long list of rules for Questions, there are only two rules for answers expressed in SO 118 (although the general rules for debate also apply such as the rules against personal reflections).

Standing order 118, General rules for answers, states—

The following general rules shall apply to answers:

- (a) in answering a question a Minister or member shall not debate the subject to which it refers; and
- (b) an answer shall be relevant to the question.

One of the largest divergences between the House of Commons and Australian parliaments has been how ministers actually do nothing more than debate the question and simply do not answer the question. I make it clear that I intend to enforce the standing orders as regards questions and answers. I wish to make it clear that my expectations apply to answers to questions without notice and answers to questions on notice.

In this respect I refer to the Minister for Health and Minister for Ambulance Service's answer to question on notice No. 353. I have received correspondence from the member for Kawana regarding this answer, which I table.

*Tabled paper:* Letter, dated 15 April 2016, from the member for Kawana, Mr Jarrod Bleijie MP, to the Speaker, Hon. Peter Wellington, regarding the answer by the Minister for Health and Minister for Ambulance Services, Hon. Cameron Dick, to question on notice No. 353, asked on 15 March 2016 [454].

On the face of it, the minister answered the question by reference to a press release by the Sunshine Coast Hospital and Health Service. However, closer examination of that release reveals that the question asked is not addressed by that release and is actually irrelevant to the question. I note that an answer to question on notice No. 472, referencing the same release, also does not address the question. I rule both answers out of order. The questions on notice, therefore, remain unanswered.

## SPEAKER'S STATEMENT

### Participation in Parliamentary Proceedings by the Speaker



**Mr SPEAKER:** Honourable members, on 6 April 2016 I received a letter from the Deputy Leader of the Opposition as Acting Leader of the Opposition regarding a report by the Taskforce into Organised Crime Legislation. In that letter the Deputy Leader of the Opposition requests that I confirm that I will—

- (a) Not sit as Speaker during the proposed debate; and
- (b) Not vote on any proposed laws arising from the task force investigation into organised crime.

I would normally respond to correspondence of this nature by return correspondence. However, given that the Deputy Leader of the Opposition published his letter to me to the world at large, I believe that a statement to the Assembly is the most appropriate method of response. I table a copy of the letter and my interim reply.

*Tabled paper:* Letter, dated 6 April 2016, from the Deputy Leader of the Opposition, Mr John-Paul Langbroek MP, to the Speaker, Hon. Peter Wellington, regarding the report by the Taskforce into Organised Crime Legislation [455].

*Tabled paper:* Letter, dated 15 April 2016, from the Speaker, Hon. Peter Wellington, to the Deputy Leader of the Opposition, Mr John-Paul Langbroek MP, regarding the report by the Taskforce into Organised Crime Legislation [456].

At the outset, I wish to advise that if my vote is required I will vote. I will now set out the reasons.

In the United Kingdom the Speaker, once elected, severs all links with their political party and, by convention, is secured continuity of office by (a) only rarely being challenged in their electorate at the next general election and (b) regularly being re-elected as Speaker despite any change of government.

In the United Kingdom, the ruling of a Speaker is not open to challenge via a motion of dissent. The Speaker does not take part in debate in the House of Commons and votes only when the votes are equal and then only in accordance with rules that precludes the Speaker from expressing merits of the proposition. Casting votes are always exercised in a manner which enables further discussion and maintains the status quo if a majority cannot be obtained. I refer members to Erskine May's Parliamentary Practice 24th Edition at pages 61 and 420-423.

The position of Speakers in Australia, and in Queensland in particular, is very different. Speakers in Australia, including Queensland, if they are a member of a party do not sever all links with their political party. The member who is elected Speaker does not become a non-party member of parliament. I understand that whether a Speaker who is a member of a party attends the party or caucus meetings is largely a matter for each Speaker and there have been varying practices in Queensland over the years. There is certainly no tradition in Queensland of re-electing the member who served as Speaker in the preceding parliament whether the government changes or not.

In terms of voting, the Parliament of Queensland Act 2001 provides—

At a meeting of the Assembly or a Committee of the Whole House—

- (a) a question is decided by a majority of the members present and voting; and
- (b) the Speaker or Deputy Speaker presiding—
  - (i) has no deliberative vote; but
  - (ii) if the votes are equal, has the casting vote.

The act clearly gives a Speaker a right to a casting vote. Precedent indicates that this right to vote has been regularly exercised by Speakers who, because of the tight composition of the House, have had to exercise their casting vote. Not surprisingly, Speakers in Queensland, if they are a member of a party, have exercised their vote consistently with the vote of their party. There has been no tradition in Queensland of Speakers casting their voting with the status quo.

Furthermore, standing orders in Queensland give a Speaker exercising a casting vote the right to give reasons for the way in which they cast their vote. Standing order 109(2) provides—

Every member present in the House when the question is put with the bars closed must vote except the Speaker, who shall have a casting vote if the votes are equal. The Speaker may give reasons for the casting vote and those reasons are entered in the Record of Proceedings.

In relation to whether there are grounds for denying a Speaker either their right to vote on or preside over a question, in short the only ground for denying any member an opportunity to vote on a matter in the House is found in standing order 259, where the member has a 'direct pecuniary interest' in the matter. Only members of the Ethics Committee are under an obligation to stand aside from a matter when they have a conflict of interest or perceived lack of impartiality on the matter in accordance with standing order 272. This is appropriate given the quasi-judicial role of that committee. As Speaker, I have taken on board this rule as it applies to my role as Speaker and stood aside from considering a matter of privilege of which I was aware.

Indeed, in Queensland, not only have Speakers cast their vote on divisions when it becomes necessary to do so, but there is precedent for Speakers to preside in circumstances where they have an interest in the outcome of the vote, including when their future as a Speaker depends upon that vote. For example, Speaker Hollis, who presided over a parliament which was hung at various stages, used his casting vote to vote down a motion of no confidence in himself as the Speaker. Speaker Hollis not only voted in the debate, but also presided in the chair during the debate. I refer members to 17 October 2000. Speaker Hollis also presided over debate on a number of dissent motions against his rulings. See for example: 16 September 1998 *Hansard* p. 2302; 9 November 2000 *Hansard* p. 4269; 22 July 1999 *Hansard* p. 2910; 2 March 2000 *Hansard* p. 258. Furthermore, Speaker Hollis cast his vote on a question of dissent to his own ruling. I refer members to 2 March 2000 *Hansard* p. 258. Speaker Turner also presided over a hung parliament and presided over a motion of dissent to his own rulings. I refer members to 21 August 1997 *Hansard* p. 3142. As there was no division called on the question, he was not required to cast his vote.

In relation to whether there are grounds for denying a Speaker their right to speak on a question, or at least not exercise their right to explain their vote in accordance with standing order 109(2), precedent in Queensland has been to enable Speakers to speak on matters they feel strongly about, both in and out of the chamber. For example, Speaker Turner was granted leave by the House to speak in the debate on the Weapons Amendment Bill 1996 as the member for Nicklin. He was opposed to the bill, which was a government bill. Despite his strong objection to the bill, Speaker Turner was presiding when the minister replied and when the second reading, third reading and long title questions were put. Despite being in a hung parliament, the Speaker's vote was not required as the bill had the general support of both sides of the House. I refer members to 30 October 1996 *Hansard* p. 3695; *Votes and Proceedings No. 35* p. 306. Speaker Reynolds took the opportunity to speak from the floor of the chamber on the effect of the annual appropriation on his electorate. I refer members to 6 June 2008 *Hansard* p. 2112. Speaker Mickel was publically very critical of the Parliamentary Service and Other Acts Amendment Bill 2011, in and out of the House, which transferred administrative authority from the Speaker to the Committee of the Legislative Assembly, although he did not take the chair during the debate of the bill.

To summarise, the Deputy Leader of the Opposition seeks to deny me a voice and a vote on a matter that is not yet even before the House.

**Mr LANGBROEK:** I rise to a point of order. I find that offensive and untrue and I ask that you withdraw it.

**Mr SPEAKER:** I withdraw. The matter that he seeks that I not participate in, I actually voted on during a previous parliament. The Deputy Leader of the Opposition cites no authority or precedent, because there is no authority or precedent that supports his request. I note that if I was to agree to such a request, I would also have to deny my vote on other issues about which I have expressed strong concerns in the past, such as vegetation management. To deny myself the right to vote I would also be breaching an earlier undertaking I made to the Leader of the Opposition when negotiating the

appointment of Temporary Speakers from both sides of the House. I undertook that I would vote on all questions and not 'trap' Temporary Speakers in the chair. I table my correspondence dated 30 April 2015 which contains this undertaking.

*Tabled paper:* Letter, dated 30 April 2015, from the Speaker, Hon. Peter Wellington, to the Leader of the Opposition, Mr Lawrence Springborg MP, regarding the appointment of Temporary Speakers [\[457\]](#).

I can assure the Deputy Leader of the Opposition that I will always act impartially in the chair by ensuring adherence to standing orders, fairness to all members and upholding the rights of all members to debate and vote. Of course, as the Deputy Leader of the Opposition would be aware, Speakers generally do not preside over the debate of bills in the House and such duties regularly fall to the Deputy Speaker and panel of Temporary Speakers.

**Mr LANGBROEK:** I seek leave to move a motion that your statement be noted.

**Mr SPEAKER:** With respect, the standing orders require that you seek leave to move a motion without notice.

**Mr LANGBROEK:** I seek leave to move a motion without notice.

Division: Question put—That leave be granted to move a motion without notice.

**AYES, 41:**

**LNP, 41**—Barton, Bates, Bennett, Bleijie, Boothman, Costigan, Cramp, Crandon, Cripps, Davis, Dickson, Elmes, Emerson, Frecklington, Hart, Krause, Langbroek, Last, Leahy, Mander, McArdle, McEachan, Millar, Minnikin, Molhoek, Nicholls, Perrett, Powell, Rickuss, Robinson, Rowan, Seeney, Simpson, Smith, Sorensen, Springborg, Stevens, Stuckey, Walker, Watts, Weir.

**NOES, 43:**

**ALP, 41**—Bailey, Boyd, Brown, Butcher, Byrne, Crawford, D'Ath, de Brenni, Dick, Donaldson, Enoch, Farmer, Fentiman, Furner, Gilbert, Grace, Harper, Hinchliffe, Howard, Jones, Kelly, King, Lauga, Linard, Lynham, Madden, Miles, Miller, O'Rourke, Palaszcuk, Pearce, Pease, Pegg, Pitt, Power, Russo, Ryan, Saunders, Trad, Whiting, Williams.

**INDEPENDENT, 2**—Gordon, Pyne.

Pair: Stewart, McVeigh.

Resolved in the negative.

## PETITIONS

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

### Plastic Border Patrol (Water Margin Rangers)

**Hon. D'Ath**, from 152 petitioners, requesting the House to establish a permanent Plastic Border Patrol (Water Margin Rangers) attached to and managed by local Queensland Coastal Councils [\[458\]](#).

### WWII Gun Emplacements, Preservation

**Mr Williams**, from 810 petitioners, requesting the House to preserve the WWII gun emplacements and other significant structures from further erosion and structural damage in the Pumicestone region of Bribie Island [\[459\]](#).

### Bribie Island Road-Old Toorbul Point Road, Upgrade

**Mr Williams**, from 1,459 petitioners, requesting the House to upgrade the dangerous intersection of Bribie Island Road and Old Toorbul Point Road before a fatality occurs [\[460\]](#).

### Racing Industry, Cutbacks

**Mrs Stuckey**, from 292 petitioners, requesting the House to reassess the discriminatory cut backs in race meetings throughout regional Queensland; reinstate all race meetings and ensure prize money will sustain racing in rural, regional and remote areas [\[461\]](#).

The Clerk presented the following paper petition, sponsored by the Clerk—

### Northbrook Parkway, Speed Limits

From 707 petitioners, requesting the House to review the low speed limits along the Northbrook Parkway between Wivenhoe-Somerset Road and the Mount Glorious town ship so motorcyclists are not disadvantaged [\[462\]](#).

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

### Redcliffe, Homeless Centre

**Hon. D'Ath**, from 364 petitioners, requesting the House to establish a drop in centre at Redcliffe to assist the homeless and others in need to be operated by the Club 189 organisation [\[463\]](#), [\[464\]](#).

### **M1 Motorway, Exit Closures**

**Mrs Stuckey**, from 2,602 petitioners, requesting the House to revisit plans to close Exit 93 southbound on the M1 and note the traffic gridlock it would cause on an already congested approach to Exit 92 from Palm Beach Avenue [\[465, 466\]](#).

### **Pacific Pines, Police Beat**

**Mr Cramp**, from 814 petitioners, requesting the House to address the weekend closure of the Police Beat at Pacific Pines by ensuring it is manned by officers seven days a week [\[467, 468\]](#).

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

### **Water Fluoridation**

**Mr Sorensen**, from 137 petitioners, requesting the House to resume the mandate and State Government control of water fluoridation in Queensland [\[469\]](#).

### **Ambulance Service Paramedics, Body Cameras**

**Mr Cramp**, from 441 petitioners, requesting the House to undertake a trial for Queensland Ambulance Paramedics to be equipped with body cameras to record any acts or threats of aggression or violence against them and to put in place a public awareness program to promote the importance of a paramedics and the serious consequences of violence and aggression towards paramedics [\[470\]](#).

### **Bounty Boulevard State School, New Hall**

**Mr Whiting**, from 793 petitioners, requesting the House to construct a new hall at the Bounty Boulevard State School in the suburb of North Lakes [\[471\]](#).

### **Safe Schools Program**

**Hon. Dr Miles**, from 10,111 petitioners, requesting the House to ensure that the Safe Schools Program remains active in all schools currently using the program; no action is taken by the House to prevent or hinder access to the program for any Queensland children; and that the list of schools currently using the program remains unpublished [\[472\]](#).

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

### **Roma Hospital**

From 82 petitioners, requesting the House to commit to building a new Roma Hospital with enhanced clinical capability [\[473\]](#).

### **Safe Schools Coalition Australia**

From 11,416 petitioners, requesting the House to conduct an inquiry into the appropriateness of the Safe Schools Coalition Australia materials use for school children; stop the use of these resources in our schools until the inquiry can be completed; and reveal the list of Queensland schools who have currently adopted the program [\[474\]](#).

Petitions received.

## **TABLED PAPERS**

The Clerk informed the House that the following papers, received during the recess, were tabled on the dates indicated—

18 March 2016—

[401](#) Response from the Minister for Health and Minister for Ambulance Services (Mr C R Dick) to a paper petition (2547-16) presented by the Clerk in accordance with Standing Order 119(3), and an ePetition (2485-15) sponsored by the Clerk in accordance with Standing Order 119(4), from 147 and 393 petitioners respectively, requesting the House to build a new public hospital for Kingaroy

[402](#) Response from the Minister for Agriculture and Fisheries (Ms Donaldson) to a paper petition (2546-16), presented by Mrs Frecklington, from 203 petitioners, requesting the House to leave the free zone Coolabunia Malar region as tick free and not move the tick line

[403](#) Education and Care Services National Law: Education and Care Services National Amendment Regulations 2015

[404](#) Finance and Administration Committee: Issues Paper—Inquiry into the practices of the labour hire industry in Queensland

21 March 2016—

[405](#) Legal Affairs and Community Safety Committee: Report No. 24, 55th Parliament—Portfolio subordinate legislation tabled between 28 October 2015 and 1 December 2015

[406](#) Education, Tourism, Innovation and Small Business Committee: Report No. 11, 55th Parliament—Inquiry into a suitable model for the implementation of the National Injury Insurance Scheme

29 March 2016—

[407](#) Queensland Theatre Company—Annual Report 2015

30 March 2016—

[408](#) Response from the Minister for Transport and the Commonwealth Games (Mr Hinchliffe) to a paper petition (2549-16), presented by Ms Davis, from 68 petitioners, requesting the House to retain the bus stop at the junction of Gympie Road and Stay Place, Carseldine



31 March 2016—

- [409](#) Response from the Premier and Minister for the Arts (Ms Palaszczuk) to an ePetition (2493-15) presented by the Clerk in accordance with Standing Order 119(4), from 21,468 petitioners, requesting the House to recognise the preference of the majority of Queenslanders for daylight saving and to hold another referendum on introducing daylight saving in Queensland
- [410](#) James Cook University—Annual Report 2015
- [411](#) University of the Sunshine Coast—Annual Report 2015
- [412](#) University of Southern Queensland—Annual Report 2015
- [413](#) Griffith University—Annual Report 2015
- [414](#) Central Queensland University—Annual Report 2015
- [415](#) Queensland College of Teachers—Annual Report 2015
- [416](#) Queensland University of Technology—Annual Report 2015
- [417](#) QUT Enterprise Holdings Trust—Financial Statements for the year ended 31 December 2015
- [418](#) qutbluebox Trust—Statutory Report for the year ended 31 December 2015
- [419](#) Creative Industries Precinct Pty Ltd t/as QUT Creative Enterprise Australia—Financial Statements 2015
- [420](#) University of Queensland—Annual Report 2015
- [421](#) University of Queensland—Financial Statements 2015—Volume 1
- [422](#) University of Queensland—Financial Statements 2015—Volume 2 subsidiaries
- [423](#) Brisbane Girls Grammar School—Annual Report 2015
- [424](#) Board of Trustees Brisbane Grammar School—Annual Report 2015
- [425](#) Ipswich Girls' Grammar School and Ipswich Junior Grammar School—Annual Report 2015
- [426](#) Ipswich Grammar School—Annual Report 2015
- [427](#) Rockhampton Girls Grammar School—Annual Report 2015
- [428](#) Board of Trustees of the Rockhampton Grammar School—Annual Report 2015
- [429](#) Townsville Grammar School—Annual Report 2015
- [430](#) Toowoomba Grammar School—Annual Report 2015

1 April 2016—

- [431](#) Infrastructure, Planning and Natural Resources Committee: Report No. 22, 55th Parliament—Queen's Wharf Brisbane Bill 2015

4 April 2016—

- [432](#) Department of Justice and Attorney-General: Review of the Criminal Organisation Act 2009, 15 December 2015, Alan Wilson SC

8 April 2016—

- [433](#) Infrastructure, Planning and Natural Resources Committee : Report No. 23, 55th Parliament—Planning Bill 2015, Planning and Environment Court Bill 2015, Planning (Consequential) and Other Legislation Amendment Bill 2015, Planning and Development (Planning for Prosperity) Bill 2015, Planning and Development (Planning Court) Bill 2015, Planning and Development (Planning for Prosperity—Consequential Amendments) and Other Legislation Amendment Bill 2015

11 April 2016—

- [434](#) Response from the Minister for Environment and Heritage Protection and Minister for National Parks and the Great Barrier Reef (Mr Miles) to an ePetition (2481-15) sponsored by Hon D'Ath, from 118 petitioners, requesting the House to establish a permanent Plastic Border Patrol (Water Margin Rangers) attached to and managed by local Queensland Coastal Councils
- [435](#) Queensland Biosecurity Capability Review—Final Report, September 2015
- [436](#) Queensland Biosecurity Capability Review—Final Report, September 2015, interim government response

12 April 2016—

- [437](#) Response from the Minister for Police, Fire and Emergency Services and Minister for Corrective Services (Mr Byrne) to a paper petition (2557-16) presented by Mr Perrett, and an ePetition (2494-15) sponsored by Mr Perrett, from 348 and 3,226 petitioners respectively, requesting the House to make no further impositions on licensed firearm owners and leave all categories the same
- [438](#) Infrastructure, Planning and Natural Resources Committee: Report No. 24, 55th Parliament—Brisbane Casino Agreement Amendment Bill 2016

13 April 2016—

- [439](#) Response from the Minister for Agriculture and Fisheries (Ms Donaldson) to a paper petition (2559-16) presented by Mrs Frecklington, from 465 petitioners, requesting the House to direct that the cattle tick control area within Taroom, Wandoan and Auburn areas be included in the cattle tick free zone under the new Biosecurity Bill

14 April 2016—

- [440](#) Response from the Minister for Agriculture and Fisheries (Ms Donaldson) to a paper petition (2558-16) presented by the Clerk in accordance with Standing Order 119(3) and an ePetition (2540-16) sponsored by the Clerk in accordance with Standing Order 119(4) from 361 and 564 petitioners respectively, requesting the House to support the continual expansion of the cattle tick free zone through Queensland and require that the Department of Agriculture and Fisheries regularly obtain and publish data and maps to monitor the new cattle tick management framework
- [441](#) Response from the Minister for Housing and Public Works (Mr de Brenni) to an ePetition (2528-15), sponsored by the Clerk in accordance with Standing Order 119(4), from 129 petitioners, requesting the House to restart the review of the Retirement Village Act 1999
- [442](#) Response from the Minister for Transport and the Commonwealth Games (Mr Hinchliffe) to an ePetition (2527-15) sponsored by Mr Boothman, from 182 petitioners, requesting the House to address the need for public transport to service the Pimpama region, specifically the new housing estates
- [443](#) Response from the Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply (Mr Bailey) to a paper petition (2556-16) presented by Mr Boothman, from 217 petitioners, requesting the House to move the off-ramp at the intersection of Station Road and Albert Street, Bethania
- [444](#) Response from the Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply (Mr Bailey) to an ePetition (2536-16) sponsored by the Clerk in accordance with Standing Order 119(4), from 132 petitioners, requesting the House to ensure the upgrade of the Waterford-Tamborine Road commences at the North Street intersection and moves south

15 April 2016—

- [445](#) Agriculture and Environment Committee: Report No. 16, 55th Parliament—Environmental Protection (Chain of Responsibility) Amendment Bill 2016

18 April 2016—

- [446](#) Response from the Deputy Premier and Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment (Ms Trad) to two paper petitions (2561-16 and 2562-16) presented by the Clerk in accordance with Standing Order 119(3), and an ePetition (2537-16) sponsored by the Clerk in accordance with Standing Order 119(4) from 772, 11 and 1,373 petitioners respectively, requesting the House to withdraw the Toondah Harbour Priority Development Area plan and start again through a full and proper community consultation process based on community vision and values and focussed on upgrading the ferry terminal facilities
- [447](#) Response from the Attorney-General and Minister for Justice and Minister for Training and Skills (Ms D'Ath) to an ePetition (2514-15) sponsored by the Member for Mount Isa, Mr Katter, from 111 petitioners, requesting the House to reinstate the Queensland Statutory Warranty for vehicles over 10 years old with more than 160,000 km on the odometer for a minimum period of three months or the first 5,000 km

#### STATUTORY INSTRUMENTS

The following statutory instruments were tabled by the Clerk—

Police Powers and Responsibilities Act 2000—

- [475](#) Police Powers and Responsibilities Amendment Regulation (No. 1) 2016, No. 16
- [476](#) Police Powers and Responsibilities Amendment Regulation (No. 1) 2016, No. 16, explanatory notes

Food Act 2006, Health Act 1937, Hospital and Health Boards Act 2011, Private Health Facilities Act 1999, Radiation Safety Act 1999—

- [477](#) Health Legislation Amendment Regulation (No. 1) 2016, No. 17
- [478](#) Health Legislation Amendment Regulation (No. 1) 2016, No. 17, explanatory notes

Sustainable Planning Act 2009—

- [479](#) Sustainable Planning Amendment Regulation (No. 1) 2016, No. 18
- [480](#) Sustainable Planning Amendment Regulation (No. 1) 2016, No. 18, explanatory notes

Queensland Civil and Administrative Tribunal Act 2009—

- [481](#) Queensland Civil and Administrative Tribunal Legislation Amendment Regulation (No. 1) 2016, No. 19
- [482](#) Queensland Civil and Administrative Tribunal Legislation Amendment Regulation (No. 1) 2016, No. 19, explanatory notes

Hospital and Health Boards Act 2011—

- [483](#) Hospital and Health Boards Amendment Regulation (No. 1) 2016, No. 20
- [484](#) Hospital and Health Boards Amendment Regulation (No. 1) 2016, No. 20, explanatory notes

Water Act 2000—

- [485](#) Water Amendment Regulation (No. 1) 2016, No. 21
- [486](#) Water Amendment Regulation (No. 1) 2016, No. 21, explanatory notes

Education (General Provisions) Act 2006—

- [487](#) (General Provisions) Amendment Regulation (No. 1) 2016, No. 22
- [488](#) Education (General Provisions) Amendment Regulation (No. 1) 2016, No. 22, explanatory notes



## Health Act 1937—

[489](#) Health (Drugs and Poisons) Amendment Regulation (No. 1) 2016, No. 23[490](#) Health (Drugs and Poisons) Amendment Regulation (No. 1) 2016, No. 23, explanatory notes

## Environmental Protection Act 1994—

[491](#) Environmental Protection Amendment Regulation (No. 1) 2016, No. 24[492](#) Environmental Protection Amendment Regulation (No. 1) 2016, No. 24, explanatory notes

## Mineral Resources Act 1989, Petroleum and Gas (Production and Safety) Act 2004—

[493](#) Revenue Legislation Amendment Regulation (No. 1) 2016, No. 25[494](#) Revenue Legislation Amendment Regulation (No. 1) 2016, No. 25, explanatory notes

## Motor Accident Insurance Act 1994—

[495](#) Motor Accident Insurance Amendment Regulation (No. 1) 2016, No. 26[496](#) Motor Accident Insurance Amendment Regulation (No. 1) 2016, No. 26, explanatory notes

## Liquor Act 1992—

[497](#) Liquor (Local Board for Mackay CBD Safe Night Precinct) Amendment Regulation 2016, No. 27[498](#) Liquor (Local Board for Mackay CBD Safe Night Precinct) Amendment Regulation 2016, No. 27, explanatory notes

## Disability Services Act 2006—

[499](#) Disability Services Amendment Regulation (No. 1) 2016, No. 28[500](#) Disability Services Amendment Regulation (No. 1) 2016, No. 28, explanatory notes

## Work Health and Safety and Other Legislation Amendment Act 2015—

[501](#) Proclamation commencing certain provisions, No. 29[502](#) Proclamation commencing certain provisions, No. 29, explanatory notes

## Queensland Building and Construction Commission Act 1991—

[503](#) Queensland Building and Construction Commission Amendment Regulation (No. 1) 2016, No. 30[504](#) Queensland Building and Construction Commission Amendment Regulation (No. 1) 2016, No. 30, explanatory notes

## Commonwealth Games Arrangements Act 2011—

[505](#) Commonwealth Games Arrangements Amendment Regulation (No. 1) 2016, No. 31[506](#) Commonwealth Games Arrangements Amendment Regulation (No. 1) 2016, No. 31, explanatory notes

## Nature Conservation Act 1992—

[507](#) Nature Conservation (Protected Areas) Amendment Regulation (No. 1) 2016, No. 32[508](#) Nature Conservation (Protected Areas) Amendment Regulation (No. 1) 2016, No. 32, explanatory notes

## Sustainable Planning Act 2009—

[509](#) Sustainable Planning Amendment Regulation (No. 2) 2016, No. 33[510](#) Sustainable Planning Amendment Regulation (No. 2) 2016, No. 33, explanatory notes

## Report by the Clerk

## The Clerk to table the following report—

[511](#) Report pursuant to Standing Order 165 (Clerical errors or formal changes to any Bill) detailing amendments to certain Bills, made by the Clerk, prior to assent by His Excellency the Governor, viz—**Health Legislation Amendment Bill 2015**

## Amendments made to Bill

**Short title and consequential references to short title—***Omit—*

'Health Legislation Amendment Bill 2015'

*Insert—*

'Health Legislation Amendment Act 2016'.

**Disability Services and Other Legislation Amendment Bill 2015**

## Amendments made to Bill

**Short title and consequential references to short title—***Omit—*

'Disability Services and Other Legislation Amendment Bill 2015'

*Insert—*

'Disability Services and Other Legislation Amendment Act 2016'.

**Plumbing and Drainage and Other Legislation Amendment Bill 2015**

Amendments made to Bill

**Short title and consequential references to short title—***Omit—*

'Plumbing and Drainage and Other Legislation Amendment Bill 2015'

*Insert—*

'Plumbing and Drainage and Other Legislation Amendment Act 2016'.

**Headers—***Omit—*

Pages 44, 45 and 46, headers, 's 29'

*Insert—*

Pages 44, 45 and 46, headers, 's 30'.

\* The clause, page and line number references relate to the Bill, after amendments made in consideration in detail unless stated otherwise.

**MINISTERIAL STATEMENTS****Referendum, Fixed Four-Year Terms; Local Government Elections**

**Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for the Arts) (9.56 am): In an historic vote, almost 53 per cent of Queenslanders voted to amend our state's Constitution and fundamentally change the duration of parliamentary terms. Not only are fixed four-year terms a landmark reform for the parliament but also this is the first Queensland state referendum question to have been supported since 1910. I congratulate the Queensland public on their choice, which gives business and the community certainty around election campaign cycles. Our electoral cycles will come into line with local governments in Queensland and almost every other state in the country. This will result in fewer elections, less trips to the ballot box and less public money spent on election campaigns. I am particularly proud that in Inala just under 60 per cent of voters voted 'yes', which is one of the strongest votes by an electorate in Queensland.

The parliament can be proud of the bipartisan approach it took to this issue. I thank the Attorney-General and the member for Mansfield for the work that they did, particularly as leaders of the 'yes' committee. I also thank my party for its willingness to devote resources to the 'yes' effort. The ALP funded how-to-vote cards and a radio advertising campaign, and organised volunteers to spread the word on election day. The referendum result means that only federal elections will continue to be held every three years. The current political climate in Canberra and the uncertainty it is creating should encourage the next federal government to also consider fixed four-year terms.

Late last year, the parliament asked the Committee of the Legislative Assembly to conduct a review of the parliament's committee system and the Finance and Administration Committee's recommendation regarding entrenchment of the committee system. Today I table the government's response to that report.

*Tabled paper:* Committee of the Legislative Assembly: Report No. 17—Review of the parliamentary committee system, government response [\[512\]](#).

I advise the House that, as a result, this week I will be introducing a bill to amend the Constitution to provide that, at the start of every parliament, at least six committees be established. This will be a significant development for the parliament.


Almost 27 years ago, the landmark Fitzgerald inquiry report concluded—

There is need to consider introducing a comprehensive system of Parliamentary Committees to enhance the ability of Parliament to monitor the efficiency of Government.

The bill will ensure that ongoing need remains addressed and is provided for in the Constitution.

I take this opportunity to congratulate those mayors and councillors who were successful at the local government elections. As all honourable members know, serving your community in public office is a noble calling and carries with it a hefty responsibility. My government stands ready and willing to work with any council that is about creating jobs, delivering frontline services and building stronger communities. We wish them all well for the next four years.


### Taskforce on Organised Crime Legislation

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for the Arts) (9.59 am): At the last election, my government promised to keep our community safe. My government is honouring its pledge with our commitment to target serious organised crime in Queensland. As promised, we will target serious organised crime in all its forms, including child sex exploitation, boiler room fraud and outlaw motorcycle gangs. Our interim response to the Taskforce on Organised Crime Legislation is to develop a stronger and workable regime. We have also committed \$37 million in extra resources for police and prosecutors.

Cabinet committed to a new regime that will include: targeted consorting laws that will be based on the New South Wales model; new serious organised crime control orders that will be based on terrorism orders, and we will be the first to implement those for organised crime; and additional jail sentences with mandatory provision for serious organised crime and how this will be applied will be developed through implementation. We will ensure that the clubhouses remain closed. We will keep the ban on the wearing of colours in licensed premises and investigate how we can extend the ban to other places.

The government is determined that Queensland has the strongest and most robust serious organised crime laws in the nation. Current laws will remain in force until the new regime comes into effect. These transitional arrangements will be undertaken with police. The Police Commissioner has said that he was 'very confident that those new laws will be as strong, if not stronger, than the legislation we now have'. The government is continuing to work through the 60 recommendations contained within the report of the task force and will engage with key stakeholders in developing the new laws. The government aims to introduce legislation into the parliament by August this year, with the aim that new laws could be passed as early as the end of this year.

### Carmichael Mine; Northern Oil Refinery

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for the Arts) (10.01 am): My government is committed to generating jobs and employment opportunities for Queenslanders. That is why we re-established the Skilling Queenslanders for Work program scrapped by the Newman government. That is why we have seized on opportunities for new industries like biofuels and large-scale renewable energy for Queensland. That is why the unemployment rate in Queensland remains so much lower under my government than it was under the LNP.

The recent decision to grant Adani's Carmichael mine coalmining leases is progress for a project which will bring economic growth and jobs for Queenslanders living in North Queensland and Central Queensland. This is a major step forward for this project after extensive government and community scrutiny, with many voices heard and a great deal of evidence considered. A number of other steps must be completed before mine construction can start, and the independent Coordinator-General will continue to work with Adani to progress the project.

The people of North Queensland and Central Queensland have welcomed this latest progress for the potential jobs and economic development it brings closer for their communities. Adani have estimated the mine, rail and port project will generate more than 5,000 jobs at the peak of construction and more than 4,500 jobs at the peak of its mining operations. Importantly, in line with my government's commitment to the sustainable development of the Galilee Basin, stringent conditions will continue to protect the environment, landholder and traditional owner interests and our iconic Great Barrier Reef.

As I have indicated, my government is committed to creating a strong and sustainable biofuels industry in Queensland. Last month my government announced the Northern Oil Refinery's advanced biofuels pilot plant in Gladstone. The \$16 million pilot plant is the first commercial-scale advanced biofuels production facility in Australia. This is an exciting step forward in the development of an advanced biofuels industry for Queensland.

The pilot plant will be co-located at Southern Oil Refining's existing site in Gladstone. To operate a commercial-scale facility the Northern Oil Refinery will need a large volume of raw feedstock and regional Queensland is perfectly placed to provide that. In fact, the Northern Oil Refinery has already identified 12 areas, outside of Brisbane, where it will need to locate primary processing plants to convert raw materials into liquid for transport to the Gladstone refinery. These regions include, to name a few: Rockhampton, Townsville, Mackay, Cairns, Clermont, Bundaberg and Mount Isa.

I am proud to say that through my government's hard work we managed to secure the company's investment in Queensland instead of New South Wales, which was also under active consideration. A fully-fledged advanced biofuels industry has the potential to play a key role in our economic future, and this plant is a giant step towards achieving that goal.

The pilot plant is expected to be operational later this year and within the next three years aims to have produced one million litres of fuel for use in field trials by the US Navy as part of its Great Green Fleet initiative, and also by the Australian Navy. Air New Zealand and Virgin Australia have also announced that they are keen to investigate options for locally produced aviation biofuel. This corporate interest, along with the three per cent biofuel mandate that applies from next January, illustrates how biofuels are going to figure more prominently in the fuel supply chains in the future.

I have no doubt Queensland can become a biofutures world leader. My government will continue to implement policies and progress projects that are pro jobs and promote employment in regional Queensland.

### China and Hong Kong, Trade Mission



**Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for the Arts) (10.04 am): I have just returned from China and Hong Kong selling our state to the world's second largest economy and I have good news for Queensland. The message from the business community is clear: business and investment leaders, tourism operators, health providers, education providers, innovation leaders, airlines and senior government officials in China and Hong Kong like what Queensland has to offer. From our international reputation as a top tourist destination and an innovation hub to investment opportunities and our clean and green agricultural produce, Queensland is well and truly on the map.

In the more than 30 meetings I attended with people like the Chief Executive of the Hong Kong Special Administrative Region, Mr Leung Chun-ying; the Governor of the 90 million strong Sichuan Province, Mr Yin Lee; and the Vice President of Sichuan Airlines, Mr Shi Jian, it was uncommon for our beaches, our climate and the Great Barrier Reef to go without mention. In Hong Kong the chief executive and other senior officials offered to showcase Queensland services and produce to the more than 40 million Chinese consumers who visit Hong Kong each year. We know that about one million visitors from China enter Australia each year and about 400,000 of those experience Queensland. We want that number to grow.

Importantly, the recent China-Australia Free Trade Agreement and the fact that the Chinese middle class is expected to reach 800 million people over the next decade opens enormous opportunities for Queensland. Those opportunities are not just in tourism but also in investment, health care, agribusiness, innovation and other sectors. Our strong relationships mean we can benefit if we seize the opportunities presented to us. Importantly, I signed MOUs for innovation exchanges and witnessed MOUs for exporting Queensland's vocational expertise in business training and teacher training through TAFE Queensland.

We have seen the start of interesting discussions around tourism and not only attracting airlines to fly to Queensland but also opportunities for return passengers. The launch of a new tourism campaign with China Southern Airlines in Shanghai means airlines will be more encouraged to fly to Queensland knowing they will have passengers to fill their planes on the way back.

We have also started processes around enabling more investment in Queensland from powerhouses such as China. With a population of over a billion people, China is a market we cannot afford to ignore. That is why during the trade mission we strengthened existing relationships and established new ones. I am confident that there is more good news on the horizon from these new relationships. Maintaining these strong relationships and building new ones will mean more investment for Queensland and more investment for Queensland means more jobs for Queenslanders.

### Underground Coal Gasification




**Hon. AJ LYNHAM** (Stafford—ALP) (Minister for State Development and Minister for Natural Resources and Mines) (10.07 am): The Palaszczuk government is a strong supporter of the resources sector because of the jobs and economic growth it creates. We are also committed to preserving our natural environment and our valuable agricultural sector. It is the potential risk to this unique environment and our agricultural sector that is behind this government's move to ban underground coal gasification. Yesterday my colleague, environment minister Steven Miles, and I announced the immediate ban and, further, I committed to introducing legislation before the end of the year to make this law.

We have looked at the evidence from the pilot UCG operations in Southern Queensland. We have considered the compatibility of the current technologies with Queensland's environment and economic needs. It is this government's careful and considered view that the potential risk to Queensland's environment and our valuable agricultural industries far outweigh any potential economic benefits. UCG activity simply does not stack up for further use in Queensland.

We have taken this action to give certainty to the resources sector, so now they know exactly where this government stands. Most importantly, we have taken this action to give certainty to the community. The trial projects will continue to undertake decommissioning and rehabilitation activities only. As I said, underground coal gasification does not stack up. Many other resources projects across the state do, and they have and will continue to have this government's support.

### **Gold Coast Health and Knowledge Precinct**

 **Hon. JA TRAD** (South Brisbane—ALP) (Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment) (10.09 am): Together with Gold Coast Mayor Tom Tate, I recently launched the draft master plan for the Gold Coast Health and Knowledge Precinct—the largest urban renewal project ever to be undertaken on the Gold Coast. Not only will this 200-hectare precinct support more than 20,000 knowledge industry jobs once it is fully developed; it will also diversify the city's economy as an exciting step in the Palaszczuk government's Advance Queensland initiative.

The Gold Coast Health and Knowledge Precinct will become one of the city's most vibrant communities. There will be homes for 2,500 people, jobs for 20,000 workers and 200,000 square metres of gross floor area for public and private development—truly a lasting legacy of the 2018 Commonwealth Games. The precinct will benefit from more than \$5 billion in infrastructure including Griffith University, Gold Coast University Hospital, Gold Coast Private Hospital, Gold Coast Light Rail and the development of the \$550 million Commonwealth Games village. The precinct is already home to some of Queensland's best research and medical facilities and currently supports more than 9,000 jobs, including more than 5,000 in health and 500 in research. It is leading the way in innovation, health and knowledge industries and will create new investment opportunities for the city outside of the traditional tourism sphere.

We all take pride in the Gold Coast's beaches, resorts and lifestyle which attract visitors from across the country and around the world, as the Premier alluded to in her statement earlier this morning, but we know the Gold Coast can be much more as well. With the Gold Coast Health and Knowledge Precinct, the city will continue to grow its reputation for having brains as well as beauty. This project is a great example of how the Queensland government, industry and local government can work together to deliver a smart development, driven by ideas and private investment. To help attract new investment to the precinct, a dedicated project office has been established and a new business and investment attraction prospectus has been developed in conjunction with the master plan. I now table a copy of these two documents for the benefit of the House.

*Tabled paper:* Department of Infrastructure, Local Government and Planning: Gold Coast Health and Knowledge Precinct, Draft Master Plan 2016 [\[513\]](#).


*Tabled paper:* Document, undated, titled 'Health and Knowledge—Report on the Gold Coast Health and Knowledge Precinct' [\[514\]](#).

These will be used by the project office to market the precinct globally to potential investors and tenants. We will be targeting new economy businesses like 3D and 4D printing, medical device development, design and manufacturing, robotics and artificial intelligence, medical supply chains, nanotechnology development, and child and aged-care facilities and research centres. The Gold Coast Health and Knowledge Precinct is part of the Palaszczuk government's plan to grow jobs beyond the mining boom and shows very clearly that our plan is well and truly under construction.

## **QUEEN'S WHARF BRISBANE BILL**

### **BRISBANE CASINO AGREEMENT AMENDMENT BILL**

#### **Cognate Debate**

 **Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Leader of the House) (10.12 am), by leave, without notice: I move—

That, in accordance with standing order 172, the Queen's Wharf Brisbane Bill and the Brisbane Casino Agreement Amendment Bill be treated as cognate bills for their remaining stages, as follows:

- (a) second reading debate, with separate questions being put in regard to the second readings;

- (b) the consideration of the bills in detail together; and
- (c) separate questions being put for the third readings and long titles.

Question put—That the motion be agreed to.

Motion agreed to.

## PERSONAL EXPLANATION

### Criminal Organisations Legislation



**Mr WELLINGTON** (Nicklin—Ind) (10.13 am): I rise as the member for Nicklin to make a personal explanation in response to various attacks on me in the media for my stance on the VLAD laws. I voted for the VLAD laws because of my concerns for public safety, and like most members of the public was outraged at the public display of violence that had been occurring in our community. However, it must be noted that the VLAD laws were rushed through this parliament under an urgency motion, being introduced and passed on the same day and had never been subject to proper parliamentary committee scrutiny.

My opposition to the VLAD laws arose from the application of those laws. It became clear to me that the laws took away basic rights and freedoms that were the cornerstone of our legal system. The rights trespassed upon included everyone is equal before the law, people are innocent until proven guilty, people are not sent to solitary confinement in jail before charges are tested in a court, and people are free to associate. I have also repeatedly stated that if a person is convicted by a court of a criminal offence they deserve whatever penalty the court imposes. To claim I stand up for criminals is a nonsense. Nor do I take advice or money from criminals. My last election campaign cost less than \$5,000, and I funded it 100 per cent myself.

At the time Mike Smith came to see me he told me he had no criminal convictions, and the circumstances of the arrest of his son and son-in-law for having a beer together in the local pub highlighted to me the problems with the VLAD laws.

**Mr LANGBROEK:** Madam Deputy Speaker, I rise to a point of order. I raise the matter of relevance about whether this is a personal explanation. I refer to the Speaker's own statement distributed to members in this House some time ago. Under the heading 'Personal Explanation', which I understand is supposedly what this is meant to be, there is a time in the order of business each day to raise a personal explanation and it is just that: an opportunity for a member to explain their position. It is not a matter of debating the issue.

**Madam DEPUTY SPEAKER** (Ms Farmer): Member for Surfers Paradise, what is your point of order?

**Mr LANGBROEK:** My point of order is that I seek a ruling as to whether this is a personal explanation or whether it is actually debating an issue.

**Madam DEPUTY SPEAKER:** There is no point of order. I am satisfied that this is a personal explanation.

**Mr WELLINGTON:** My statement is about my actions and how my actions have been misrepresented by my opponents. At the time Mike Smith came to see me he told me he had no criminal convictions, and the circumstances of the arrest of his son and son-in-law for having a beer together in the local pub highlighted to me the problems with the VLAD laws. I was also informed that many social motorbike riders were harassed—yes, were harassed—by overzealous police who used the VLAD laws as justification for their actions. This police action also directly affected many businesses relying on recreational motorbike riders for their livelihood. I campaigned for the review of the laws and my opponents attacked me for my stance during the election campaign.

**Mr LANGBROEK:** Madam Deputy Speaker, I rise to a point of order. I seek your ruling again as to whether this conforms with the Speaker's own ruling as to whether it falls under the form of a personal explanation or whether he is in fact debating an issue.

**Madam DEPUTY SPEAKER:** I am satisfied that this is a personal explanation from the member for Nicklin about attacks that were made on him personally. However, if you wish to appeal that ruling you are welcome to write to the Speaker's office after this.

**Mr WELLINGTON:** I campaigned for the review of the laws and my opponents attacked me for my stance during the election campaign. I table a copy of a leaflet circulated in the Nicklin electorate before the last election which clearly sought to influence voters on the basis of my stance on the VLAD laws. Despite this, I was re-elected to parliament.

*Tabled paper:* Document, undated, titled 'Peter Wellington opposed tough laws that are working' [\[515\]](#).

The exchange of letters dated 5 February 2015 between Annastacia Palaszczuk, the then leader of the opposition, and me in the lead-up to the formation of government dealt with these matters by way of a commitment for an inquiry into these laws and my undertaking to not abstain from voting on matters before parliament. While the task force has reported, no bill has been presented to parliament by the government. I will, as always, cast my vote if necessary according to the merits of the question before the House, and I will cast my vote as the representative of Nicklin. Those that seek to garner my vote should do so through reasoned debate, and I will not let the vote of my constituency be denied through intimidation.

## NOTICE OF MOTION

### Early Childhood Development Programs



**Mr MANDER** (Everton—LNP) (10.19 am): I give notice that I will move—

That this House:

1. notes the importance of early childhood development programs in providing an education to students with a diagnosed or suspected disability in the years before prep; and
2. commits to allowing parents and students the ability to access both the National Disability Insurance Scheme and the state funded Early Childhood Development Program beyond 2020.

## PRIVATE MEMBERS' STATEMENTS

### Regional Queensland, Infrastructure



**Mr LANGBROEK** (Surfers Paradise—LNP) (Deputy Leader of the Opposition) (10.20 am): In the last few weeks since I have sat in this place I have travelled extensively around regional Queensland to hear firsthand what is happening on the ground. Wherever I visited—whether it is Townsville or Tully, Mackay or Mareeba, Bowen or Ayr, Malanda, Innisfail or Ingham—the story is the same: our regional economies are being hurt by a lack of infrastructure investment from the Palaszczuk Labor government. There are also great concerns about unemployment. If only the Premier would go to Townsville. They have enough trouble getting representatives in their own electorates to front up at functions and chamber of commerce meetings, but there is a real desire for the Premier to go to Townsville to see the issues that are affecting people—for example, unemployment where 25,000 jobs have been lost over the last couple of months.

Wherever I went, people said to me, 'JP, we wish the Premier would come and help us in regional Queensland where infrastructure funding has been cut.' Whether it was chambers of commerce, workers, parents, grandparents or representatives of small and large business owners, the people of North Queensland are becoming frustrated with a government that has no plan for delivering the infrastructure needed to boost productivity and attract more people to the region. The only thing that this government has offered to the people of North Queensland is a slap in the face as evidenced by some comments that the Deputy Premier made during her visit to the region last week to debunk any sense that they are not getting their fair share.

Retail trade is down 0.4 per cent in the last month. Seasonally adjusted unemployment is up 0.5 per cent. This is clearly a government that is not committed to infrastructure. This is a government that took more than a year to produce a state infrastructure plan only to subsequently admit that most of the projects in the plan were already detailed in the 2015-16 state budget. It is investing less money in our regions. It has slashed capital purchases by almost \$3.6 billion over the last four years. It has cut infrastructure investment in major regional centres like Townsville, Mackay and Cairns.


In Townsville, there is \$224 million less for infrastructure than what was budgeted in 2014-15. In Cairns, it is almost \$150 million less, while in Mackay the reduction is more than \$160 million. That is having an effect on regional economies. Business confidence in North Queensland is the lowest in the state. Townsville has lost 4,600 jobs in the last year, Mackay has lost 7,900 and the Cairns unemployment rate has increased to eight per cent under this do-nothing, be-nothing government.



All the Premier can offer is a visit from the Working Queensland Cabinet Committee. Having a meeting will do nothing to reverse the hundreds of millions of dollars of cuts in regional infrastructure spending. That is why we are committed to Royalties for the Regions instead of the smaller, shorter, narrower program from this Labor government.

*(Time expired)*

### Queensland Economy

 **Hon. CW PITT** (Mulgrave—ALP) (Treasurer, Minister for Aboriginal and Torres Strait Islander Partnerships and Minister for Sport) (10.23 am): Queensland's economy does have its critics, but most of them are sitting over there. The LNP must be tired of constantly being wrong. Recent proof of the resilience of our economy has come from the Deloitte Access Economics March quarter 2016 business outlook. It forecast continued growth for Queensland backed by our 'sweet fundamentals' including economic strengths across a range of sectors. Deloitte forecasts Queensland's GSP to grow by 2.9 per cent in the current 2015-16 year followed by nation-leading 3.5 per cent growth in 2016-17. It says that we are almost neck and neck with New South Wales and we are forecast to streak ahead in 2016-17. This is another very positive report card. We know that there are underlying challenges with global markets and the post-mining boom. That transition is being felt in regional Queensland.

It is absolutely galling for the member for Surfers Paradise to talk about how long it took to get a statewide infrastructure plan released when they did not have one for three years. The only project they had going in Queensland was the 1 William Street debacle. They did not care about regional Queensland, and it is crocodile tears coming in here and saying that they do.


There are a number of things that point to our economic plan working. We are further diversifying our state economy, growing our two very key sectors of tourism and agriculture. The strength of our economy is recognised not only by our traditional strengths but also by international investors. The Chinese conglomerate Wanda Ridong Group and its Australian partners Brookfield Multiplex have made a billion dollar vote of confidence on the Gold Coast—where the member for Surfers Paradise is from—with the start of construction of their \$1 billion hotel redevelopment. The Star Entertainment Group have signed an MOU to progress its transformational plans for an \$850 million redevelopment of Jupiters Gold Coast.

There are other indicators underlining the positive news about the state's future. Trend unemployment is at six per cent. It is 0.6 per cent lower than it was under those opposite. The NAB monthly business survey shows that for the ninth month in a row businesses in Queensland are feeling more confident than any others in the nation. We have had a rebound in consumer sentiment according to the Westpac-Melbourne Institute consumer sentiment index. The number of Queenslanders having finance approved to buy their own home has increased for the sixth month in a row.

Those opposite have continued to talk down our economy. I have said for a while now that they are in their fourth year of talking down Queensland's economy. I have to update the House: we have met a new milestone. The anniversary of the 2012 election has just ticked over—the infamous Campbell Newman victory. They are now into their fifth year of unrelenting negativity and scaring people about asset sales. This is the difference: a government that is working, is confident and is talking up our state versus those opposite who just cannot wait to whinge and find a cloud in a silver lining.

**Mr SPEAKER:** Before calling the member for Mansfield, I am pleased to announce that we have school leaders from the Emmanuel College in the electorate of Mudgeeraba in the chamber observing our proceedings.

### Criminal Organisations Legislation

 **Mr WALKER** (Mansfield—LNP) (10.26 am): Queenslanders have been amused but also highly alarmed at the phoney tough talk that has come from this government in respect of the proposed laws to amend the criminal gang laws in this state. We heard it again today when the Premier claimed 'a stronger and more workable regime'. Nobody in this state believes that other than her, the Attorney-General and the poor old Minister for Police because this has been a set-up from day one. We have to look beyond the crafted spin from the government. We have to look beyond Facebook rants about this issue. We have to look at what has really happened with this issue. Let us look first at the last time the government said that it was going to be tough on crime. It was then Attorney-General Dick who introduced the Criminal Organisation Act—

**Mr Dick:** And you opposed it.



**Mr WALKER:** That is right. We were absolutely right to oppose it. It was an absolute dud. There were no convictions. Nothing ever happened. Mr Wilson in his report said that the legislation was not useful and holds no promise of becoming so. What a great record of being tough on crime from this mob who now expect us to trust that they are tough on crime. The legislation was not useful and holds no prospect of becoming so. The fix was in from day one. Mr Speaker, you would be well aware—as the member for Nicklin you just talked about a review of these laws—as would the House, that these laws were due for review in three years time. There was to be a proper review in October this year. Instead we have a set-up terms of reference. Here is the starting sentence—

The Taskforce will note the Queensland's Government's intention to repeal, and replace the 2013 legislation ...

That is hardly the starting point for a government that wants to get tougher on the laws. I table those terms of reference.

*Tabled paper:* Department of Justice and Attorney General web page titled 'Terms of reference—Taskforce into organised crime legislation 2015' [\[516\]](#).

If the Premier thinks everyone believes she is going to get tough on criminals, the bikies certainly do not and the chairman of the CCC certainly does not. The letter submitted by the CCC makes it clear that since the 2015 election it is perceived by clubs that there is a softening of the stance against outlaw motorcycle criminal activity. That is clear, and I table that letter.


*Tabled paper:* Letter, dated 17 December 2015, to the chairperson of the Taskforce into Organised Crime Legislation, Hon. Alan Wilson SC, from the chairman of the Crime and Corruption Commission, Mr Alan MacSporran QC, regarding intelligence information [\[517\]](#).

What is more, there is no-one smarter in this state than the lawyers. They are certainly smarter than the Premier, the Attorney-General and the police minister. I table a report from the *Courier-Mail* of 7 April titled 'Wheels of justice stall as review rolled out'. The lawyers know the laws are going to be weakened. They are—as I would be doing if I were a smart lawyer in their place—adjourning their cases until this legislation is clear, because they know that these laws are being wound back. We should be concerned about it, and the people of Queensland are.

*Tabled paper:* Article from the *Courier-Mail*, dated 7 April 2016, titled 'No U-Turn for Laws in South' [\[518\]](#).

(Time expired)

## Domestic and Family Violence

 **Hon. SM FENTIMAN** (Waterford—ALP) (Minister for Communities, Women and Youth, Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence) (10.29 am): I am pleased to advise the House that after many months of consultation on the review of the Domestic and Family Violence Protection Act, cabinet yesterday endorsed further legislative reforms as we push forward with implementing the recommendations of the *Not now, not ever* report. A bill will now be prepared for introduction to meet our commitment to present legislative changes in the first half of this year.

The Palaszczuk government's No. 1 priority is keeping victims of domestic and family violence safe. We have already delivered significant reforms to strengthen protection for victims and hold perpetrators to account, and there are further reforms regarding aggravation and strangulation before the parliament this week. We have said that we will consider any tool available to us to stop this epidemic, but we will do that in a considered and comprehensive way.

We are privileged to have been given a road map by Dame Quentin Bryce and the task force and, having accepted all 140 recommendations, it is imperative that we focus our immediate efforts on steady and effective implementation. However, we know that outside this process other ideas arise. One such issue is the potential creation of a public disclosure scheme, which would allow people to seek details of their partner's criminal and domestic violence history, known as Clare's law. It is important that we assess all of the social and legal dimensions of any potential scheme, particularly the impact on victims. The costs and benefits of public disclosure schemes will need to be carefully balanced.


In order to ensure that careful, measured consideration is given, I can inform the House that the issue of a domestic violence disclosure scheme will be referred to the Queensland Law Reform Commission for consideration and review. They will be asked to consider whether Queensland's response to domestic and family violence will be strengthened by the introduction of such a scheme. The QLRC can draw on the effectiveness of the scheme currently operating in the United Kingdom and

the two-year trial underway in New South Wales, but will also have to investigate why the Western Australian Law Reform Commission and the Victorian Royal Commission into Family Violence recommended against the introduction of such a scheme. The Victorian royal commission report noted—

A perpetrator register scheme is being considered by other jurisdictions in Australia but, because of concerns about the effectiveness of such schemes in ensuring victim safety, and pending the results of a trial in New South Wales, the Commission does not recommend the introduction of such a register.

This is a view that has also been expressed to me by service providers who are telling me that any consideration of such a scheme should be done with caution and with careful attention to any unintended consequences. I thank the members of the Law Reform Commission in advance for their contribution and I look forward to receiving their report.

### **Palaszczuk Labor Government, Performance**

 **Mr SPRINGBORG** (Southern Downs—LNP) (Leader of the Opposition) (10.32 am): If anyone was in any doubt, when they heard the Treasurer speak this morning it would have been absolutely clear that this government still has no idea how to run Queensland. This government continues to be frozen at the wheel. This government has no clue about how to even get a clue in Queensland. They have no idea on what needs to be done to fire up the economy, roll out the jobs or manage the debt. The LNP in Queensland certainly does have a plan and an established track record on being able to fire up the economy, roll out the jobs and manage the debt. They are pivotal things that governments must be able to do to ensure that Queenslanders have a sense of confidence and that there is a clear sense of direction in this state. It also allows those who wish to invest in Queensland to have confidence that they have a government in place who understands the issues which are critically important to driving this state forward.

We heard more absolute denial from the Treasurer this morning. The Treasurer obviously has not been looking at the likes of the CCIQ report and myriad other significant business reports which have shown that the state of the Queensland economy and business confidence is as low as second from the bottom in all of Australia. That is critically important when we look at the amount of infrastructure investment and confidence for the major employers in this state: the construction sector and the mining sector.


What we do have on the other side of the House is a government that is fixated on the needs and the wants of the extreme green movement, the needs and the wants of the radical union bosses and the needs and the wants of those involved in criminal gangs in Queensland. It is a government that is not fixated on the ability and the needs of those in the business sector, the construction sector, the mining sector, the agricultural sector or real investment in the area of ensuring that our innovation capability is taken to the next level. Indeed, we have seen a government that has been in two minds with regards to Adani. We acknowledge that there has been a step forward as a consequence of a motion in this parliament which was supported by those opposite to provide some approvals to Adani, but there is still a significant way to go. If we look at the concerns which are being expressed by the mining sector, it is still unclear as to whether this government really does have the commitment within the departments or the real grunt to be able to make those sorts of things happen. We see serious sovereign risk challenges around agribusiness in this state, and that is a significant concern. We have also seen a bleed of about \$3½ billion in the area of capital works commitment under this government vis-a-vis when we were in government. That all leads people to conclude that this government does not have a serious commitment to firing up this economy and certainly continuing—

*(Time expired)*

### **QUESTIONS WITHOUT NOTICE**

**Mr SPEAKER:** Question time will finish at 11.35 am.

#### **Member for Cairns**

 **Mr SPRINGBORG** (10.35 am): My question without notice is to the Deputy Premier. I refer to the Deputy Premier's fixation on the member for Cairns and confirmation by her office that it would cost a whopping \$37,000 for a right-to-information request to access all emails in her office that relate to Mr Pyne over a short three-month period. In the interests of accountability, will the Deputy Premier release these volumes of emails for free?

**Ms TRAD:** I thank the member for his question. I do have to say that, unlike those opposite, I do not personally involve myself in right-to-information requests that are received by any agency, and nor should I; that is the law. If that is the advice that has been provided by the information officer within my agency, then that is the advice.

I will say, however, that I have been advised by my department that consideration of all the complaints that have been tabled by the member for Cairns for some months has cost my agency in excess of \$20,000. That is \$20,000 that my agency has spent investigating all of the matters that have been tabled by the member for Cairns. Further to that, as I advised the House late last year, the methodology and the process that my agency uses to investigate complaints have been referred to the Ombudsman as well for further analysis and for further consideration. I believe my agency and my office have dealt appropriately with all matters that have been presented to this parliament and to my office in relation to councillor complaints, and my office has borne a great amount of expense investigating these issues. I have presented to this House the outcomes of each tranche as they have become available to me.

### **Carmichael Mine**

**Mr SPRINGBORG:** My second question without notice is to the Minister for Environment. I ask: as the minister who provided environmental approvals for the \$21 billion Adani Carmichael coalmine, does the minister endorse the motion approved by the Mount Coot-tha branch of the ALP condemning his approval of Adani's Carmichael mine?

**Mr SPEAKER:** Before I call the minister I would like to remind members of the importance of making sure that their questions do not contain imputations or inferences.

**Dr MILES:** I thank the member for his question and his ongoing interest in the minutes of the Mount Coot-tha branch. It is a very good branch and I am proud to be a member of it.

The minister for mines has issued the mining lease for the Adani project, and that is supported by this government because this government supports jobs. I made the point very clearly at the last sitting that the difference is this government also protects the Great Barrier Reef and this government also follows due process. Only weeks ago the Leader of the Opposition demanded that the project be fast-tracked and that we usurp the appropriate processes. While only Labor can be trusted to properly assess—

**Mr SPRINGBORG:** I rise to a point of order. I refer to your very unequivocal reaffirmation of the rules concerning relevance at the beginning of parliament today. I would ask for your ruling on the issue of relevance with regard to the minister's response and that you bring him back to the substance of the question which I asked. My question very simply was does the minister endorse the motion approved by the Mount Coot-tha branch of the LNP condemning his approval of Adani's Carmichael mine, specifically when he provided the environmental approvals.

**Mr HINCHLIFFE:** I rise to a point of order. The Leader of the Opposition has gone through a long and extensive point of order trying to draw a very long bow that the minister's answer has not been relevant to the question. The minister has made reference to all of the elements of the honourable Leader of the Opposition's question, and I suggest that the Leader of the Opposition takes guidance from the standing orders and allows ministers to answer their questions.

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

**Dr MILES:** This government supports projects which will deliver jobs, and the proof of our approach is in the numbers. Queensland's unemployment figures are far better now under the Palaszczuk government than they were under those opposite, and that is because of our support for jobs not just in one industry, but in other industries like the tourism industry that are reliant on a prospering Great Barrier Reef. It was vital that we followed due process with regard to that project, and that is what happened. We will protect the Great Barrier Reef because we do not want to see the dumping of capital dredge spoil on the Great Barrier Reef and because we do not want to see dredging commence before that project has financial certainty. We are implementing our election commitments. Labor is the party that can be trusted to deliver projects in ways which are environmentally appropriate, which rely on the science, which properly consider the processes and which do not misuse taxpayers' funds like those opposite wanted to do. We get the balance right. That is our job, that is what the people of Queensland elected us to do and that is what we continue to implement every day.

### Far North Queensland, Federal Funding

**Mr CRAWFORD:** My question is of the Premier. Will the Premier update the House on federal investment decisions which will impact Far North Queensland?

**Ms PALASZCZUK:** I thank the member for Barron River for that very important question. I am quite sure that, along with the member for Cairns and the member for Mulgrave, people in Cairns feel very let down by Malcolm Turnbull over the recent decision to award the Pacific patrol boats tender to Western Australia. As the Minister for State Development said, it is a kick in the guts for the people of the far north. It will be very interesting to note whether or not the LNP opposition in Queensland support Malcolm Turnbull's decision to award that contract to Western Australia, which would have meant a billion dollars' worth of money going into our economy and hundreds of jobs and opportunities and training for people into the future.

**Mr Dick:** It is in the Indian Ocean, not the Pacific Ocean.

**Ms PALASZCZUK:** I am glad the Minister for Health mentions that, because I think what Malcolm Turnbull might need is a map of Australia to make it very clear—

**Mr SPEAKER:** Premier, we do not need props.

**Ms PALASZCZUK:** That is what we need to show the Prime Minister, because obviously he has a problem with geography. I will agree with members opposite when they put forward good issues. 'Furious Entsch puts phone down on Turnbull as Cairns misses patrol boat contract.' The federal member for Leichhardt is disappointed in his own Prime Minister. What is the position of the Leader of the Opposition and those opposite? On 23 February this year the Prime Minister wrote to me and he said, 'I note your government's ongoing support for the Cairns based consortium's bid and the benefits that you explained would flow to North Queensland and Northern Australia more broadly if it was awarded this project. Like you, I look forward to the outcomes of this tender process.'

This was false hope for Queensland from Malcolm Turnbull. As we know, we are probably in the midst of a federal election campaign with the double dissolution trigger last night for 2 July, but Malcolm Turnbull has to prove to Queensland that he will stand up for Queensland. We have seen him turn his back on the people of the far north. The people of Cairns should rightfully be disappointed that the Prime Minister of their nation has let them down, has let their economy down and has let the people who live in that community down regarding jobs. Shame, Malcolm Turnbull, shame!

**Mr SPEAKER:** I am pleased to inform the House that we have students from the Pine Rivers State High School in the electorate of Aspley observing the proceedings. I now call the Deputy Leader of the Opposition.

### Carmichael Mine

**Mr LANGBROEK:** My question without notice is to the Minister for Environment. As the minister who provided environmental approvals for the \$21 billion Adani Carmichael coalmine, will the minister now take this opportunity to repudiate the motion moved by the Mitchelton branch of the ALP regarding the Adani Carmichael coalmine?

**Dr MILES:** I thank the member for his question and his interest in the minutes of the Mitchelton branch. He is more than welcome to come and address a Mitchelton branch meeting. It is not in my electorate, but the member would certainly be welcome.

Let me clarify something about the line of questioning from the opposition, because they seem to be asserting that the environmental authority is approved by the environment minister. This is interesting because until 2013 it was, but in 2013 the LNP changed the law to take away from the environment minister any say in it. I am not sure why the member for Hinchinbrook could not trust the member for Glass House. I do not know what was going on internally—

**Ms Trad:** It was the member for Callide.

**Dr MILES:** It was the member for Callide? It is pretty clear that someone did not trust the member for Glass House. Those opposite should recall that because it was their amendment. I make the point again that this project went through all of the appropriate processes, including the process that was changed by those opposite. As I understand it, it has achieved the final hurdle in terms of the mining lease. It is supported by this government because this government supports jobs, and that is why this government has delivered a lower unemployment rate than those opposite could. That is why this government not only supports jobs in the resource sector but also supports jobs in the tourism sector that are reliant on the Great Barrier Reef. That is the difference. We will not misuse taxpayers' funds

and we will not subsidise a private enterprise, as those opposite intended to do. We do not fast-track processes like the Leader of the Opposition demanded we do. We follow appropriate processes. We deliver jobs in resources and protect jobs in tourism and all other sectors. That is what this side of the House does; that is what we were elected to do; that is what we will keep doing.

**Mr SPEAKER:** Before I call the member for Nudgee, I am informed that observing proceedings from the gallery are students from the Bremer State High School in the electorate of Ipswich. Welcome.

### **Turnbull Government, Funding**

**Ms LINARD:** My question is to the Premier. Will the Premier update the House on what funding she will be fighting for from the federal government in the upcoming federal election?

**Ms PALASZCZUK:** I thank the member for Nudgee very much for that important question. We do not want to see Queensland miss out. I will strongly stand up for Queensland against Malcolm Turnbull, as will each and every member of my government. We know how important it is to secure the necessary funds from the federal government to deliver infrastructure, jobs and services to people and families living right across our great state. The people of our great state do not want to see the Turnbull government turn its back on them.

There are a couple of issues that I think we as a parliament and a government want to pursue with the Turnbull government. The first of those is funding for infrastructure. That means Cross River Rail—No. 1 on Infrastructure Australia's list—and the Ipswich Motorway. We need this funding. It will provide an opportunity for the creation of a lot of jobs across this state. We definitely need that. We also need matching funds in Townsville for the Townsville stadium. It is about time Malcolm Turnbull declared his hand. We know that Bill Shorten is prepared to stand up for Townsville in support of the stadium and the jobs it will create, but still there is silence from Malcolm Turnbull when it comes to the Townsville stadium.

Recently I attended the COAG meeting in Canberra. Yes, we did secure extra funds for health over the next three years—funds that Tony Abbott had viciously slashed. This is the No. 1 issue for families. Families want good access to health services, no matter where they live in this state. As there are 169 hospitals spread across this state, I want to ensure that that funding continues into the out-years. Unfortunately, we have heard nothing about what will happen with health funding in this state three years hence. It is an issue that will be fought very clearly in the federal election campaign.

The other issue from COAG about which I am very concerned relates to education. It may have been just a thought bubble but it was a bad thought bubble when Malcolm Turnbull said that he would look at dividing our school system such that the states would be responsible for state schools and the federal government would be responsible for private schools. I do not want to see a class divide in this state or indeed in this nation. I want to see education funding restored so that our children can have the best start in life. Those opposite are completely silent when it comes to those issues.

I also want to see that \$5 billion for the northern infrastructure fund out the door. The time for talk is over. I want that money out the door. We also want to see additional funds for the Great Barrier Reef and more support for renewable energy.

*(Time expired)*

### **Criminal Organisations Legislation**

**Mr BLEIJIE:** My question is to the Premier. Will the Premier guarantee that under her government's proposed amendments to criminal gang laws 50 Bandidos members without criminal convictions and not wearing colours will not be able to freely associate, for instance at Broadbeach?

**Ms PALASZCZUK:** What I will guarantee the people of Queensland is that we will have workable laws that tackle all serious organised crime in this state. I will guarantee to the people of Queensland that we will not rush through laws in three hours, like we saw under the former attorney-general. The other thing I will guarantee is that we will give the Police Service the resources they need to combat serious organised crime in this state.

We have honoured our election commitments to the people of this state. I said that there would be a commission of inquiry into organised crime. The Attorney-General undertook to have a task force review of the existing laws. What people across this state are saying to me is that they want workable laws. They want convictions, so that if people commit a crime they get convicted and they go to jail.

That is what the people of Queensland want—unlike what we have seen, with no convictions. We have not seen the laws of the former government tested in the High Court. I want laws that will stand up to scrutiny.

The other thing I want is laws that are consistent up and down the east coast of our country. Mike Baird has put in place tough anti-consorting laws that are working.

**Mr Bleijie** interjected.

**Mr SPEAKER:** Order! Member for Kawana!

**Ms PALASZCZUK:** They are targeted consorting laws that are seeing convictions. It is my intention that I and the Minister for Police will go to New South Wales with our Police Commissioner to discuss—

**Mr BLEIJIE:** Mr Speaker, I rise to a point of order on relevance. The Premier has given a lot of guarantees but not the guarantee I requested in the question. My question was—

**Mr SPEAKER:** There is no point of order, member for Kawana. Resume your seat.

**Mr BLEIJIE:** Mr Speaker—

**Mr SPEAKER:** No point of order. Resume your seat.

**Mr BLEIJIE:** But Mr Speaker, this is on relevance—

**Mr SPEAKER:** No point of order. Resume your seat. Premier, do you have anything to add?

**Ms PALASZCZUK:** No.

### North Queensland, Economy

**Mr HARPER:** My question is of the Deputy Premier. Will the Deputy Premier inform the House about how the Palaszczuk government is investing in projects that will help to grow and diversify the North Queensland economy and create jobs?

**Ms TRAD:** I thank the member for Thuringowa for his question. I know that he is passionate about delivering jobs in North Queensland and regional Queensland. That is why I was very pleased last week to join him and the Minister Assisting the Premier on North Queensland, Coralee O'Rourke, to announce that the Palaszczuk Labor government, through the catalyst infrastructure fund, would give JCU and the local council \$5 million to get the Ideas Market up and running on the JCU campus as part of their Discovery Rise redevelopment.

The Ideas Market at JCU will be a social and entertainment hub where the university and the community can interact, encouraging ideas and sharing innovation. The Ideas Market will be a central focus for the Discovery Rise redevelopment project, which is estimated to be of the value of \$1.7 billion. That is \$1.7 billion injected into the Townsville economy. Ultimately, it will be a site that could support up to 1,200 construction jobs over four years and 800 ongoing jobs in the fields of research, retail and health services. We believe that the health and knowledge jobs of the future belong throughout all of Queensland—not just in the South-East Queensland corner but across all of Queensland. Our \$5 million investment in JCU through the catalyst infrastructure fund is about securing those jobs of the future.

Ultimately, Discovery Rise will provide student accommodation as well as commercial, retail and research facilities, on site at JCU. It will become a hub in terms of health, knowledge and service jobs of the future in Townsville. The Palaszczuk government was very happy to support this application from JCU.

We are also very proud to talk about our investment in North Queensland and Far North Queensland. I refer those opposite to the State Infrastructure Plan. I know that they failed to release a state infrastructure plan in the entire time they were in government, but we managed to do it. We committed to do it and we managed to do it within the time frame we gave.

Page 8 of the State Infrastructure Plan part B refers to the additional \$2 billion we have invested, much of which has gone to North Queensland and regional Queensland. This contrasts very sharply with what those opposite had done and had planned for Townsville: sacking nurses, getting rid of front-line workers, selling the Port of Townsville and only promising infrastructure if local electors voted for LNP candidates. Those opposite blackmailed the people of Townsville, and the people of Townsville sent them packing.

### Criminal Organisations Legislation

**Mr WALKER:** My question is to the Attorney-General. Can the Attorney-General, as the state's first law officer, confirm that the person in this photo standing to the right of convicted drug trafficker Michael Smith wearing a 'Win with Peter Wellington' T-shirt is criminal gang Rebels member—

**Mr SPEAKER:** Order! Member for Mansfield—

**Mr WALKER:** I table that photo and I provide a copy for the Attorney-General's reference.

*Tabled paper:* Photograph, undated, of persons wearing 'Win With Peter Wellington' T-shirts [519].

Can the Attorney-General confirm that this is criminal gang Rebels member Paul Landsdowne, who in 2009 was fined for possession of a drug and a loaded, unregistered, untraceable semiautomatic handgun hidden in a coffee table?

**Mrs D'ATH:** I thank the member for his question, although I do consider it quite a desperate question. If that is all the opposition has in relation to asking genuine questions about organised crime in this state—to put up a stunt like this—it is a true reflection of the opposition. With regard to the individual concerned, I am happy to consult with the police to find out if it is the person that they refer to. Having said that, I fail to see what sort of inference the opposition seeks to draw by having that clarified in that picture. I am happy to answer any questions the opposition wants to put to me on the task force report, the recommendations and the announcements of this government. Let us have a serious discussion about organised crime in this state and stop putting up stunts like this, because it is an embarrassment to the opposition.

### Turnbull Government, Industry Development

**Mr POWER:** My question is directed to the Treasurer. Will the Treasurer outline the recent actions of the federal government which affect industry development in Queensland?

**Mr PITT:** I thank the honourable member for Logan for his question. Yesterday in the *Courier-Mail* we saw a pretty slack attempt by the Prime Minister to try to resurrect himself as some kind of saviour for Queensland. It was a pretty condescending description. He said that Queenslanders were 'relaxed and congenial' and that our character is 'underpinned by a gritty resolve'. I assume that he is relying on that relaxed and congenial approach so that we might politely sit by while the federal government continues to take funds from Queensland and to take away opportunities for our great state. He then went on to characterise the Queensland economy as being wholly reliant on the resources sector. That is a very misleading statement. Everyone knows that we have the most diverse economy in the nation and that in fact not one component of our economy—not one sector—makes up more than 11 per cent of output.

It is a glaring omission that he could not get those facts right. In this virtual pat on the head that has been provided there was no mention or no lead that there would be this shameful decision about the Pacific patrol boats contract going to Western Australia rather than Queensland. It is day one of the federal election campaign and already Malcolm Turnbull has torpedoed Queensland. The Pacific patrol boat replacement contract is a very important thing for Cairns and Far North Queensland, because guess what? They had the skills and the capability to win that contract. It is a very important contract and Mr Turnbull, as the Premier has said, has turned his back on Cairns and Far North Queensland and turned his back on our state.

The federal government has abandoned Queensland and it is the first big black mark that we have seen during this faux election campaign which we expect will start any day now. The starter gun has not gone off but already Malcolm Turnbull is copping the wrath of the likes of Warren Entsch. To answer the rhetorical questions earlier from the member for Nanango and the member for Glass House in terms of what I have done to support the Pacific patrol boat tender, I stood next to Mr Entsch in a bipartisan way to make sure that it was unequivocal that this was not a party political issue. What have we seen? Them dumping on us. When it comes down to it we also have an opportunity during this very cynical calling of a joint sitting of parliament federally to have a double dissolution trigger, but within that there is an opportunity to put in place the Northern Australia infrastructure facility bill. As I do, I often troll the Australian Parliament House website and I noticed something quite concerning, and I table this—the Northern Australia infrastructure facility bill's status is 'not proceeding'. That is absolutely shameful. We have Matt Canavan, whose big claim to fame before becoming a minister was saying that Western Australia deserved half a billion dollars outside of the GST pool and not going in to bat for Queensland. We still have not had any commitment for the Townsville stadium—nothing from the



federal government. We also have the Prime Minister saying that he thinks he understands Queensland. If he is continuing to get advice from LNP backbenchers like George Christensen and Ewen Jones, no wonder we are not getting a fair go!

*Tabled paper:* Extract, undated, from the Parliament of Australia website regarding the Northern Australia Infrastructure Facility Bill 2016 [\[520\]](#).

### **Criminal Organisations Legislation**

**Mr STEVENS:** My question is directed to the Premier. I note the Premier has said that she will copy the New South Wales criminal gang laws and make it illegal for criminal gang members to wear colours in public. Considering that New South Wales allows colours to be worn in public and the Queensland government has indicated gangs will not be declared, how will the Premier guarantee colours will not be worn in public?

**Ms PALASZCZUK:** I thank the member for Mermaid Beach for that question. As we said, the government will be looking at extending the ban on colours in public places. We are exploring that with the legal fraternity and the Crown Solicitor and will be working through these laws methodically. We will also be discussing them with New South Wales and Victoria. I think members of the public want to see workable laws but they also want to see consistency of laws across the east coast, if not all of Australia. They also want to see laws that tackle all forms of serious organised crime including child exploitation, as I said previously, money laundering, boiler rooms and illicit drugs. These are all extremely serious issues and my government intends to tackle all forms of serious organised crime, not just outlaw motorcycle gangs. I look forward to meeting with the Premier of New South Wales and their police minister. We are in the process of organising a meeting with them. It is very important that we have consistency of laws, and that is exactly what my government intends to do.

### **Mackay, Health Services**

**Mr PEARCE:** My question is directed to the Minister for Health and Minister for Ambulance Services. Will the minister advise the parliament of efforts by the state government to improve the delivery of healthcare services in the Mackay region?

**Mr DICK:** I thank the member for Mirani for his question. I know he is a strong advocate for our public health system in Queensland. I was delighted to join the member for Mirani recently for the opening of the Moura Hospital, a significant initiative that will deliver for a community in the central part of our state. I know that he advocated strongly for the rebuild of that hospital during the previous parliamentary term. The Palaszczuk government is dedicated to delivering effective and appropriate health services for Queenslanders wherever they live across Queensland and our health system has some of the most talented clinicians in the world working across the length and breadth of Queensland. Those clinicians need the best facilities that we can deliver for them to be able to deliver those services to Queenslanders.

On 10 April I was pleased to announce \$90 million in infrastructure funding this year for small and minor capital works programs across the length and breadth of Queensland. In dollar terms they are small but, when you add them up and see the impact on those hospitals and those health clinics, they make an enormous impact. Things that we will be delivering include air-conditioning systems, improved fire safety, kitchen upgrades, roof replacements and other maintenance issues from the north of our state in Bamaga all the way down to Cunnamulla in the south-west, and 60 per cent of that funding will be spent in the north of our state. We are a government, as the Premier has said on many occasions, that delivers for all Queenslanders—one Queensland working together—and we will continue to deliver for them.

Some of those projects in the Mackay Hospital and Health Service area, which is of great interest to the member for Mirani, include kitchen upgrades to occur at Clermont, Dysart, Moranbah, Sarina and Proserpine, and the Proserpine Hospital's acute primary care clinic will also be expanded. It is good news for staff and it is good news for patients, but just as importantly it is good news for jobs for Queenslanders. Sixty-four jobs will be supported through these projects, and they will be started by the end of the year and completed in 2017. Our overall \$1.3 billion infrastructure plan for 2015-16 for Queensland Health will deliver 3,700 jobs statewide. That is a government getting on with the job of delivering jobs. Wherever people live in Queensland, that is a commitment this government has made. We are doing it through projects big and small in the Health portfolio. These projects will not only make a difference, as I say, to health care, make a difference to staff and make a difference to patients but also create sustainable employment for people in towns big and small across our state.



### Criminal Organisations Legislation

**Miss BARTON:** My question is directed to the Premier. I note the Premier has said she will copy the New South Wales criminal gang laws and make it illegal for clubhouses to open. Considering that New South Wales laws actually allow clubhouses to operate, how does the Premier intend to keep clubhouses shut?

**Ms PALASZCZUK:** I believe I answered this question in relation to what I said—that is, that we would be discussing it with New South Wales. The evidence is very clear: in New South Wales not only have the clubhouses been closed; they have been dismantled. We will have consistency of laws across the states. That is my intention, that is my government's intention, but we will also tackle all forms of serious organised crime.

### Federal Budget, School Funding

**Mr BROWN:** My question is to the Minister for Education. With the federal budget to be handed down next month, can the minister advise the House of its impacts on school funding?

**Ms JONES:** I thank the honourable member for his question, because he believes, like me—as do all members on this side of the House—that every child, no matter where they live, deserves access to the best quality education that our country can afford. One would think that this is a principle that both sides of politics in this House would support. It is about ensuring that we have funding from our national government towards all schools in Queensland.

More importantly, more children attend public education in Queensland than in any other state. Where are our state schools located? More than 1,000 of them are located in regional Queensland—in the electorates that those opposite are meant to represent in this House. I call on the member for Toowoomba South to make sure that the first job he does when he joins his colleagues down there—when he eventually writes a letter about it—is to stand up for the schools in his electorate and guarantee that the Malcolm Turnbull government will not walk away from funding state schools in our country. As I said at the Senate inquiry—

**An honourable member** interjected.

**Ms JONES:** I would love to get him on the record. What did the member for Everton say? He had an interjection. Today, what we have heard from the LNP members is that they will not stand up for Queensland schools. They will not stand up for regional schools in our state.

We know that in many communities the only school that is provided is a state school and they want to cut funding to state schools. It is shameful. In actual fact, what we have seen from Malcolm Turnbull—

**Mr Boothman** interjected.

**Mr SPEAKER:** Member for Albert, your interjections are unruly and not relevant. I warn you under standing order 253A. If you persist, I will take the appropriate action.

**Ms JONES:** I have to be honest: I am very heartened that, all of a sudden, the members opposite have something to say about education. After two years of deathly silence, absolutely nothing from the shadow minister for education, who has not once spoken on behalf of schools in Queensland, not once has he written to the federal Minister for Education, not once has he written to the Prime Minister of our country saying that it is shameful—

**Mr Mander:** You are all talk and no action.

**Ms JONES:** All talk and no action? What action have you taken?

**Mr SPEAKER:** Minister and member for Everton, I would urge you to put your questions or comments through the chair.

**Ms JONES:** We just had the admission from the member for Everton that not once has he written to the Prime Minister or lobbied his LNP colleagues in Canberra to stop defunding schools in Queensland.

More than \$1 billion will be ripped out of all schools in Queensland—those schools that he really cares about: independent schools, Catholic schools and Christian schools. Those schools will also lose money because of the change in the index. It is about time that the LNP—

**Mr SPEAKER:** Thank you, Minister.

### Safe Schools Coalition

**Mr MANDER:** My question is to the Minister for Education. With the minister's ongoing refusal to be open and transparent about naming the Queensland schools that have signed up for the taxpayer funded Safe Schools Coalition program, can the minister confirm that the only way a parent can find out this information is through the RTI process that will cost them close to \$1,100?

**Ms JONES:** This is a shameful question and it comes off the back—

**Honourable members** interjected.

**Ms JONES:** This is a shameful question and I am going to call it for what it is.

**Mr NICHOLLS:** I rise to a point of order. Mr Speaker, earlier today, you reissued your ruling in relation to answers to questions. Debating the question was clearly one of those matters that you said ought not to be allowed and I would ask you to rule on whether the minister, in her opening remarks, is, in fact, debating the question or seeking to answer the question that has been properly put to her.

**CHAIR:** Thank you, member for Clayfield. I would urge the minister to make sure that her answer is relevant to the question and that she is not debating the question.

**Ms JONES:** It will be extremely relevant. It will be relevant, because yesterday I answered a question on notice from the honourable member for Everton. He asked me a question about bullying. Do you know what one of the biggest causes of bullying in our schools, as in the broader community, is?

**Mr NICHOLLS:** I rise to a point of order. Mr Speaker, again, in terms of the rulings that you have issued, the use of the second personal pronoun 'you' across the chamber is one of those matters that you quite clearly spoke about this morning. I would ask you to bring the minister, who is a constant offender, to order in relation to that matter.

**Ms JONES:** Sorry, Mr Speaker. I will use 'the member for Everton'. I am quite passionate about this, because I am passionate about ensuring that every child in every school feels safe to go to school. That is my job. As the Minister for Education in Queensland, my job is to make sure that every child, no matter where they go to school, feels safe to go to school. We equip our principals and teachers with the programs that they ask for in their schools to ensure that they have a supportive environment. That is a big difference between me and the member for Everton.

The member for Everton's question was about how do parents know. They know by talking to their principal at their school. It is a decision made by the principal about their school, because, unlike the member for Everton, I trust principals to act in the best interests of the students of their school. We will take all steps—

**Mr Cramp** interjected.

**Mr SPEAKER:** Thank you, member for Gaven.

**Ms JONES:** Our government and I, as the Minister for Education, will take all steps necessary to ensure that our students feel safe to go to school.

**Mr Rickuss** interjected.

**Mr SPEAKER:** Member for Lockyer, you are warned under standing order 253A for your continual interjections.

**Ms JONES:** When I saw the honourable member for Kawana's tie, I thought I was in the 1970s, but the comments opposite were in the 1950s. Can I say this—

**Honourable members** interjected.

**Mr SPEAKER:** Thank you, members.

**Ms JONES:** You commented on my hair colour once.

**Mrs Stuckey:** How disgusting.

**Ms JONES:** I take the interjection from the member for Currumbin, who called me disgusting. I do not think that it is disgusting to stand up for students in our schools to feel safe. I do not think that is disgusting and I do not think gay people are disgusting.

**Mr SPEAKER:** Thank you, Minister.

**Ms JONES:** Mr Speaker—

**Mr SPEAKER:** Minister, I think you have answered the question.

**Ms JONES:** No, I have not. I have another point to make.

**Mr SPEAKER:** Minister, you have answered the question adequately.

### Carmichael Mine

**Mrs GILBERT:** My question is to the Minister for State Development and Minister for Natural Resources and Mines. Will the minister outline the benefits that the Adani Carmichael mine will deliver for Northern and Central Queensland?

**Dr LYNHAM:** I thank the member for Mackay for her question. I know that the member is a great supporter of this mining opportunity for the people of her electorate and for the people of North and Central Queensland. The member for Mackay was with me, along with the member for Mirani, when the Premier and I made the announcement on 3 April—and what a great day that was.

Our government has granted three individual mining leases for the Carmichael coalmine in Queensland's Galilee Basin. This \$21 billion mine, rail and port project has the potential to create thousands of new jobs. In fact, going by Adani's estimates of the whole project, that is 5,000 jobs at the peak of construction and more than 4,500 jobs at the peak of operations. The leases, which are about 160 kilometres north-west of Clermont, are estimated to contain 11 billion tonnes of coal. The mine is expected to produce up to 60 million tonnes of coal a year.

The Palaszczuk government is striking a balance between creating jobs and protecting the Great Barrier Reef for generations to come. At the last election we promised to ban the dumping of dredge spoil in the Great Barrier Reef World Heritage area and on the Caley Valley wetlands and that remains our priority. There will be no dredging at Abbot Point until Adani demonstrates financial closure and Queensland taxpayers will not be funding any infrastructure for this project.

Stringent conditions will be enforced to safeguard landholders' and traditional owners' interests. This includes about 140 conditions to protect local flora and fauna, groundwater and surface water resources along with controls on dust and noise and another 99 stringent and wideranging conditions that apply to the rail and port elements of the project.

The journey to date has included public objections in 2014, Land Court hearings in 2015 and a Land Court recommendation in December 2015 for the mining leases to be granted. I also note that on 16 April 2016 the Wangan and Jagalingou people authorised the ILUA with Adani to address native title for the mining leases and all associated infrastructure. This project will be of overall benefit to the people of Queensland.

Not supplying Queensland coal to overseas markets would not reduce global carbon emissions. Under the global agreement for addressing climate change coal usage will be included in each country's own carbon emission plans—that is, countries using Queensland's coal will need to factor this into their emissions profile. What Australia needs is an emissions trading scheme. What Australia needs is a 50 per cent renewable energy target by 2030. That is what federal Labor will deliver.

**Mr SPEAKER:** Before I call the member for Mudgeeraba I am informed that we have further students from the Pine Rivers State High School in the electorate of Aspley observing our proceedings.

### Robina Hospital, Mental Health Unit

**Ms BATES:** My question without notice is to the Minister for Health. Will the minister now confirm that as a reaction to adverse publicity an external review is being conducted of the mental health unit at Robina Hospital? I table a copy of the draft external review for the minister's reference.

*Tabled paper:* Queensland government: Gold Coast Health—Project Plan, Optimising Staff Engagement & Patient Safety, Mental Health & Specialist Services, March 2016 [\[521\]](#).

**Mr DICK:** I thank the member for Mudgeeraba for her question. There is no external review. The Gold Coast Hospital and Health Service has engaged in a unique and special activity, which is talking to its staff. I know that comes as a surprise to the members opposite who would prefer to sack than talk. The Gold Coast Hospital and Health Service has established an optimising staff engagement and patient safety program which aims to give staff in the mental health unit at Robina Hospital an opportunity to outline any issues of concern impacting their role.

I have seen this firsthand. I have seen how the Gold Coast Hospital and Health Service engage with staff. They have a program called The Improvers, which is about listening to staff about improving the delivery of health services. I am advised that the purpose of that program is to develop a workforce that feels better engaged and supported. That is exactly what we should do in our hospital and health services. I am advised that this is one of many such projects run by the Gold Coast Hospital and Health Service that aims to give staff the opportunity to provide feedback about their workplaces.

Today in an article published in the *Gold Coast Bulletin* it is stated, and I think affirmed by the member for Mudgeeraba, that 45 staff have left the mental health unit in Robina in the past 18 months. The member says the review has been done because of staff pressure. I am advised that from September 2014 until the end of January this year 13 people left the unit out of a full-time-equivalent staff of 163. That is considerably less than 45.

I am glad the hospital and health service is conducting this engagement with staff. Of course there has been pressure on staff, particularly at the Robina Hospital, because of the LNP's record cuts to mental health.

**Ms Bates:** Rubbish!

**Mr DICK:** They are not my words, member for Mudgeeraba. I will take your interjection. The member for Mudgeeraba says it is rubbish. The Productivity Commission released its report this year in which it stated that under the member for Southern Downs Queensland's spending on mental health fell to the lowest amount in Australia on a per capita basis. That followed two years of cuts by the member for Southern Downs, including a cut of \$45.4 million in 2012-13, the first time that Queensland has ever recorded a fall in expenditure and the single biggest cut ever recorded by a state or territory. That is a legacy we have to turn around. I admit that. We will do that methodically and carefully in conjunction with the leaders of our hospital and health services. I call on the member for Mudgeeraba to please not attack our staff at the Gold Coast. Do not attack our leaders; do not attack our executive. Stand up for our hospital and health service and what they are doing and stand up for the delivery of good health services on the Gold Coast.

**Ms BATES:** I rise to a point of order. I find the comments from the Minister for Health offensive and I ask that he withdraw them.

**Mr DICK:** I withdraw, Mr Speaker.

**Mr SPEAKER:** Before I call the member for Murrumba for his question I would like to remind members of the importance of addressing all comments through the chair, not to refer to other members except by their electorate or official title and please minimise unwarranted and unnecessary interjections.

### Vocational Education and Training, Funding

**Mr WHITING:** My question is for the Minister for Training and Skills. Will the minister outline what investment the government is making in training opportunities for Queenslanders and any funding challenges the government is facing?

**Mrs D'ATH:** I thank the member for Murrumba for his question. We all know the importance of the vocational education and training sector in this state, the role they play in equipping our unemployed to get into full-time employment with skills and training and also the support given to upskill and reskill our existing workforce. That is why Labor committed to \$754.6 million in the 2015-16 budget for the VET Investment Plan. This is a \$139.6 million increase in the training budget. We committed \$240 million over four years for the Skilling Queenslanders for Work program and we are reinvesting in our TAFE with \$34 million over the next three years.

But we are doing more. It is important to ensure that we have the highest quality standards in training in this state. To do that we are going through all of our pre-qualified suppliers to ensure that every RTO that is getting taxpayers dollars from the state is meeting the standards that we and the community expect for those dollars in the delivery of that training. We are currently going through that process. So that we can go through this process the next pre-qualified supplier contractual terms will be for 12 months. Another reason why it will be for 12 months is because there is no funding certainty beyond June 2017. The federal government has already scrapped the funding for group training organisations, funding that Liberal and Labor governments at a federal and state level have supported for years. Last year in the budget the federal government scrapped group training organisation funding. States have matched that funding dollar for dollar and I am proud that we will continue to provide funding, but it is still a 50 per cent cut for this sector.

What is really disturbing is that when the budget comes down next week in the federal parliament we expect to see a zero dollar figure next to 2017 and beyond for training—not just a cut, no dollar figures at all. Why? Because the federal government has not even started negotiations for the next national partnership agreement that expires in June next year. It has not made any commitment or even considered extending the current national partnership agreement for a further 12 months to give certainty to the training sector.

In 12 months time we know there will be no federal funding for training. I ask the shadow minister for education and training where he is on this issue. Is he going to stand up with us and ask for our dollars to ensure the training sector has certainty in this state and can deliver training into the future?

**Mr SPEAKER:** Before I call the member for Warrego I am pleased to announce that we have school leaders from the Miami State School in the electorate of Burleigh in our gallery. Welcome.

### Wild Dog Management

**Ms LEAHY:** My question is to the Minister for Agriculture and Fisheries. Minister, I refer to the \$6 million announcement to assist landholders in South-West Queensland to build cluster fences and help manage wild dogs. Can the minister guarantee the materials used to build these cluster fences are being sourced from drought affected local small businesses in South-West Queensland?

**Ms DONALDSON:** I thank the member for Warrego for her question. The Palaszczuk government absolutely supports regional Queensland and that is why we have provided this funding for cluster fencing for wild dogs. This is a significant issue in the south-west. I have travelled across the south-west and spoken to landholders about this issue. The investment that the Palaszczuk government has made of \$5 million for wild dog fencing, which will be supplied with an additional \$10 million from the federal government, will go a long way to allowing groups such as the South-West Natural Resource Management group to provide that fencing.

Those agencies and community groups will do everything they can to support the regional communities. I am confident that they are working with their local communities to ensure that small businesses have the opportunity to compete when sourcing materials, ensuring that all local projects will provide boosts to regional economies.

### Cross River Rail

**Mr KELLY:** My question is to the Minister for Transport and the Commonwealth Games. Will the minister update the House on the government's commitment to the Cross River Rail project?

**Mr HINCHLIFFE:** I thank the member for Greenslopes for his question. He understands the capacity constraints faced by our public transport system in South-East Queensland, which is why the Palaszczuk government and Infrastructure Australia see Cross River Rail as Queensland's highest priority infrastructure project. Recently, the Deputy Premier and I were pleased to announce the new Cross River Rail concept alignment and station precinct locations. The Cross River Rail project is not just a transport solution; it is a city-making project that will contribute to growing our state's economy. We want to lead the way on how city-making transport infrastructure projects are delivered. That is why we also announced plans to establish a delivery authority to lead the development, procurement and delivery of this vital project and to support wider economic and social outcomes.

The delivery authority kicks into touch the political football that this project had been for too long. The authority model, combined with the use of innovative funding solutions such as value sharing, has been key to securing the support of both sides of federal politics for the project. Minister Paul Fletcher has said that the Turnbull government stands ready to work with the Queensland government in relation to the Cross River Rail project and Labor leader Bill Shorten has said that Labor's No. 1 infrastructure project for Brisbane is Cross River Rail.

Despite this growing and bipartisan support from the federal government and federal opposition, I have been very disappointed to see the same tired, old football politics coming from the state LNP. Quite frankly, over the last few weeks the Leader of the Opposition and his shadow ministers have been an embarrassment to themselves on Cross River Rail—even more so than usual. Here is the reality: if the Queensland people had \$715 million for every time that the member for Indooroopilly said 'no' to \$715 million from the federal government, the tunnels would be being dug now. There are 715 million reasons why Cross River Rail is not being built today and every one of them lies at the feet of the opposition. There are 715 million reasons why the LNP should hang their heads in shame. They are why we have a challenge around this project now.

This is a vital project for the future of our city. I call on those opposite to get on board with what we are doing. I call on them to get on track, to make sure that we continue to see the development in cooperation with the federal government, no matter what colour—

*(Time expired)*

### Minister Assisting the Premier on North Queensland

**Mr COSTIGAN:** My question is to the Minister Assisting the Premier on North Queensland. Can the minister advise the House of her face-to-face meetings with the various chambers of commerce throughout North Queensland, including the Townsville Chamber of Commerce in her own community? Furthermore, can the minister detail the number of submissions that she has made to the cabinet?

**Mr SPEAKER:** Member for Whitsunday, you are allowed one question. I think two questions were asked. I will allow the minister to answer whichever question she chooses. I remind members that question time finishes at 11.35 am.

**Mrs O'ROURKE:** I thank the member for the question. I have met with various members of chambers across the state. Invitations were provided to all key business stakeholders through the economic round tables that I held at the end of last year. Government ministers have also had opportunities to meet with chambers. I will confirm that, in contrast to that of those opposite, this is a very consultative government that has engaged in consultation processes. I have engaged in economic round tables. In October last year, the Premier hosted the mayors at the Townsville Economic Forum. At the Cairns summit, 250 domestic and international delegates looked at investment opportunities in the north. I have led a delegation of mayors to Canberra to discuss issues in the north. I regularly meet with my cabinet colleagues to discuss issues in the north. I have had conversations with the Deputy Premier, I have had conversations with the Premier, I have had conversations with the Treasurer, I have had conversations with state development and, indeed, with all ministers.

**Mrs Frecklington** interjected.

**Mr SPEAKER:** One moment, Minister. Member for Nanango, you are warned under standing order 253A for your continuous interjections, which do not appear to me to be relevant.

**Mrs O'ROURKE:** Regularly at the cabinet table I raise issues that impact on North Queensland on a daily basis. I have taken submissions that impact on my portfolio areas to cabinet and, as I said, I engage with my cabinet colleagues. If in a region I meet with somebody who has identified a particular issue, I take that matter directly to the appropriate minister. That is my role, that is what I do and it is what I will continue to do.

## MOTION

### Suspension of Standing Orders



**Mr WALKER** (Mansfield—LNP) (11.36 am), by leave, without notice: I move—

That standing order 87(1) be suspended to enable the introduction of the Electoral (Improving Representation) and Other Legislation Amendment Bill 2016, being a bill for an act to amend the Constitution of Queensland 2001, the Electoral Act 1992, the Parliament of Queensland Act 2001 and the Queensland Independent Remuneration Tribunal Act 2013 for particular purposes, such purposes including:

- (a) to provide for broader representation on the Redistribution Commission by increasing the membership of the commission from three to five members and providing approval of those commissioners by all party leaders in the Legislative Assembly; and
- (b) to change the number of electoral districts for the state by increasing the number of members of the Legislative Assembly from 89 to 93 so as to improve representation, particularly in regional Queensland.

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

*In division—*

*An incident having occurred in the public gallery—*

**Mr SPEAKER:** Order! I ask our attendants to remove from the gallery the person to my immediate left.

**AYES, 44:**

**LNP, 41—**Barton, Bates, Bennett, Bleijie, Boothman, Costigan, Cramp, Crandon, Cripps, Davis, Dickson, Elmes, Emerson, Frecklington, Hart, Krause, Langbroek, Last, Leahy, Mander, McArdle, McEachan, Millar, Minnikin, Molhoek, Nicholls, Perrett, Powell, Rickuss, Robinson, Rowan, Seeney, Simpson, Smith, Sorensen, Springborg, Stevens, Stuckey, Walker, Watts, Weir.

**KAP, 2—**Katter, Knuth.

**INDEPENDENT, 1—**Pyne.

**NOES, 42:**

**ALP, 41**—Bailey, Boyd, Brown, Butcher, Byrne, Crawford, D'Ath, de Brenni, Dick, Donaldson, Enoch, Farmer, Fentiman, Furner, Gilbert, Grace, Harper, Hinchliffe, Howard, Jones, Kelly, King, Lauga, Linard, Lynham, Madden, Miles, Miller, O'Rourke, Palaszczuk, Pearce, Pease, Pegg, Pitt, Power, Russo, Ryan, Saunders, Trad, Whiting, Williams.


**INDEPENDENT, 1**—Gordon.

Pair: Stewart, McVeigh.

Resolved in the affirmative.

## **ELECTORAL (IMPROVING REPRESENTATION) AND OTHER LEGISLATION AMENDMENT BILL**

### **Introduction**

 **Mr WALKER** (Mansfield—LNP) (11.43 am): I present a bill for an act to amend the Constitution of Queensland 2001, the Electoral Act 1992, the Parliament of Queensland Act 2001 and the Queensland Independent Remuneration Tribunal Act 2013 for particular purposes. I table the bill and the explanatory notes.

*Tabled paper:* Electoral (Improving Representation) and Other Legislation Amendment Bill 2016 [\[522\]](#).

*Tabled paper:* Electoral (Improving Representation) and Other Legislation Amendment Bill 2016, explanatory notes [\[523\]](#).

This issue of how Queenslanders are represented and the process of determining that representation is obviously not a new debate to this parliament, but it is an important one. As members on this side of the House have travelled around Queensland, what is abundantly clear is that representation for regional Queensland is an extremely important issue, which is why we are seeking to debate this issue for a third time.

The bill that I am introducing today contains parts of the previous LNP bill that was debated last year and parts of the previous Katter party bill that was also debated at the end of last year. In essence, it is a hybrid model of those two bills. The bill seeks to provide for broader representation on the Redistribution Commission by increasing the membership of the commission from three to five members. Those two additional members are known as expert appointees and must have qualifications in one or more of demography, statistics or regional and town planning.

In the interests of transparency on such an important issue, the bill also provides for a process for appointments of the additional commissioners, which are subject to the approval of the leaders of all recognised parties in the Legislative Assembly. The appointment approvals also have consultation processes built into the bill, requiring the minister to consult the relevant parliamentary committee—that being the Legal Affairs and Community Safety Committee.

The other key element of the bill increases the number of electoral districts for the states from 89 to 93 members so as to improve representation, particularly in rural and regional Queensland. Both of the key elements in the new bill were scrutinised by the Legal Affairs and Community Safety Committee in two separate processes last year.

As a parliament we need to recognise that extra technology, staff or officers will not solve the issues of density and sparse population that communities in remote parts of the state deal with on a daily basis. In many cases the technology is either inferior or does not exist at all.

The numbers of electoral districts in Queensland have not increased since 1986. That is a period of 30 years. Professor Graeme Orr said in his submission on the previous Katter party bill—

... it is preferable that Parliament should at least each generation consider its size in light of the needs of constituency representation and MPs/their electorate staff/technology. This bill is an opportunity for that consideration. Clearly, as the earlier inquiry and report noted, Queensland is not over-governed compared to other states in Australia—especially given its lack of an upper house and the large size (demographically and in some cases geographically) of its electoral districts. Hence an increase in the size of the Legislative Assembly now is justified.

The last time that this issue was considered and amended was in 1986. Queensland also has the second highest ratio of parliamentarians to residents in Australia of approximately one per 53,377 people based on December quarter ABS statistics. That fact, coupled with the fact that we are the most decentralised state in Australia, means that the people in rural and regional Queensland are the ones who suffer under the current arrangements.

In 1986, the ratio was one parliamentarian per 29,762 residents. I will repeat those respective ratios. The ratio is presently one parliamentarian per 53,377 residents. In 1986, it was one parliamentarian per 29,762 residents. When EARC made its recommendation in 1986, 41 per cent of Queenslanders lived outside built-up areas. That percentage has now decreased to 29 per cent. Only 29 per cent of Queenslanders now live outside the heavily settled areas.

We have all heard of some of the extreme examples and the lengths that members such as Robbie Katter, the member for Mount Isa, and Lachie Millar, the member for Gregory, go to to represent their constituents. There are many other members in this House who do the same thing. It is not something that they do on an extraordinary basis; it is done by them on a regular basis. I do not think that it is neither fair for these members nor fair for the residents living in these parts of the state to simply put up with this because it is the expectation that it just has to be done.

The Clerk of the Parliament in his evidence to the committee referenced a paper he produced in 2009 suggesting that the parliament needed another 10 seats and the consequences if nothing changed. He said—

It needs to be made clear, however, that the status quo (i.e. no extra seats) will mean that each redistribution will result in less country and regional seats. This will result in less representation in the Queensland Parliament of country and regional people.

This issue is timely, because the commencement of the next redistribution is imminent. This is an important issue now because we believe that the Redistribution Commission, which considers the bill, should be considering the next redistribution in the context of the particular changes that we propose in this bill.

In the interests of timeliness in the consideration of that process, which is due to commence, and the fact that this bill has effectively been considered by two committee reviews last year, it means that sending this bill off to a committee for a third review would be a pointless exercise and a waste of time for that committee. This is also not a new issue and one that received much consideration and public debate last year on two separate occasions. I commend the bill to the House.

### First Reading

**Mr WALKER** (Mansfield—LNP) (11.49 am): 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.

### Declared Urgent; Allocation of Time Limit Order



**Mr WALKER** (Mansfield—LNP) (11.50 am), by leave, without notice: I move—

That so much of standing and sessional orders be suspended to:

- (a) enable the Electoral (Improving Representation) and Other Legislation Amendment Bill to pass through its remaining stages at this week's sitting; and
- (b) enable consideration of the bill to take precedence over all other business following private members' statements this Thursday.



**Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Leader of the House) (11.50 am): What we have seen here this morning is an extraordinary overturning of the rules and standing orders of this House. What we have enshrined in the standing orders of this House is a commitment to ensuring—

**Ms Simpson** interjected.

**Mr SPEAKER:** Thank you, member for Maroochydore. I do not need your assistance. You will have an opportunity to speak, if you choose, later on. I am listening to the Leader of the House.

**Mr HINCHLIFFE:** What we have here is a situation where the practices and understandings and, indeed, the standing orders that specifically prohibit the reconsideration of a matter that has been considered by the parliament, by this the 55th Parliament, have been overturned, taking advantage of a shift in numbers. This is simple politics, which ignores the reasons that we have the rules. I am not surprised. We saw on so many occasions in the 54th Parliament those opposite, having a dominance of numbers, ignore the rules and throw them asunder. We have seen that.

**Mr Cripps** interjected.



**Mr SPEAKER:** Member for Hinchinbrook, those interjections are not appropriate. You are warned under standing order 253A.

**Mr HINCHLIFFE:** Here we are at the beginning of a parliamentary sitting week and we have a range of very important matters before the House that need to be dealt with in a timely way. We have matters that relate to domestic and family violence. We have matters that relate to the delivery of certainty around significant major investments in our state. We have matters that relate to the operation of the Crime and Corruption Commission. We have matters before the House that relate to our very important—and I hear so many opposite saying how important it is—racing industry and how we can ensure that integrity is established and delivered in relation to that industry.

We also have matters in relation to the environmental management of our state and the environmental management of resource projects, ensuring that those people who are responsible for those sorts of projects are held responsible for the damage that they may have potentially done. We also have private members' business that is before the House and that this House has agreed quite broadly to see debated this week in relation to the taxi industry. What we see here today is an attempt to throw that all of that into a spin, to throw that to one side, and make this parliament debate again something that has been debated and very clearly determined by this House. This House has made a decision in relation to the reintroduction effectively of some form of gerrymander.

**Mr WALKER:** Mr Speaker, I rise to a point of order. I find the comments of the Leader of the House in respect of gerrymander offensive and I ask that he withdraw.


**Mr SPEAKER:** There is no point of order. It was not reflecting directly on you, as I understand it. I did not hear the comment, but did it reflect on you specifically, member for Mansfield?

**Mr WALKER:** I accept your ruling, Mr Speaker.

**Mr SPEAKER:** Thank you. There is no point of order. Before I invite the Leader of the House to continue, the member for Maroochydore commented earlier. If members want to speak to this matter, I urge them to put a list together and present them to me so I can make sure that everyone has a chance to speak before debate is closed down.

**Mr HINCHLIFFE:** What we see here is those opposite yet again trying on a stunt that distracts from the true business of this House, trying on a stunt that will see this House debate yet again a matter that has been very significantly canvassed in this parliament. I call upon those members who are interested in making sure that this House is focused on the matters that we have had full preparation of to ensure that this House is given the opportunity to debate the matters that it has expected to debate this coming week and not be pulled sideways and pulled asunder on this crazy reprosecution of something that has been dealt with by this House. If we see this sort of standard, we will see the reprosecution of all sorts of things. We do not want to have this House wasting its time doing those sorts of things.

There are plenty of members in this chamber who make representations to me all the time about how they want to get out of this place in a timely way towards the end of the week. This sort of behaviour is the absolute guarantee that we will not be seeing that. I urge all members to vote against this motion because, while clearly we will see this matter being debated in this parliament again, there is no need to distract the parliament from the business that has been on the *Notice Paper* for this week. I urge members to oppose the member for Mansfield's motion.

 **Mr SPRINGBORG** (Southern Downs—LNP) (Leader of the Opposition) (11.56 am): I rise to make a relatively brief contribution in response to the Leader of the House. Certainly, we have heard some misrepresentation and some semantics from the Leader of the House. I think the Leader of the House fails absolutely to understand that this parliament is the master of its own destiny. This parliament is at liberty from time to time to consider or reconsider matters which have previously been discussed within this parliament. Indeed, this government has spent most of this parliamentary term, if not all of this parliamentary term, reprosecuting matters which came before the last parliament during that parliamentary term.

Indeed, we have a situation now where time is of the essence because the redistribution process is triggered and is about to start. Therefore, sometime before the end of this calendar year the Electoral Commission in Queensland has to bring down as a consequence of this statutory redistribution requirement a new set of electoral boundaries in this state. That has been postponed as a consequence of the earlier considerations of the Electoral Commission due to the local government election and the referendum question. Therefore, time is absolutely of the essence.

I also say to the Leader of the House that the opposition has no intention, if this motion is successful through the parliament, of delaying other important government matters come Thursday afternoon. Our undertaking is to have a minimal number of speakers on this because the matters have been previously prosecuted in this parliament. If the government chooses of its own volition or by its own planning to move aside from what the Leader of the House said a moment ago about the fact that this parliament should focus on government business predominantly during the course of this week, then it will be on his and the government's head come Thursday afternoon.

Just as this matter in various ways has been considered during this parliamentary term and does not need to go before a committee again because a committee has considered this business, there is also no great need to re prosecute the matter by way of debate in this House on Thursday afternoon. It is simply a matter of considering the changed dynamic in this parliament that may lead to a different outcome when it comes to that vote on Thursday afternoon. I think it is extremely important that this parliament has an opportunity to test the political reality given the realignment in this parliament, and that is what the LNP is attempting to do.

It is very important, because the next time we get a chance to properly consider this will be some 40 years after the number of electoral boundaries had previously been decided and embedded in this parliament—1986 to 2025 or 2026. As we heard a moment ago from the member for Mansfield, the shadow minister who is sponsoring this hybrid bill in the parliament, we have seen a dramatic increase in the population of Queensland. The relative representation regardless of where you live, whether it be in regional or South-East Queensland, has changed dramatically. What is required from a member of parliament despite technology is much greater now than what it was in 1986. Other jurisdictions around Australia regularly deal with this. We have not dealt with this. As a consequence of the Fitzgerald inquiry report in 1989, we saw the manifestation of the Electoral and Administrative Review Commission, which made a recommendation in 1991 that there be regular review of the representation in this parliament and the number of seats. EARC said that it should happen every seven years. It has never happened. There have been at least three occasions when it should have happened. It has never happened. It is unfair and derelict that we keep cannibalising regional seats in order to deal with the proportional representation growth elsewhere. Tony Fitzgerald and the EARC process foresaw this as an issue of representation that should be properly dealt with on a periodic and regular basis. That has never happened, and this provides the ideal opportunity to do that.


It is false for the Leader of the House to claim that this has embedded in it a way of giving disproportionate representation to regional Queensland. It does not, because it does not deal with the issue of the very special weightage which was set as a part of the Fitzgerald reform process of two per cent for seats over 100,000 square kilometres. It does not seek to do what the LNP's original bill of a few months ago did, which is to increase that to four per cent. We believe it is not appropriate that we should do that as part of this bill. That is why we have not included it in it.

Regardless of the consequences of this vote now or on Thursday, it is a matter that should be properly considered by a properly constructed and authorised parliamentary committee or review process sometime in the future in order to ensure that we have that balance. It is very important that this matter is considered this week. A parliamentary committee has previously looked at both bills—the LNP bill and the Katter's Australian Party bill. This is a hybrid of those bills, and the provisions in this bill are identical and reflective of what has been reviewed by the parliamentary committee previously. Therefore, it would be unreasonable to expect, and would be a misuse of this parliament's resources, a committee to look at the same issue that it has looked at on two previous occasions.

This is simply a reflection of the necessity and the urgency to deal with this issue fairly quickly so the electoral redistribution process can start and be underway, because to date it has not formally started. Through our commitment here today the government can be comforted on Thursday, unless they choose to take steps themselves to frustrate, delay and have an undue number of speakers, that our speaking list will be very minimal. It will be very quick. It will be an issue of maybe one or two votes in this parliament and the government will be able to continue with its legislative agenda for the week.

I therefore ask all members to consider that and to consider this in the context of changed political circumstances in this parliament. If this parliament refuses to reflect changed political circumstances, then it is letting down the electorate of Queensland which understands that during any parliamentary term executive government and members of parliament can come to a different conclusion with regard to their voting intentions. If that were unusual, or if this parliament were not able to do what we are asking it to do today, we would not have the provision embedded that allows us to suspend standing and sessional orders in order to move particular motions. This is totally appropriate and in line with

procedures, practices and convention which have been held by precedents over such a long period of time. I therefore urge members of parliament to support this. It is an important issue. It should be debated this week. It should be considered this week. It is about proper representation and a fair go for a lot of Queensland that does need a fair go, particularly with the sentiment that is being expressed at the moment.

 **Mr WALKER** (Mansfield—LNP) (12.05 pm), in reply: The motion stands that we proceed and debate the matter by Thursday.

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

**AYES, 44:**

**LNP, 41**—Barton, Bates, Bennett, Bleijie, Boothman, Costigan, Cramp, Crandon, Cripps, Davis, Dickson, Elmes, Emerson, Frecklington, Hart, Krause, Langbroek, Last, Leahy, Mander, McArdle, McEachan, Millar, Minnikin, Molhoek, Nicholls, Perrett, Powell, Rickuss, Robinson, Rowan, Seeney, Simpson, Smith, Sorensen, Springborg, Stevens, Stuckey, Walker, Watts, Weir.

**KAP, 2**—Katter, Knuth.

**INDEPENDENT, 1**—Pyne.

**NOES, 42:**

**ALP, 41**—Bailey, Boyd, Brown, Butcher, Byrne, Crawford, D'Ath, de Brenni, Dick, Donaldson, Enoch, Farmer, Fentiman, Furner, Gilbert, Grace, Harper, Hinchliffe, Howard, Jones, Kelly, King, Lauga, Linard, Lynham, Madden, Miles, Miller, O'Rourke, Palaszczuk, Pearce, Pease, Pegg, Pitt, Power, Russo, Ryan, Saunders, Trad, Whiting, Williams.

**INDEPENDENT, 1**—Gordon.


Pair: Stewart, McVeigh.

Resolved in the affirmative.

**Mr SPEAKER:** Before I proceed to the next item on the agenda, unfortunately earlier this morning I referred to the students from the Pine Rivers State High School. I understand it is not in the electorate of Aspley but in the electorate of Pine Rivers. I apologise to the member accordingly.

## MATTERS OF PUBLIC INTEREST

### Palaszczuk Labor Government, Performance; Royalties for Regions; Economy

 **Mr SPRINGBORG** (Southern Downs—LNP) (Leader of the Opposition) (12.12 pm): In the parliament today during question time we saw more examples of a government that is not prepared to answer the questions which are reasonably put to it. We saw a government which is incapable of running Queensland and is certainly frozen at the wheel. We saw a government that has no clue or no idea how to run this state, and it certainly is now showing with regard to the main indicators in this state. The LNP does have a plan to power up the economy, we have a plan to roll out the jobs and we certainly have a plan to manage the debt. All of those issues are critically important to how we take Queensland to the next step of its economic development.

When we see a situation where a senior government minister—indeed, the minister who is the second most powerful person in the cabinet—has a very unhealthy fixation on a single member of this parliament to the point of retribution and retaliation, we see a government that does not have its eye on the ball. Indeed, it is absolutely extraordinary that within the office of the Deputy Premier of Queensland 1,787 emails have been generated against the member for Cairns. I think that would have seen the entire email system become congested and not able to function—1,787 emails, an extraordinary fixation on a single member of parliament. Is it any wonder that the honourable member for Cairns took the action that he did after what had been done to him by the Deputy Premier in Queensland?

There is also the extraordinary circumstance that for the opposition or anyone else to access those emails to get a true context around the email trail it would cost some \$30,000. That is beyond the access and resources of any reasonable person out there, whether they be an individual or the taxpayer. To give some contrast, in the Premier's office during the same period of time there had also been a more modest flow of email traffic in relation to the member for Cairns which would have only caused the consequential expenditure of some \$400 to access them. Why is it that the Deputy Premier in Queensland has such an unhealthy fixation in such a retributive way on the honourable member for Cairns? Is it any wonder that the Deputy Premier is not focused on what she should be doing with

regard to major projects, that the Deputy Premier is not focused on planning reform in this state, that the Deputy Premier is not focused on the policies that we need to fire up the jobs and get the economy moving in Queensland and also managing the debt, because the Deputy Premier is focused on the member for Cairns. What we have seen today has been some extraordinary ventilation of that material which is further going to be considered by a committee of this parliament. Is it any wonder that the honourable member for Cairns has taken the extraordinary course of action that he has?

I also refer to a major announcement that I made on behalf of the LNP on the weekend, something which is going to be spoken about in a little while by another member of our team, and that is the restoration of the LNP's very successful Royalties for the Regions program. That program resulted in \$495 million being invested over a four-year period, which was able to leverage more than \$300 million of additional funding to bring about projects across Queensland which would not have otherwise been able to be delivered. I pay tribute to the former deputy premier, the member for Callide, for that program. Even the Auditor-General in his recommendation made the acknowledgement that this program saw projects being rolled out across Queensland that would not otherwise have been rolled out across Queensland, saw communities across Queensland benefit that would not have benefitted because there was no other program that could have delivered those particular facilities, whether they be bridges, roads, water resource or reticulation facilities, swimming pools or a range of other things where there had been myriad neglected legacy issues under the Labor government in Queensland.

On the weekend on behalf of the LNP team in Queensland I was able to recommit ourselves to the implementation of a Royalties for the Regions program, which would be \$495 million over a four-year period. That is much better and much greater than the shorter, narrower program which replaced it under Labor, which was \$200 million over two years and very much curtailed. The beauty of what we announced on the weekend is a two-stage process which will see a wider range of groups being able to bid for it. There is also an expressions of interest process that ascertains the viability of that and then going to a better process around the full business case. That will mean that an organisation can know up-front how much energy they should put into it. This will be a real boon for the regions. This will make sure that northern and regional Queensland get a fair go—a fair go that they are not getting under this Labor government. This is a government that has slashed \$150 million in infrastructure funding from the Cairns region, \$160 million from the Mackay region and \$220 million from the Townsville region in comparison to what the LNP did in its last budget.

While I am talking about opportunities for Queensland, it would be neglectful of me if I did not mention the amazing opportunities that continue to exist for us with our major overseas trading partners, particularly within the Asian region. Recently I had the privilege to visit many of those trading partners to meet with senior government officials and very senior investors in Queensland now and into the future. I want to correct something here today for the benefit of not only this House but also Queenslanders. Anyone who believes that our major trading partners in Asia are not interested in the resources that we produce in Queensland to export to them is living with the pixies. Indeed, in speaking with the organisation in Japan, which is the statutory organisation—Jogmec—which has been established to ensure domestic energy security into the future, including gas, coal and minerals, I found that a major part of their platform is increasing procurement of thermal coal from Queensland.


Whilst they are investing more and more in renewables, thermal coal is a major and increasing part in what they want to do with regard to their energy-generating capacity in the future. It is similar in India. Whilst they are investing more in the area of renewables, they are investing significantly more in thermal coal resources in Queensland. It is a major part of their energy mix going into the future. This is not a matter of coal or renewables; this is a matter of coal from Queensland versus coal from Indonesia or elsewhere, so it may as well be coal from Queensland. We have very high environmental standards, we are reliable, we have coal which has a very, very excellent calorific value and a minimal amount of pollutants compared to other areas and less ash content than many other coal resources worldwide, so we would be crazy to deny ourselves these opportunities.

Not only do they want more coal from Queensland; they want to be able to invest in our agribusiness and greater opportunities in the area of tourism. One million Chinese currently visit Australia, and a significant proportion of them visit Queensland. Between now and 2020 the number of Chinese travelling internationally will go from 100 million to over 200 million, and imagine if proportionally if we can get two per cent of that. There are also opportunities in the area of education such as the relationship between James Cook University and their counterparts in Singapore and the chance to be able to access the capital which many of those investors would like to put into innovation.

The clear message I received from many of those overseas was that they trust our resources, they like our resources, they like our coal, they like our minerals, they like what we are producing and sending to them in the way of food and fibre products, they like Queensland as a tourism destination, and they are very open to doing more in the area of service and innovation in the future, whether it be health, education or investment in some of those innovative areas. Never, ever underestimate our strong—

*(Time expired)*

### State Infrastructure Plan

 **Mr PEGG** (Stretton—ALP) (12.22 pm): It is my great pleasure to congratulate the Deputy Premier on the release of the State Infrastructure Plan, which was released on 13 March. This plan lays out a new and groundbreaking strategic direction for the planning, investment and delivery of infrastructure in Queensland. It supports a capital spend across Queensland of over \$35 billion over four years and includes the establishment of a new State Infrastructure Fund with an injection of \$500 million to build the infrastructure needed to grow the economy and support jobs for Queenslanders. The Palaszczuk government has achieved all of this while maintaining operating surpluses across the forward estimates, projected levels of state growth of four per cent this financial year and 4.5 per cent next year, and creating lots of new jobs in the process. There have been 50,000 new jobs since January 2015 alone.

Unfortunately, this remarkable plan—the most complete whole-of-government infrastructure plan the state has ever seen—has predictably been criticised by the LNP, which is a party that achieved nothing of merit during its brief, but eventful, tenure in government that ended just over one year ago. Before I go on I want to pose this question: who do members think is the biggest critic of the State Infrastructure Plan in this House? Are there any ideas? Yes, you guessed it. Yet again it is the architect of austerity, the member for Clayfield, who, as well as being the former treasurer, is the current opposition infrastructure spokesman. In his criticism of the plan, the member for Clayfield has claimed that it is recycled and that there is nothing new in it, despite the fact that \$300 million has been committed to high-priority projects such as key upgrades to the Ipswich, Pacific and Gateway motorways. When the plan was released the member for Clayfield also said, ‘The government does not have a plan for infrastructure: it has a wish list.’ This is despite a firm commitment from this government of over \$35 billion for infrastructure over the forward estimates. It is not a wish list, but a fully funded plan to deliver on key infrastructure projects.

In contrast, let us see what the member for Clayfield did to support infrastructure in Queensland while he was the treasurer. I think the House will find this very interesting indeed. As everyone knows, in 2012 the former treasurer handed down the most ruthless budget in Queensland’s history, and I have spoken about that at length before. As well as sacking 14,000 workers and raising taxes to the tune of \$600 million, his response to building the essential infrastructure Queenslanders need was to cut the capital program by \$1.4 billion over the first two years.

**Mr Rickuss** interjected.

**Mr PEGG:** The considered response of the member for Clayfield and the LNP was to cut the guts out of critical infrastructure funding which had already been approved and planned in the 2011-12 state budget. It did not stop there. As the member for Lockyer would know, the next year—in the 2013-14 state budget—the member for Clayfield was at it again, further reducing general government capital purchases by almost \$500 million when compared to the year before. Despite these cuts, general government borrowing still increased by around \$3.5 billion over the same period. Given that these draconian and counterproductive cuts did nothing to reduce debt or stimulate growth, can anyone guess what the former treasurer did to support the capital program the third time he had an opportunity in the 2014-15 state budget? You guessed it. The member for Clayfield was at it again, further cutting capital purchases by almost \$700 million from 2013-14 to 2014-15; however, this time there was a sweetener of sorts—or a bitter pill, if you prefer. The LNP would be prepared to consider additional infrastructure funding of \$8.6 billion, but only based on the approval of the liquidation of \$37 billion of highly profitable state assets. Unfortunately, no considered infrastructure plan was presented to demonstrate how this \$8.6 billion would be best spent. There was no detailed evidence based process for prioritising key infrastructure projects, but instead we were presented with wild and irresponsible pork-barrelling election commitments. Where is the LNP’s proposed state infrastructure plan today?

**Mr Rickuss** interjected.

**Madam DEPUTY SPEAKER** (Ms Farmer): Order! The member for Lockyer has already been warned under standing order 253A. I ask you to withdraw from the chamber for the remainder of this morning's session.


*Whereupon the honourable member for Lockyer withdrew from the chamber at 12.26 pm.*

**Mr PEGG:** As I was saying, where is the LNP's proposed state infrastructure plan? When will the member for Clayfield table this alternative vision for Queensland to the parliament? No LNP infrastructure plan has been tabled because the LNP does not have a plan except to cut, cut, cut if they were to return to power. That is always their solution to everything.

In conclusion, I say to the opposition that, rather than criticising us for no reason, accept the hopeless failures of your own administration. Learn from the government's economic successes over the last 12 months and work constructively with us to build a better Queensland. As I have said before, you cannot just cut your way to prosperity. You have to have a plan to stimulate the economy and go for growth so that everyone can share in the economic benefits and—

*(Time expired)*

### Cairns Electorate, Jobs

 **Mr PYNE** (Cairns—Ind) (12.27 pm): The issue of unemployment in my city of Cairns is one of the biggest problems that we have, and yesterday we received the devastating news that the contract to construct the Pacific patrol boats was not awarded to Cairns. It was certainly a Cairns bid which had the support of the whole community, including unions and business. Almost everyone in the city of Cairns was looking forward to that Pacific patrol boat contract, which we saw as a real opportunity to turn our economy around. We are quite disappointed at this outcome, which suggests to us that a lot of the federal government's commitment towards northern Australia is more rhetoric than reality. That was money they were going to spend, and we would have liked to have seen that contract awarded to Cairns.

Decisions like this are why we hear people call for a separate state because, while we hear about things like the white paper on northern Australia, the suspicion always is that when it comes down to funding allocations the major parties deliver the money where the seats are. I see the recent call for a separate state in North Queensland as a manifestation of people's dissatisfaction with the lack of investment in government infrastructure in North Queensland.

The thing I am about to say you do not often hear in this place. That is, some jobs are simply not worth having—jobs that poison the air we breathe or jobs that will kill you. The Premier and the Leader of the Opposition are on a unity ticket in their support for the coal industry. I certainly am not. I am opposed to the Adani Carmichael coalmine because of the environmental damage and the contribution to climate change. When I am talking to young people I explain it in terms of what smoking can do to the individual. You become dependent on tobacco, you keep smoking and it destroys your health. What we are seeing with the consumption of coal and fossil fuel is a great contribution to greenhouse gases that is leading to more coral bleaching than we have ever experienced on the Great Barrier Reef and coral bleaching for the first time off the coast of Western Australia.

In light of what we are already experiencing, going further down the path of such a massive coalmine as Adani in my mind is just wrong. The other consequences are sea-level rise, which desperately affects low-lying cities like mine of Cairns, and more intense natural disasters such as we have seen in the Philippines and more recently in Fiji with cyclones and storms of biblical proportions. I did feel for my friend the member for Mount Coot-tha when he spoke in favour of Adani. If he had been Pinocchio, his nose would have crossed to the other side of the chamber because I know that he certainly does not want our state or our country to go down that path.

In terms of the individual, we have seen black lung disease re-emerge. In Queensland, since 1982 or 1983 we are supposed to have been applying international standards for reviewing X-rays for this disease. This has not happened. There have not been X-rays in line with international standards and there has been misreporting. Workers have been wrongly cleared to return to work when they have in fact been suffering from black lung disease. If these were mammograms or bowel screens that were being read by suitably qualified people there would be outrage overnight, yet mineworkers in mining jobs underground have been failed by the system that was supposed to protect them. They have had to fight for months and are currently being paid lip-service, not given solutions.

Some other jobs not worth having are some of the jobs in the coal seam gas industry, which is endangering our most valuable asset, our groundwater, and destroying valuable agricultural land. George Bender fought for these things, and many of us will carry on the fight that George Bender fought for himself and his community.

There will be a CFMEU rally outside Parliament House tomorrow morning. I get really bored with the 'unions good, unions bad' debate in this place. Tomorrow the CFMEU will be rallying for support for regional communities—no more neglect—for more infrastructure and job creation, about black lung disease and in support of local government employees throughout Queensland. I would like to think they are four issues everyone in this place could actually get behind.

### Carmichael Mine



**Mr PEARCE** (Mirani—ALP) (12.32 pm): The Palaszczuk government is focused, working as a team with determination towards more jobs for Queenslanders. Today in this place, the parliament of Queensland, I stand to declare my respect and support for the Premier and the Minister for Natural Resources and Mines. I congratulate them and other ministers linked to the decision to approve mining leases for the Adani Carmichael mine project. We know that some approvals are required before construction can start and that, ultimately, committing to the project will be the decision of Adani, but having a mining lease approval ensures that Adani is in a good position to move forward.

There are three approved leases estimated to hold some three billion tonnes of thermal coal—the best quality coal in the world. Adani has estimated that the mine, rail and port project will be a start-up for some 5,000 jobs at the peak of construction and more than 4,500 jobs at the peak of operations.

When it comes to jobs, job security is what Central Queensland and Northern Queensland want. They have seen and experienced what the employment policies of mining companies can do to regional cities and resource communities and are not convinced that Adani is serious about jobs or the workers who live in Central and Northern Queensland. There is a lot of concern out there about that, but it will be closely monitored by the member for Mackay and me. I know that the member for Mackay shares my concerns on the issue. We have committed to work as one to ensure that the families we represent will have every opportunity to gain secure employment in the Galilee Basin. We are doing our job—communicating with our ministers and making sure they understand that Central Queensland is onside.

I am encouraged but not convinced by recent statements by Adani and the conditions set down by the Coordinator-General. The proponent has stated that during the operational mine phase there would be more opportunities to recruit workers from Central and Northern Queensland. The Coordinator-General EIS evaluation report for the mine and rail project stated that the proponent is required to maximise local employment opportunities over the life of the mine and rail project including opportunities for local Indigenous people and other disadvantaged groups, providing training and development opportunities for people locally and regionally. The proponent is also required to put in place a structured apprenticeship and traineeship program and specific training targets for proponent and contractor workforces and Indigenous training opportunities. The Coordinator-General also requires the proponent to report the actions to enhance local and regional employment opportunities as well as training and development. It will be up to the proponent to report back to the Coordinator-General so that we can confirm they are doing what they have promised. This is great news for Central Queensland. I have seen the worst and the good of what happens to mining communities and mineworkers in the regions. I will support everything that I see that seeks to protect these people and give them opportunity.

The government has achieved progress while keeping election commitments, which is important to the integrity of the Premier and a progressive-thinking cabinet. We are moving towards job creation. The government has protected the Caley Valley Wetlands and the Great Barrier Reef by not allowing dredge spoil to be dumped on the wetlands or in the Great Barrier Reef World Heritage area. There will be no dredging at Abbot Point until Adani can demonstrate financial closure for the mine development. Queensland taxpayers will not fund infrastructure for the project.

I believe that is a strong position for Queensland to be in. We are looking at jobs for the regions and we have in place strict environmental protections—

*(Time expired)*

## Medicinal Cannabis



**Mr McARDLE** (Caloundra—LNP) (12.37 pm): Every member in this House always feels compassion when they hear of a person they know becoming ill. That compassion is a bit deeper with regard to a child perhaps and deeper still when the child has an illness that cannot be treated with drugs. Exactly one year ago today the Premier and the health minister announced that Queensland would establish its own medicinal cannabis trial. The joint press release of 19 April 2015 hinted that they would commence those trials ‘in conjunction with New South Wales and Victoria’. I table a copy of the release.

*Tabled paper:* Media release, dated 19 April 2015, by the Premier and Minister for the Arts, Hon. Annastacia Palaszczuk, and the Minister for Health and Minister for Ambulance Services, Hon. Cameron Dick, titled ‘Queensland to establish medicinal cannabis trial’ [524].

Cameron Dick, the Minister for Health, also said that the government would be ‘an active participant in this trial’ and that ‘we will now begin discussions with our New South Wales colleagues’. That should have given solace to hundreds of parents right across this state and their children, that those who have epilepsy that cannot be treated with the current drug regime would get some sort of assistance through a trial process at Lady Cilento via New South Wales and Victoria. That would have given these parents some joy that an end to their misery may well be in sight.

On 7 July 2015 in the *Brisbane Times* the minister said—

We are a listening government and we agreed it would be a very useful and worthwhile thing to join in with NSW in those clinical trials ...

The article also referred to the fact that no money had been supplied to New South Wales to assist in those trials. The thing had started dragging its feet. In estimates I then put a series of questions to the health minister with regard to the financial commitment that we had made to New South Wales to assist in those trials. The minister said—

... what we will do is scope out what we are going to do as part of the trials first.

He could not give an answer as to what the figure would be but later stumbled on a figure of ‘probably \$3 million’. From 19 April to 24 August 2015 this government was not able to put together an argument in relation to how it was going to fund, by way of a dollar value, New South Wales to assist Queensland children getting help for epilepsy that was drug resistant and to ease their parents’ pain. I also questioned the minister as to who was doing the drug trials in New South Wales and he said—

We are working in collaboration with the New South Wales government to develop the nature of clinical trials.

I also asked if Queensland was on the oversight body in relation to these trials and the minister could not give me an answer. In April 2015 this government committed to clinical trials with New South Wales for children who have epilepsy that is drug resistant. In August of that year, it could not give any indication as to how further along it had gone in relation to basic steps to help the people and the children of this state. Recently an article that appeared in the *Sunday Mail* stated—

*The Sunday Mail* understands NSW was reluctant to enrol Queensland children in its trial ...

Can members blame New South Wales? This government has almost done absolutely nothing from April 2015 to the current date to put in place a trial in conjunction with New South Wales. It is now saying that it will operate its own trials here in Queensland, but again there are no details available as to where, when, how, how much, by whom and by what oversight body those trials will operate. This government owes a full explanation to the children of this state and their parents who will be impacted as a consequence of these trials not having taken place. This government has a clear obligation to outline what its process is going to be to help people in this state understand where they sit. The government has failed miserably. It is frozen at the wheel. It is spinning its back tyres. But, more importantly, this is to do with children. This is to do with a commitment it made 12 months ago today to help the children of this state and nothing has happened. Nothing has taken place. There are, in my understanding, no children in trials in this state or New South Wales despite a 12-month commitment by this government.

(Time expired)

## Employment



**Mr KELLY** (Greenslopes—ALP) (12.42 pm): The reality of what unemployment means for people is often lost in the barrage of statistics that are used to quantify, define and describe it. In this place we love to verbally duke it out, throwing stats at each other to back our position and point. I could



point out the high unemployment rate created by the former failed Newman government's approach, or perhaps I could point out the unemployment rates in Greenslopes, Coorparoo, Holland Park, Holland Park West and Mount Gravatt that have all declined between December 2014 and 2015. Of course, these verbal debates have their place, but it is too easy to forget that at the end of every set of numbers is a real person and real families—real people who are uplifted and fulfilled through employment or, conversely, put under extreme pressure through unemployment. I am working my way through a book called *The Health Gap* by Dr Michael Marmot, President of the World Medical Association. It is a challenging read that stretches your thinking on health and the things that impact on it. Dr Marmot devotes an entire chapter to employment and noted that there is strong evidence supporting the negative impacts that insecure employment can have on mental health. In fact, the European review on social determinants of health and the health divide summarised over 60 studies on job security that contained overwhelming evidence that job insecurity damages health. As Dr Marmot put it so succinctly, unemployment harms health. We all know that unemployment is bad and we now have evidence that it has negative impacts on people's health.

That is why I am an enthusiastic supporter of the Skilling Queenslanders for Work program announced by Minister D'Ath. This exciting initiative of the Palaszczuk government is delivering real jobs for real people. I could throw stats around the chamber to back my point, but instead I want to talk about a couple of these people that I had the privilege to meet recently. I am fortunate to have the Queensland office of Vision Australia in the electorate of Greenslopes. Vision Australia is a leading national provider of blindness and low-vision services in Australia. I was pleased that it successfully applied to be part of the Skilling Queenslanders for Work program. For people who are blind or have low vision, the search for work can present additional challenges. According to research commissioned by Vision Australia, up to 58 per cent of working age people who are blind or have low vision are unemployed. That is a statistic that we should throw around this place and it is a statistic that we should do something about.

To get beyond those statistics, I asked Vision Australia CEO Karen Knight if I could meet some of the people who are undertaking the program. Maddy and Brett were kind enough to give me some of their time to explain what the Skilling Queenslanders for Work program means for them. After just a short time with Maddy, I was left with an impression that she would be an enthusiastic team member who would work hard to contribute to any organisation. Maddy has achieved qualifications as a psychologist. She completed this qualification several years ago but has been unable to secure any employment. She told me that since starting the program she has had the opportunity to interact with people who share her profession, which has meant a great deal to her. She is looking forward to her work placement with a community organisation and she is looking forward to the opportunity to apply and think about her skills, not only those learned in this course. She also hopes to utilise her professional qualifications. Maddy said she thinks one of the biggest barriers to people who are blind or have low vision obtaining work is simply attitude and she said that this program gives her the opportunity to prove what she can contribute to any organisation.

Brett managed a retail store for many years before losing his job through a company restructure. He told me how four years of unemployment affected him. He told me of reaching a low point in his life and suffering from bouts of depression, but Brett was able to find his way out of this place after attending a Vision Australia open day and realising just how much help is out there. He started by helping others, volunteering for Vision Australia and Meals on Wheels, and this led him to a place on the Skilling Queenslanders for Work program. Brett's excitement at this new opportunity was obvious and he will be using his skills developed over many years to make a real contribution. The Skilling Queenslanders for Work program is, at its core, a program that helps real people move into employment, improving not just their own lives but the lives of everyone around them. The statistics are impressive, but the people are even more so. This program is a great initiative of the Palaszczuk Labor government which proves once again that we are serious about creating jobs for all Queenslanders. Finally, I want to extend my warm wishes to Maddy and Brett and wish them the best of luck in their placements and their future work experience. They show quite clearly that we truly believe that everybody in Queensland should have the opportunity to find meaningful employment.

### Criminal Organisation Legislation



**Mr BLEIJIE** (Kawana—LNP) (12.47 pm): This morning the Premier rose and said that she wants to see workable laws with respect to criminal gang members. The Premier wants workable laws. I put it to the Premier that, if we look at criminal gangs in the state of Queensland and workable laws, we should ask ourselves the question: has giving police more powers and resources to do their job

achieved workable laws in this state? Yes. Some 3,000 criminal gang members have been charged with over 9,000 offences in the last three years. It would seem to me that that is because the police have pretty workable laws. We have the CCC's additional powers as endorsed by the CCC chairman, as noted by the shadow Attorney-General this morning when he spoke about the letter that Alan MacSporran wrote to the government essentially warning of criminal gangs coming back to Queensland. That is because of the workable laws we already have in Queensland. Criminal gang clubs have been closed over the last three years. That seems to me to be working. We have not had criminal gang members associating in public for three years. It seems to me as if the laws are working. We have not had one criminal gang public shooting in three years. It seems to me that the laws are working. We have not had another Broadbeach brawl like we saw three years ago. That would indicate to me that the laws are working. But apparently, according to the Premier, the laws are not working. She says that they are terrible and have achieved nothing, yet all of those things I just referred to have been achieved because Queensland does have workable laws.

We have seen the task force set up—which was a set-up in order to repeal the legislation—which the shadow Attorney-General will talk about a little later. We have seen the position reached where they have said, 'Yes, you should repeal the laws,' but we have also seen recommendation 29, which was a unanimous recommendation to repeal the VLAD legislation. The Police Union has come out and said, 'That is not true.' Not only do we have a task force report, which has the result that we all knew would be the case; we also have a difference between a unanimous recommendation and a majority recommendation. No-one has explained how this recommendation got in there, which essentially is untrue.

The Premier also talks about the New South Wales laws and that she is going to meet with the Deputy Premier of New South Wales and the police minister. News flash: I have already talked to the Deputy Premier of New South Wales over a week ago and I can tell members that the New South Wales Deputy Premier indicated only on 16 April that they are going to introduce tough laws. Two and a half weeks ago we had the Premier saying that they are going to copy New South Wales' strong laws, yet the New South Wales Deputy Premier has said that they are only about to introduce their laws. I am not sure what we are copying. The only entity I know that is copying anything is the South Australian Labor government, which is copying the LNP's tough stance against criminal gang members.

The personal explanation delivered by the Independent member for Nicklin was completely unsatisfactory. It was a personal explanation that was designed to disguise his previous support for these criminal gang members, particularly Michael Smith, who is a convicted drug trafficker. This man helped to traffic \$166,000 worth of methamphetamine to kids in this state. How many people died because of those drugs? How many people overdosed because of those drugs? This man, Mr Michael Smith, was also handing out how-to-vote cards wearing a T-shirt supporting the member for Nicklin, Peter Wellington. I say to the member for Nicklin: instead of coming in here and making a personal explanation as the member for Nicklin and saying that he voted for the laws but he had issues with them, he should have condemned Michael Smith. He should have condemned the drug trafficker he is. It is also not excusable for the member for Nicklin to not offer some public explanation other than a bizarre Facebook rant. In fact, what he should have done is said, on behalf of his constituents, that he will take a stand against criminal gang members, including Michael Smith.

The member for Nicklin would have us believe that did he not know about Michael Smith's behaviour or Steven Smith's behaviour. The member for Nicklin knew, because there were articles about them. I table copies of those two articles, one dated 4 February 2014 and one dated 14 January 2014—one year before the election. These people were charged with drug-trafficking offences. The member for Nicklin knew on election day who he had handing out his how-to-vote cards.

*Tabled paper:* Articles from the *Courier-Mail* online, various dates, regarding criminal charges against Yandina Five [\[525\]](#).

The question that really needs to be asked, in terms of being a member of this place, is about the company we keep and support. The member for Nicklin should stand up for his constituents, not drug traffickers, not people convicted of fraud and other drug related offences. We owe it to the people who have been victims of criminal gang members. The member for Nicklin owes it to people who have been victims of criminal gang members. That is why we should keep our foot on the throat of all criminal gang members in this state.

### Nudgee Electorate, Infrastructure



**Ms LINARD** (Nudgee—ALP) (12.52 pm): Last week I visited the Gateway Upgrade North worksite between the Nudgee interchange and Nundah Creek in my electorate. The Gateway Upgrade North project will widen an 11.3-kilometre section of the motorway from four lanes to six lanes between

Nudgee and Bracken Ridge and, in so doing, address a long-term congestion issue in Brisbane's north. This almost \$1.2 billion project will change the lives of the estimated 80,000 motorists who commute on this road daily and daily spend additional precious time delayed in the bottleneck that has become known as the 'Nudgee car park'. As well as two extra lanes, wider road shoulders will be built, new safety barriers will be installed, local drivers will be separated from busy motorway traffic—reducing the need to weave across lanes in peak travel times—the Nudgee interchange will be reconfigured with a new Nudgee Road overpass and extended northbound on-ramp and a new shared path for pedestrians and cyclists will be built along the upgrade.

This project is of tremendous significance not only to my electorate and that of my neighbour, the member for Sandgate, but also to the Queensland economy as a whole as it will reduce congestion and improve freight movements between the Port of Brisbane and the Brisbane Airport. Congestion means lost time, lost opportunity and lost revenue. This project, due for completion in late 2018, will also support more than 1,000 direct jobs at a time when jobs and job security are more important than ever.

The Palaszczuk government is getting on with the job of planning for and investing in the infrastructure that Queensland needs to drive our economy, create local jobs and meet the projected needs of our rapidly growing region. The State Infrastructure Plan, State Infrastructure Fund and Building Queensland, along with market-led proposals, is about planning, prioritising and investing in the right infrastructure in the right place at the right time to grow Queensland's economy and support jobs. I recall the launch of the South East Queensland Regional Infrastructure Plan and the establishment of the Office of Urban Development in 2005 by former treasurer and deputy premier Terry Mackenroth. It represented a significant reform in infrastructure, planning and delivery then as this statewide infrastructure plan does now, mapping out a transparent four-year pipeline of projects. The State Infrastructure Plan, underpinned by the establishment of Building Queensland to provide our government with independent expert advice, will ensure that infrastructure projects are prioritised based on rigorous business cases, including cost-benefit analyses and community benefits. These reforms are in stark contrast to the LNP's record when in government, when it failed to deliver a single infrastructure plan during its three years in office.

The Gateway Upgrade North project is just one of the big-ticket projects that the Palaszczuk government is investing in to meet future growth demands and drive economic growth and jobs. Others include the Moreton Bay Rail Link and New Generation Rollingstock. As the Minister for Transport and his office know well from my regular emails, letters, briefing requests and lobbying, Nudgee is a commuters' paradise, with 12 railway stations across my electorate.

While talking about infrastructure improvements in my local community, I would like to acknowledge the additional commuter car parking and pedestrian access improvements that have been approved for Banyo Railway Station by Queensland Rail following our meetings to discuss my community's concerns in this regard. Commuter car parking at the station will increase by almost 40 per cent and will be built in conjunction with the Banyo stabling project and a pedestrian footbridge will be constructed to assist with safe access to the station. I look forward to continuing to work with the minister and Queensland Rail to secure further station upgrades across my electorate as commuter car parking continues to be a significant concern to local residents.

Whether it is the almost \$60,000 spent at Zillmere State School on upgrading the playground, road safety improvements outside local schools or the \$1.2 billion on the Gateway Upgrade North project, this investment means jobs, it means economic growth and it signals progress for the people of my electorate and for Queensland more broadly. Our government will continue to do everything within its power to boost business confidence, attract investment and partner with business and industry to deliver new job-creating projects and infrastructure.


I note from recent figures released by the Treasurer that Queensland's unemployment rate remains steady at six per cent, which equates to 61,300 new jobs created since the election, or 1,960 full-time jobs created every month. I compare those figures to the 360 full-time jobs that were lost monthly under the previous LNP government. These figures are not simply numbers; every one of those 1,960 full-time jobs created each month—to use the Treasurer's words—is a Queenslanders starting their first job, getting back after a long search, or a family getting a second income.

As our economy undergoes a period of structural change and diversification, we have the infrastructure plan and Advance Queensland vision in place to promote and attract the new investment that is needed to maximise the economic opportunities and jobs of both today and tomorrow.

Sitting suspended from 12.57 pm to 2.30 pm.

## PRIVILEGE

### Speaker's Ruling, Referral to Ethics Committee

 **Mr SPEAKER:** Honourable Members, at matters of privilege this morning the member for Cairns sought to table in the House three letters regarding allegations of contempt for my consideration in referring those matters to the Ethics Committee. Before seeking to table those documents the member for Cairns prefaced that he was not going to refer to a matter already before the Ethics Committee. The proof of the *Record of Proceedings* from this morning indicates that the member for Cairns stated—

On 17 March a matter of privilege was referred to the Ethics Committee and I am not speaking about that issue.

Standing order 271 provides that a matter referred to the Ethics Committee must not be debated in the House until such time as the Ethics Committee has reported on the matter if, in the opinion of the Speaker, such debate could prejudice the matter.

I have now had the chance to review the documents sought to be tabled by the member for Cairns and the material that I referred to the Ethics Committee on 17 March 2016 regarding allegations about the conduct of the member for South Brisbane. I rule that all three documents that the member for Cairns sought to table refer to that matter currently before the Ethics Committee and the tabling of those documents would breach standing order 271.

Accordingly, in accordance with previous Speakers' rulings I rule that those documents no longer be considered tabled and any reference to them in the *Record of Proceedings* and the Tabled Papers database be removed. I will forward a copy of the correspondence that the member sought to table to the Ethics Committee for its deliberation.

With respect to the allegations regarding the member for Springwood, I will consider them in accordance with standing order 269 and report back to the House in due course.


The proof of this morning's *Record of Proceedings* indicates that the member for Cairns requested that I refer this matter in its entirety to the Ethics Committee so that the member for South Brisbane and the member for Springwood are allowed procedural fairness. However, by seeking to table documents rather than writing to me in accordance with standing order 269 and established practice, the member for Cairns has effectively denied the member for South Brisbane procedural fairness as she is not at liberty to respond in the House to the documents sought to be tabled this morning by virtue of standing order 271.

Although the member for Cairns stated he was not speaking about a matter before the Ethics Committee, by seeking to table those documents he has, in fact, referred to a matter already before the committee. Accordingly, I have decided to refer the conduct of the member for Cairns in seeking to table those documents to the Ethics Committee for its consideration as a possible contempt for failing to comply with standing order 271.

I urge all members to take advice from the Clerk or other officers at the table before referring to matters or tabling matters that may be before the Ethics Committee.

## MATTERS OF PUBLIC INTEREST

### Mackenzie State Special School

 **Mr WALKER** (Mansfield—LNP) (2.34 pm): I wish to take the opportunity to speak about two schools in my electorate that share a common campus on Mount Gravatt-Capalaba Road. Mackenzie State Primary and Special School was formed from two schools. The original state school that was on the site, the Mount Petrie State School—I see the member for Capalaba nodding; I am sure he has been past it many a time—was a lovely typical Queensland school building that had seen better days in respect of its ability to satisfactorily educate the children in my electorate. The other school that went to the site was the Mount Gravatt Special School that had existed in Newnham Road at Mount Gravatt and had for many years served the community in providing education for those with special needs.

The school was developed during the time of the Bligh government but completed during the time of the LNP government. My colleague the member for Surfers Paradise, who was then education minister, had the privilege of opening the school. I have attended it many times since. It is an interesting concept to have a state school campus and a special school campus co-located. The state school presently has about 80 students and its maximum number is about 120 students. It co-locates with the special school attended by those children who require special needs attention during their education.

The co-location serves a tremendous purpose. Firstly, it enables families who have a child in the normal state stream and another child who is educated in the special stream to go to the same campus. They can effectively be dropped off at the same school and go to their separate parts of the campus for their education. I am sure there are many families that welcome being able to have their children attend one campus where their needs are specially catered for.

The state primary school side of the campus is under the principalship of Mr Jonathan Gagen who has been at the school for about a year now and has provided tremendous leadership. Last week I was very pleased to present awards to the year 6 leaders who I am sure will do a sterling job. I then popped across to the special school which is under the principalship of Mr Terry Forster. Terry has had a long and impressive history in special needs education in this state and he does an absolutely spectacular job at this campus. One of the interesting things that they do on campus, and I was pleased to take part in it, is a coffee shop on a Wednesday morning in which the children who attend the special school actually do all of the catering for those who attend. I was pleased to have an iced chocolate mixed up by Oscar, one of the students of the school, who follows a clear guideline as to how he is to make the drink and then serve it to customers. Courtney had a tremendous zucchini slice that was keenly devoured by the parents and community members who attended the coffee shop. It is a great experience to go there. It provides tremendous training for the special school students and it also provides a great community facility for those who want to go and get a nice coffee and something to eat. Unsurprisingly, it is attended by the parents who use it as a tremendous opportunity to socialise and, in fact, to talk to the school administration about matters of concern. I am very pleased to commend what the school is doing.

I was also pleased to assist the school in its negotiations with Kath Coory. Kath is from BestLife Foundation sleepovers. Kath, who has a child who attends the school, is particularly concerned that those who have children who are being educated in the special system have a place where they can learn to interact with other kids on something as simple as weekend sleepovers. The facilities at the school are suitable to take a number of children on a weekend sleepover basis. I am glad that the administration of Mackenzie State Special School and the BestLife Foundation management were able to come to an agreement that allows BestLife to use the campus on weekends. Parents happily drop their kids off on a Saturday knowing that they will be safely looked after and are able to interact with each other in that sort of environment to get to experience what for most of our children is an ordinary part of growing up.

### Keppel Electorate



**Mrs LAUGA** (Keppel—ALP) (2.39 pm): The Palaszczuk government is focused on growing jobs now and jobs for the future. The Working Queensland Cabinet Committee is charged with doing just that by coordinating and overseeing employment related policy and programs. Job creation in Keppel is one of my top priorities. Therefore, it was wonderful to welcome the Palaszczuk government's Working Queensland Cabinet Committee to Keppel in March. The meeting was also an opportunity for the mayors of Rockhampton and Livingstone shires and the member for Rockhampton and I to provide direct input on the regional priorities in preparation for the next budget.

The Central Queensland region is a social and economic powerhouse of Queensland. On almost every measure, whether it be population and growth, economic scale, expansion and diversity, the key industries of agriculture, mining and tourism or education, training and research, Central Queensland is a stand-out performer. We host a density, diversity and scale of social and economic enterprise almost unmatched elsewhere in Australia. Central Queensland's gross domestic product of \$44.4 billion is larger than that of the combined gross domestic product of the Townsville region, the Cairns region and the Darwin region and is almost twice the size of Tasmania's GDP.

We know that over recent years the Central Queensland economy has become more diversified with the labour market undergoing a transition to meet job requirements. Construction, health and education, and professional services are forecast to continue as strong industries in Central Queensland. I want to build upon those industries, whilst also encouraging new industries to establish in our region. The mining boom is not ending, but it is changing in ways that will reshape the industrial landscape. We must diversify beyond mining's boom and bust. How effectively we catch and ride the future waves will determine our prosperity for generations to come.

The Palaszczuk government is injecting \$40 million into the Yeppoon foreshore and the Rockhampton riverbank projects, which will create up to 400 jobs in construction and attract visitors and grow tourism for decades to come. The Skilling Queenslanders for Work initiative is injecting nearly \$2 million into Rockhampton and the Capricorn Coast to support 451 jobseekers improve their skills

and employment prospects. The state government's \$892 million infrastructure spend in the Central Queensland region this financial year is also supporting an estimated 2,500 local jobs, which is great news for the local economy and local employment. There has been a strong response to the Palaszczuk government's payroll tax rebate for apprentices and trainees, with 87 local businesses already claiming around \$100,000 in rebates to date.

Rockhampton is the beef capital of Australia and Central Queensland is the unrivalled agricultural giant of Northern Australia. The region produces over \$2 billion per annum, which is greater than the Townsville and Cairns regions and the entire Northern Territory combined. There would be great economic benefits for local produce such as beef, pineapples, mangoes, lettuce, citrus and nuts to be exported through the Rockhampton airport direct to Asia. Central Queensland is also perfectly positioned to grow international education, which is a sector that contributes \$2.5 billion annually to the Queensland economy. It is predicted to become the largest service export by 2020 and to create 20,000 jobs. The world-class CQ University and a safe and laid-back lifestyle make a powerful combination to attract more international students to Central Queensland.

In terms of tourism, it is all good news for the southern Great Barrier Reef, which in 2015 ranked fifth in the state for domestic and international visitors. Not only are visitor numbers increasing; tourists are staying longer and they are spending more. Now that we are growing the largest wild barramundi fishery in the world in Central Queensland opportunities are set to grow in recreational fishing tourism. There are also offshoot opportunities for the Commonwealth Games and Indigenous tourism opportunities to grow employment and training, and give traditional owners an opportunity to share their stories. We are in a prime position to take advantage of the environmental outcomes and economic benefits of renewable energy. We have the space, flat land, sunshine and world-class technological and research facilities that can help position us as a world leader in large-scale renewables.

We are now starting to see the fruits of the Palaszczuk government's economic agenda. The Palaszczuk government will continue to work hard to boost business confidence, attract investment and partner with business and industry to deliver new job-creating projects and infrastructure. The mighty Central Queensland region has the people, we have the ideas, we have the infrastructure and we are ready.

## NATIONAL INJURY INSURANCE SCHEME (QUEENSLAND) BILL

### Introduction



**Hon. CW PITT** (Mulgrave—ALP) (Treasurer, Minister for Aboriginal and Torres Strait Islander Partnerships and Minister for Sport) (2.43 pm): I present a bill for an act to provide for a scheme for the treatment, care and support of persons seriously injured in motor accidents, and to amend this act, the Civil Liability Act 2003 and the Motor Accident Insurance Act 1994 for particular purposes. I table the bill and explanatory notes. I nominate the Finance and Administration Committee to consider the bill.

*Tabled paper:* National Injury Insurance Scheme (Queensland) Bill 2016 [\[526\]](#).

*Tabled paper:* National Injury Insurance Scheme (Queensland) Bill 2016, explanatory notes [\[527\]](#).

I present a bill for an act to provide a scheme for the lifetime treatment, care and support of persons catastrophically injured in motor vehicle accidents. The introduction of the National Injury Insurance Scheme (Queensland) Bill 2016 is a significant social reform. The National Injury Insurance Scheme is a companion scheme to the National Disability Insurance Scheme and is just as significant in the impact it will have on the lives of Queenslanders who sustain life-changing injuries. Right now, around half of the 140 people in Queensland who are catastrophically injured in motor vehicle accidents every year are not guaranteed the lifetime care that they require. Often, those Queenslanders have to rely on the support of family, friends and carers, not-for-profit groups, public health and welfare systems. That can lead to compromised care and support, poor recovery and a limited ability to re-engage with their community. Today's bill changes that.

The introduction of a National Injury Insurance Scheme is one of the largest reforms in this space since the introduction of CTP insurance in Queensland in 1936. In 2013, the former government signed a national heads of agreement with the Commonwealth, which committed Queensland to either implement a lifetime care and support scheme for motor vehicle accidents that met the agreed minimum benchmarks or be 100 per cent responsible for the costs of people who sustain catastrophic injuries from 1 July 2016. The former government did little to prepare for the scheme's introduction in the two

years after Campbell Newman signed the heads of agreement and it has been left to the Palaszczuk government to act. Queensland is the last state to introduce a National Injury Insurance Scheme. This bill demonstrates the government's commitment to building safe, caring and connected communities.

I note the inquiry by the Communities, Disability Services and Domestic and Family Violence Prevention Committee and, following its transfer in February 2016, the Education, Tourism, Innovation and Small Business Committee has informed the development of this bill. Under this inquiry, the no-fault model and a hybrid model were considered by the parliamentary committee, pursuant to its terms of reference.

Queensland's CTP insurance scheme has served the community well and it is currently considered one of the most stable, affordable and efficient schemes in Australia. However, Queensland's CTP insurance scheme is a common law fault based scheme. An injured person can only claim against it where fault can be established against an owner or driver of an insured vehicle. Around half of all people seriously injured in motor vehicle accidents are not eligible to claim against CTP insurance. This may be because there was nobody at fault, such as where an animal caused the accident or the injured person is deemed to have caused the accident. For people deemed to be at fault in a motor vehicle accident or in a situation where there is no negligent party involved, there is a gap in coverage.

Since February this year, we have been undertaking community awareness to let Queenslanders know 'you're not half as protected as you think'. A catastrophic injury could happen to any one of us. It could happen to a loved one or a friend. The cost of their care over their lifetime can be millions of dollars. This can be devastating, not only for the injured person but also for their family and friends. In Queensland, the National Injury Insurance Scheme, the NIISQ, incorporates a no-fault model and retains common law rights to recover the costs of treatment, care and support for those who are not at fault for their injuries. Under the NIISQ, all people catastrophically injured in a Queensland motor vehicle accident would immediately become participants in a no-fault scheme, irrespective of fault, with care and support services managed by the National Injury Insurance Agency, instead of through the CTP insurer. Persons who have a claim against a CTP insurer—that is, where they can assert fault—may also pursue a claim for non-economic loss and economic loss.

In addition, certain participants will be able to elect to opt out of the no-fault scheme and pursue a common law lump sum amount for care and support from the NIISQ. This ability to seek common law damages is a fundamental existing right of our legal system. However, lump sum compensation is not without its challenges. To minimise the risk of these lump sums exhausting, the legislation proposes that only persons who meet certain pre-conditions may opt out of the NIISQ. These pre-conditions include where the person is an agreed lifetime participant who has a valid CTP claim with contributory negligence less than 25 percent and who has not been excluded from receiving a lump sum by the court. In addition, the existing safeguards under the CTP scheme would continue, with court sanctions and trustee management where required.

The principal features of the bill are as follows. The National Injury Insurance Agency Queensland will be established and will pay the reasonable and necessary treatment, care and support expenses of participants in the scheme. This includes medical treatment; pharmaceuticals; dental treatment; rehabilitation; ambulance transportation; respite care; attendant care and support services; aids and appliances; prostheses; educational and vocational training; and home and transport modifications. The National Injury Insurance Scheme Fund will be established to be used for the purposes of the scheme, which will be solvent from day one.

A person will be eligible to participate in the scheme if they have suffered a motor accident injury that satisfies the definition in the bill, with criteria for eligibility to be detailed in the regulations. A person will be eligible if they have suffered a serious, permanent spinal injury or a traumatic brain injury, high level or multiple amputations, severe burns or permanent blindness. Participation in the scheme will be either as a lifetime participant or as an interim participant—with interim participation lasting two years or until acceptance as a lifetime participant. Once accepted as a lifetime participant, treatment, care and support will be provided for a person's lifetime unless a person opts out of the NIISQ. There is provision for individual funding agreements and for certain participants to opt out and receive a lump sum.

An application for participation in the scheme can be made by or on behalf of the injured person or by an insurer of a motor accident claim in respect of the injury. The principles in the bill aim to put the participant, so far as is possible, in the centre of the decision-making process, maximising their independence and dignity. This will include the ability to have self-directed care where appropriate.



Internal and external dispute resolution mechanisms are provided to deal with disputes as to eligibility, disputes as to whether an accident is a motor accident covered by the scheme and disputes about a participant's treatment, care and support needs. Funding for the scheme will be provided by way of a levy to be paid by motorists at the same time as CTP premium and registration costs, and will be collected by the Department of Transport and Main Roads. This is the same funding model used in every state and territory.

In terms of the costs, the parliamentary committee examining the NIIS discussed at length a modelled cost of \$76 per vehicle for the introduction of a no-fault lifetime care with common law model. The figure of \$76 per vehicle has been on the public record now for some months. Today, I can advise that, as a result of the great work of this government, the committee and the Motor Accident Insurance Commission, we propose to implement an adjusted NIISQ model at a net additional cost to CTP insurance of \$32 per vehicle. This is a saving of \$44 for every motorist from the original estimated cost. The savings will be achieved through MAIC working with CTP insurers to improve current CTP premium affordability and returning the part-year unearned CTP premium where cover will now be provided by the NIISQ.

At this cost, the NIISQ will be the most affordable scheme introduced nationally. This is an affordable scheme that gets the balance right for motorists. For 60 cents per week extra on CTP insurance, Queenslanders catastrophically injured will receive lifetime care. In order to seek further savings, it is proposed that the Palaszczuk government will also undertake a CTP scheme review in time for 2017-18 premium setting.

I urge the opposition and all members of parliament to support the bill. This is a scheme that should be above politics. I thank the committee and all of those individuals and organisations who made submissions or appeared before the committee at its public hearings. I think it is telling that no submission opposed the introduction of a lifetime care and support scheme in Queensland. Such strong community support has been crucial in ensuring all Queenslanders catastrophically injured in motor vehicle accidents, regardless of fault, receive the necessary and reasonable treatment, care and support throughout their lifetime. The government looks forward to ongoing dialogue with the community about this significant social reform.

### First Reading

**Hon. CW PITT** (Mulgrave—ALP) (Treasurer, Minister for Aboriginal and Torres Strait Islander Partnerships and Minister for Sport) (2.53 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 Finance and Administration Committee

**Mr DEPUTY SPEAKER** (Mr Elmes): Order! In accordance with standing order 131, the bill is now referred to the Finance and Administration Committee.

## COUNTER-TERRORISM AND OTHER LEGISLATION AMENDMENT BILL

### Introduction



**Hon. WS BYRNE** (Rockhampton—ALP) (Minister for Police, Fire and Emergency Services and Minister for Corrective Services) (2.53 pm): I present a bill for an act to amend the Corrective Services Act 2006, the Police Powers and Responsibilities Act 2000, the Public Safety Preservation Act 1986 and the Terrorism (Preventative Detention) Act 2005 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:* Counter-Terrorism and Other Legislation Amendment Bill 2016 [\[528\]](#).

*Tabled paper:* Counter-Terrorism and Other Legislation Amendment Bill 2016, explanatory notes [\[529\]](#).

I am pleased to introduce the Counter-Terrorism and Other Legislation Amendment Bill 2016. For the Palaszczuk government, public and community safety is paramount. These laws will provide stronger safeguards to deal with and prevent acts of terrorism. Importantly, they will help keep Queenslanders safe. The threat of terrorism and violent extremism is not something that can only happen overseas or somewhere else.



Terrorist organisations, such as al-Qaeda and ISIL, have repeatedly advocated attacks on people of Western nations at home as well as abroad. The shocking events in Paris last year and recently in Brussels highlight the very serious risks to public safety and the dangers ordinary people face from acts of such terrorism.

Thankfully, Queensland's preventative detention laws and terrorist emergency powers have never had to be used, but they have been tested in national and state counterterrorism exercises. These exercises, as well as terrorism linked incidents in New South Wales and Victoria, have highlighted the need for the changes we are now proposing.

The new laws will equip police with the powers they need to swiftly respond to any public emergency. Due to the nature of terrorism, police will often need to intervene early to prevent a terrorist act or act on less information than would normally be the case in their more traditional policing responses.

The priority for police is community safety. However, this should not come at the cost of being able to fully identify the nature of the attack, the persons involved in the attack or collecting sufficient evidence to prosecute those intent on causing harm. Not all threatened or actual acts of violence against the community will be immediately identifiable as acts of terrorism. In fact, it may be some time after an attack that it is identified that the act was carried out with the intent of advancing a political, religious or ideological cause and that the attack was done with the intention of coercing or influencing, by intimidation, a government or the public more broadly.

Threats to the community are not the sole domain of terrorism. There are natural disasters, criminal acts, such as mass murder, sabotage and the destruction of critical infrastructure that also have a devastating impact on our community. This bill will address the current legislative impediments which hinder a rapid policing response in times of crisis by providing police with the capacity to quickly acquire information that is critical to the effective management and resolution of any public emergency.

Privacy concerns or legislation that restricts getting and using crucial information can hamper police efforts in being able to swiftly and effectively manage and resolve critical incidents and public emergencies. Despite any other law, this bill provides police with the power to require any person, including government agencies, to provide information which is necessary for the management or resolution of a declared emergency situation, terrorist emergency or chemical, biological and radiological emergencies under the Public Safety Preservation Act 1986.

This bill creates offences with penalties comparable with the level of risk to the community. For instance, it will be an offence to contravene an information requirement, to provide false and misleading information or to disclose to any person that an information requirement has been made and/or the nature of the information sought as part of that information requirement. These offences impose a maximum penalty of 40 penalty units or 12 months imprisonment. Each of these offences has a circumstance of aggravation which carries a maximum penalty of 10 years imprisonment. However, it is important to note that a person who provides information in compliance with the information requirement provisions in this bill will be protected from criminal, civil and other forms of liability.

The new information requirement powers are balanced by a range of safeguards. They include an information requirement can only be made during the period of the declared emergency and the relevant commander must be satisfied on reasonable grounds that, firstly, the person may be able to provide the information; secondly, the information is necessary for the management or resolution of the declared emergency; finally, it is not practicable to obtain the information from the person in another way. Other safeguards include an information requirement cannot be made of a person who is a suspect; privilege against self-incrimination and legal professional privilege is maintained; disclosure offences can only be committed during the period of the declared emergency; and a notice authorising specific disclosure or removing disclosure prohibition may be given.

This bill also amends part 2A 'Terrorist emergency' of the Public Safety Preservation Act 1986. These amendments will provide for the appointment of a terrorist emergency reception centre commander if it is necessary to establish a terrorist emergency reception centre outside of the declared area for a terrorist emergency. This bill will enable the TERC commander to do the following if they are satisfied on reasonable grounds that terrorist emergency powers are necessary: manage and control the evacuation of persons from a declared area; or be responsible for the reception, identification and assessment of persons at a terrorist emergency reception centre; or declare as a 'declared evacuation area' a stated area in which the terrorist emergency reception centre is to be established; or declare the route or vehicle used for the evacuation of persons and a stated area to where persons have self-evacuated from the 'declared area'.

The bill also provides that a terrorist emergency officer has the power to give directions to control the movement of persons, including a direction to go to the terrorist emergency reception centre. When the commander is satisfied the direction is no longer reasonably necessary for the prescribed purposes, the TERC commander must ensure that a direction is withdrawn.

This bill enables the Premier and the minister to extend a terrorist emergency under the Public Safety Preservation Act 1986 beyond the initial seven days—up to a maximum of 28 days and by up to seven-day increments—in circumstances where it is necessary to protect life or health or protect critical infrastructure. This bill also enables a terrorist emergency to be extended beyond 28 days by regulation if the circumstances of the terrorist act or threats of further terrorist acts require the continuation of the terrorist emergency.

Each regulation can only extend the terrorist emergency by a maximum of 14 days. This provides the Premier and the minister with the flexibility to ensure that terrorist emergency powers are available to police to protect the Queensland community in circumstances where the state is subjected to multifaceted and protracted terrorist attacks or if a terrorist attack is imminent and the intended target of the attack is unknown.

The bill provides a power for a terrorist emergency officer to stop and search a vehicle without warrant including a vessel, aircraft or railway rolling stock that is in, about to enter or is reasonably suspected of having recently left a declared area or a declared evacuation area for a terrorist emergency, and to seize anything that may provide evidence of the commission of an offence or that may be used to cause harm to any person. The amendment will also ensure the exercise of this power is not an enforcement act for the purposes of the Police Powers and Responsibilities Act 2000.

This bill seeks to clarify existing section 8G of the Public Safety Preservation Act 1986 which provides for the declaration of a terrorist emergency under part 2A. Subsection 8G(3) enables the declaration of an area surrounding a moving activity to be a declared area for a terrorist emergency. The bill amends the example of what may be a moving activity to clarify that a declared area may be a stated area surrounding a specified person.

This bill also amends section 8Q of the Public Safety Preservation Act 1986 to remove the obligation for the Police Commissioner to consult with a government agency prior to giving an employee of that agency a direction to do or not do certain things during a terrorist emergency. This power will only be exercised where compliance is urgent or for the safety of the officer or another person. Section 8Q is further amended to allow the Police Commissioner to delegate the requirement to consult with a government agency prior to directing an officer of that agency to do or not do certain things during a terrorist emergency.

The bill amends the search powers for terrorist emergencies declared under the Public Safety Preservation Act 1986 by replacing the words ‘the person intends to use the thing to cause harm’ with ‘the person may use the thing to cause harm’. This amendment ensures that police who are responding to an imminent terrorist act or a terrorist attack which has just occurred are able to seize anything that they reasonably suspect may be used to cause harm to any person. This amendment recognises that police may be acting on very limited information when a terrorist attack is imminent or has just occurred. The current threshold, which requires a police officer to reasonably suspect that a particular person intends to use the thing to cause harm, is considered far too high. The purpose of this power relates to the safety of persons and not evidence collection.

The bill further amends the Public Safety Preservation Act 1986 to clarify that the protection of employment rights applies to a person who is absent from their work because of a resource operator direction or a help direction given under part 2A ‘Terrorist emergency’ in the same manner that may apply to a relevant direction under part 2 ‘Emergency situation’ and part 3 ‘Chemical, biological and radiological emergencies’ of the Public Safety Preservation Act 1986.

The bill also amends section 46 of the Public Safety Preservation Act 1986 to clarify that a person who has surrendered their property to a terrorist emergency officer under a resource surrender direction can seek compensation due to suffering a financial loss because of the use, damage or destruction of the property. This amendment ensures that the owner of the said property has a similar ability to seek an ex gratia payment as would apply under part 2 ‘Emergency situation’ and part 3 ‘Chemical, biological and radiological emergencies’ of the Public Safety Preservation Act 1986. The claimant must make application to the minister within 28 days of the terrorist emergency ending.

The bill amends the general protection from liability and evidentiary provisions under the Public Safety Preservation Act 1986. The bill amends section 47 of the Public Safety Preservation Act 1986 to provide protection from liability in relation to things done or omitted to be done by a terrorist

emergency commander, terrorist emergency forward commander, TERC commander, the commissioner or a deputy commissioner exercising the powers of the above commanders and an officer acting under any of the commander's instruction under part 2A of the Public Safety Preservation Act 1986.

The bill also amends section 48 of the Public Safety Preservation Act 1986 to extend the evidentiary provisions to appointments and signatures made under part 2A 'Terrorist emergency' of the Public Safety Preservation Act 1986. The definition of 'emergency situation' in the schedule of the Public Safety Preservation Act 1986 is extended by the bill to include, in addition to any accident, any incident that causes or may cause a danger of death, injury or distress to any person, a loss of or damage to any property or pollution of the environment.

This bill amends the Terrorism (Preventative Detention) Act 2005 to enable an initial and final preventative detention order to be made in circumstances where the full name of the person is not known but the person can be adequately identified by other means such as a partial name, nickname, alias, physical description or photograph. This bill will also allow a police officer to require a person to state their name, address and date of birth and, furthermore, allow a police officer to require a person who is detained under a preventative detention order to state the person's name, address and date of birth. A further amendment to the Terrorism (Preventative Detention) Act 2005 will enable an urgent application for an initial preventative detention order and a prohibited contact order to be made without the need to prepare a prior written application.

Section 69 of the Terrorism (Preventative Detention) Act 2005 is amended by inserting a note into subsection (1) to clarify that the restrictions on taking identifying particulars, other than under this section, do not apply when a person has been released from detention under the preventative detention order, even though that order may still be in force.

This bill also includes amendments to the Corrective Services Act 2006 to support efficiencies in the operational practices of Queensland Corrective Services. Under the Corrective Services Act 2006, Queensland Corrective Services may collect and store biometric information, such as fingerprints, of a prisoner for the purposes of identification. The bill makes amendments to clarify that the collection of such information from prisoners includes the collection of information by way of biometric identification systems. The amendment is intended to accommodate technological advances in the collection of identifying information and does not expand the existing power.

The bill also expands the offence for a prisoner to fail to obtain the written permission of the Chief Executive of Corrective Services before applying to change the person's name so that it applies to a name change application in any Australian jurisdiction, not just Queensland. The purpose of the amendment is to ensure that at all times the chief executive has accurate identity information in relation to any prisoner.

The amendments to the Corrective Services Act 2006 will also enable registered nurses, as an alternative to doctors, to examine at the prescribed intervals prisoners who are under safety orders, maximum security orders, criminal organisation segregation orders and separate confinement orders. The purpose of these checks is to ensure the medical needs, including mental health, of such prisoners are not neglected or overlooked. Empowering registered nurses to carry out this function reflects the applied nurse led service model for prisoner health services and will support greater efficiencies in the delivery of prisoner health services.

Lastly, the bill clarifies that the existing exception to a prisoner's entitlement to request reconsideration of a transfer decision includes a decision to move a remanded prisoner following sentence to another Corrective Services' facility for the purpose of determining the most suitable facility for the prisoner's initial placement. These new laws balance a person's rights and liberties with the need to keep Queenslanders safe, and they provide stronger safeguards to deal with and prevent acts of terrorism and public emergencies in Queensland. I commend the bill to the House.

### First Reading

**Hon. WS BYRNE** (Rockhampton—ALP) (Minister for Police, Fire and Emergency Services and Minister for Corrective Services) (3.12 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

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

## CRIMINAL LAW (DOMESTIC VIOLENCE) AMENDMENT BILL (NO. 2)

Resumed from 2 December 2015 (see p. 3083).

### Second Reading

 **Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (3.13 pm): I move—

That the bill be now read a second time.

On 2 December 2015, the Criminal Law (Domestic Violence) Amendment Bill (No. 2) 2015 was introduced into the Queensland parliament. Parliament referred the bill to the Legal Affairs and Community Safety Committee for consideration and requested that the committee report on its consideration of the bill by Monday, 7 March 2016. The committee tabled its report on 7 March 2016 and made one recommendation: that the bill be passed. I thank the committee for its timely and detailed consideration of the bill.

The bill before the House contains important reforms to the criminal justice system in line with the government's response to the recommendations made by the Special Taskforce on Domestic and Family Violence in Queensland. The task force was established on 10 September 2014 to make recommendations to inform the development of a long-term vision and strategy to rid Queensland of domestic and family violence—an insidious and often hidden form of violence. On 28 February 2015 the task force released its report *Not now, not ever: putting an end to domestic and family violence in Queensland*, containing 140 recommendations. The Queensland government accepted all of the recommendations directed at government. This bill gives effect to recommendations 118 and 120 of the *Not now, not ever* report by making significant amendments to criminal justice legislation to increase perpetrator accountability and protections.

Firstly, the bill amends the Penalties and Sentences Act 1992 to make provision for domestic and family violence to be an aggravating factor on sentence. The aggravating factor increases the culpability of the offender which means that the offender should receive a higher sentence within the existing sentencing range up to the maximum penalty for the offence. The amendment is reflective of community attitudes about the seriousness of criminal offences that occur in a domestic and family context and will make these offenders more accountable.

Secondly, a new offence of choking, suffocation and strangulation in a domestic setting is inserted into the Criminal Code. The new offence reflects that this sort of violence is not only inherently dangerous but predictive of an escalation in domestic violence offending including homicide. The new offence acknowledges the importance of identifying this conduct to assist law enforcement and related agencies in assessing risk to victims and increasing protections for them.

The bill also makes amendment to the Penalties and Sentences Act and the Youth Justice Act 1992 to allow a court to receive a submission from a party on what they consider to be the appropriate sentence or sentence range for the court to impose. This amendment addresses the effect of a 2014 High Court decision in *Barbaro & Zirilli v The Queen* [2014] HCA 2 that prohibited the longstanding practice in Queensland of prosecutors making a submission to the court in relation to the appropriate penalty range. The amendment will therefore restore the practice and improve consistency in sentencing and assist in courtroom efficiency.

In recommending that the bill be passed, the committee requested that I respond to a number of issues that submitters raised during the committee consultation phase. I will now address these matters in turn. Firstly, in relation to the new strangulation offence, questions arose about why absence of consent is an element of the offence. The new offence is intended to target the insidiously threatening and dangerous strangulation and choking behaviours in a domestic and family violence context. The requirement for lack of consent in the offence reflects the necessity not to criminalise the consensual touching of the body. The requirement of a lack of consent is a safeguard for people who engage in behaviours that, whilst not considered mainstream, are nonetheless consensual. Additionally, family horseplay, such as roughhouse, wrestling type play between siblings, and accepted sporting holds are not intended to be captured by the offence.

The requirement for the prosecution to prove the victim did not consent to the conduct is consistent with the current approach in the Criminal Code for assaults. For a common assault or assault occasioning bodily harm to be unlawful, the application of force must be without the victim's consent. If it were to be otherwise, we would all be guilty of committing assaults on a constant basis, with contact that occurs in daily life and when participating in contact sports. While the conduct relevant to the new offence is of a more specific nature, nonetheless such conduct does occur with consent at times—for example, non-mainstream sexual practices and some sports. The new offence is drafted to account for this.

In addressing the issue of consent, the committee has asked that I deal with the issue of reckless indifference. I am aware that the Women's Legal Service submitted to the committee during the public hearing of the bill that the definition of consent under the Criminal Code should be amended to include the concept of reckless indifference, as is the case in New South Wales. This issue is usually raised in the context of sexual offences. In adult sexual offence trials, it is common for the defendant to admit the sexual activity but claim a belief that it was consensual. In some jurisdictions such as New South Wales, the element of rape includes that the defendant knew the other person was not consenting or was reckless to whether the other person was consenting. At common law the defence of mistake of fact applies if the defendant honestly believed that the complainant was consenting. However, in Queensland for the defence to apply the belief must be both honest and reasonable.

The benefit of the Queensland approach is that the objective element of reasonableness focuses on the actual circumstances under which the conduct occurred. A purely subjective model focuses on the perspective of the particular defendant. I note that in the 2010 Australian Law Reform Commission report *Family violence: a national legal response*, the ALRC's view was that the issue of consent is best addressed by a defence that the defendant held an honest and reasonable belief that the complainant was consenting. This is the current position in Queensland.

Another concern with the new offence raised during the consultation process was the use of the term 'domestic setting' in the new offence title 'Choking, suffocation or strangulation in a domestic setting'. The use of the term 'domestic setting' is not intended to impose any limitation on the location of offending. While section 35C of the Acts Interpretation Act 1954 provides that a heading to a section forms part of the section, the term 'domestic setting' is not an element of the new offence. The term therefore must be read in the context of the offence, which provides no qualification on the location of the offending but provides the overall context or circumstances of the offence.

Another issue raised with the new offence was with the element of the offence that the offender is in a 'domestic relationship' with the victim, or the choking, suffocation or strangulation is associated domestic violence under the Domestic and Family Violence Protection Act 2012. Some submitters expressed concern that the requirement that the offender is in a domestic relationship with the victim is unduly limiting and may be difficult to prove. The term 'domestic relationship' is defined in section 1 of the Criminal Code. The Criminal Code definition adopts the definition of 'relevant relationship' contained in section 13 of the Domestic and Family Violence Protection Act, which is an intimate personal relationship, a family relationship, or an informal care relationship as defined under the Domestic and Family Violence Protection Act. The term 'associated domestic violence' is defined in section 9 of the Domestic and Family Violence Protection Act. These phrases are successfully proved in applications under the Domestic and Family Violence Protection Act on a regular basis.


While acknowledging that proceedings under the Domestic and Family Violence Protection Act are determined on the balance of probabilities, it is not anticipated that evidentiary issues will arise in proving a domestic relationship et cetera to the criminal standard of proof. Further, in a trial for a defendant charged with an offence arising out of conduct on which an application under the Domestic and Family Violence Protection Act is based, the existence of an order made under the Domestic and Family Violence Protection Act is admissible with the leave of the court.

The committee has asked that I respond to concerns raised as to 'attempts' to commit the new strangulation offence. Whilst the new strangulation offence does not specifically legislate for attempted choking, suffocation or strangulation, attempted conduct of this kind is still captured by the general attempts provision in section 535 of the Criminal Code. Section 4 of the Criminal Code defines the term 'attempt'. Further, the general provision applying to attempts provides that an attempt to commit an indictable offence will carry a punishment equal to one-half of the relevant maximum penalty. I am satisfied that the general 'attempts' provisions in the Criminal Code adequately provide for attempts to commit the proposed new section 315A.

Finally, I address the concern raised as to why the new aggravating factor in the Penalties and Sentences Act is not extended to juvenile offenders. The bill amends the sentencing guidelines in the Penalties and Sentences Act to recognise domestic and family violence as an aggravated factor for the purpose of sentencing. The Penalties and Sentences Act applies to adult offenders. Some submitters queried why an equivalent amendment was not made to the sentencing framework of the Youth Justice Act that applies to juvenile offenders. The sentencing framework for juvenile offenders is quite distinct from the framework applied to adult offenders in the Penalties and Sentences Act.

Schedule 1 establishes the youth justice principles to be applied which include: recognition of the vulnerability of children; that children must be held accountable for their action and dealt with in a way that will give the child the opportunity to develop in responsible, beneficial and socially acceptable ways; and that diversion from the criminal justice system is to be considered where possible. Given the imperatives of the juvenile sentencing framework, an amendment to recognise domestic and family violence as an aggravating factor on sentence would be incongruous with the principles underpinning the Youth Justice Act.

I again would like to thank the Legal Affairs and Community Safety Committee for its consideration of the bill and acknowledge the very valuable contribution of all those who have made submissions on the bill and assisted the committee during its deliberations. The bill represents the government's continued commitment to delivering on the recommendations of the Special Taskforce on Domestic and Family Violence in Queensland. Improving the accountability of domestic violence perpetrators brings us closer to a Queensland free from domestic and family violence. I commend the bill to the House.

 **Mr WALKER** (Mansfield—LNP) (3.24 pm): I rise to address the Criminal Law (Domestic Violence) Amendment Bill (No. 2) before us presently. From the outset I want to convey that it is the position of this side of the House that the bill should be passed. At the outset I also want to acknowledge that the issues of domestic and family violence are extremely important and that domestic and family violence results in significant human and economic costs to our community.

In government the LNP worked closely with the non-government agencies to address domestic and family violence in Queensland. However, the incidence rates continued to rise. More needed to be done to protect and to support victims of domestic abuse. That is why we established a Special Taskforce on Domestic and Family Violence chaired by former governor-general, Dame Quentin Bryce, in September 2014. In recognising the need for shared responsibility, the special task force undertook extensive statewide consultation with communities, families, individuals, business, non-government organisations and other key stakeholders. Its report, which was entitled *Not now, not ever: putting an end to domestic and family violence in Queensland*, was provided to the state government in February 2015. Last year we committed to providing in principle support for the implementation of the recommendations of the Bryce special task force report, and that commitment underpins our position on this bill which implements recommendations 118 and 120 of the *Not now, not ever* report.

There are three key objectives of the bill: firstly, to amend the Penalties and Sentences Act 1992 to make provision for domestic and family violence to be an aggravating factor on sentence; secondly, to amend the Criminal Code to create an offence of choking, suffocation or strangulation in a domestic setting; and, thirdly, to amend legislation to allow a court to receive a submission from a party on what they consider to be the appropriate sentence or sentence range for the court to impose. We note that recommendation 118 of the *Not now, not ever* report recommended that the Queensland government introduce a special circumstance of aggravation of domestic and family violence to be applied to all criminal offences. Rather than attaching a general circumstance of aggravation, which must be charged in the indictment and becomes a matter the Crown must prove beyond all reasonable doubt, the bill amends the Penalties and Sentences Act to make provision for domestic and family violence to be an aggravating factor on sentence rather than attaching a circumstance of aggravation to any offence in the Criminal Code.

A circumstance of aggravation is defined as a circumstance where an offender is liable to a greater punishment—that is, maximum penalty—than the offender would otherwise be liable to if the offence were committed without the existence of that circumstance. We note that the application of the specific recommendation of the Bryce report regarding the circumstance of aggravation and also the new offence of strangulation received further and separate consultation from the department in October 2015. That consultation process received another 20 submissions that were targeted and specific to the particular issues raised in this bill. It is clear that that process led to a change in the application of recommendation 118 so that an aggravating factor is placed upon the sentencing process rather than listed as a circumstance of aggravation as part of the indictment.

While the Bryce report recommended a specific circumstance of aggravation of domestic and family violence to all criminal offences, the bill proposes an alternate approach, providing an aggravating factor that must be considered on sentence. A circumstance of aggravation must be charged by the prosecution and it is, therefore, a matter that must be proven beyond reasonable doubt. The amendment provides that the court must have regard to whether the offence constitutes an act of domestic and family violence when determining the appropriate sentence for an offender.


We note the commentary from key stakeholders during debate on this issue and support the determination of the committee on the application of this recommendation. The Bar Association of Queensland supported the change in the application of recommendation 118 on the basis that 'the amendment preserves judicial discretion, to the greatest extent possible, in sentencing offenders according to the particular facts and circumstances of their case'.

The Women's Legal Service and the Queensland Association of Independent Legal Services, QAILS, also supported the proposition to make domestic violence an aggravating factor upon sentencing as proposed in the bill, subject to ongoing monitoring by the relevant departments to consider the impact on victims of domestic violence and whether there are any unintended consequences.

Recommendation 120 of the Bryce report refers to the creation of a specific offence of strangulation. Currently, a person who unlawfully chokes, suffocates or strangles another person can be charged under the Criminal Code with the offence. Depending on the force used, the intent and the injuries sustained by the victim, it would likely be one of the following offences: common assault, assault occasioning bodily harm, grievous bodily harm, torture, disabling in order to commit an indictable offence or attempted murder. The proposed new offence of choking, suffocation or strangling another person without the other person's consent when either (a) the person is in a domestic relationship with the other person; or (b) the choking, suffocation or strangling is associated with domestic violence under the Domestic and Family Violence Protection Act 2012, attracts a maximum penalty of seven years imprisonment.

There was commentary from various key legal stakeholders on the deficiency of the current provisions in the Criminal Code, specifically section 315. We note the divergence of views on this issue as well but believe that, on balance, the application of the new offence achieves the desired result. The proposed definition of 'domestic setting' refers to the existence of the relationship between the victim and accused rather than any specific location. The defence of provocation will not be available to an accused offender, as assault is not an element of the new offence.

Members, we acknowledge these are difficult issues to try and legislate, but it is important to remember the context of this debate. Ultimately we are trying to discourage and prevent incidents of domestic and family violence. Where there are cases of strangulation, the aim is to achieve an effective prosecution. We are trying to protect the victims of these heinous crimes, and that is not always easy to do. Throughout this debate significant differing views were expressed on the implementation of these two recommendations. We do have the benefit of the committee's report and the bill that has now come before us. We in the opposition believe that on balance the amendments as proposed in the bill have appropriately dealt with the issues raised, and we are pleased to support it.


 **Mr BROWN** (Capalaba—ALP) (3.32 pm): I rise today in support of the Criminal Law (Domestic Violence) Amendment Bill (No. 2) 2015. The Minister for Women and I recently visited a shelter in my community for women and children escaping domestic violence. This was after last year's announcement by the minister to fund WAVSS across Redlands to the tune of \$3 million. For many the Redlands has suffered from a lack of resources in this area. It is reassuring to see the good work that they have done for several decades; it is a real community service success story. They are left to pick up the pieces of violence and support survivors. It is good work that they do, but how should we as a government respond to these perpetrators?

The report of the Special Taskforce on Domestic and Family Violence, known as the *Not now, not ever* report, contained two very specific recommendations: that the Queensland government introduce a circumstance of aggravation of domestic and family violence to be applied to all criminal offences; and consider the creation in the Criminal Code of the specific offence of strangulation in domestic relationships which is punishable by a maximum period of seven years imprisonment. As is its practice, the Queensland government committed to consult with the legal community and other stakeholders, and the government kept this commitment in the form of a discussion paper. There were 20 submissions in response to the paper on the best way to go about achieving the report's

recommendations. This bill will amend section 9 of the Penalties and Sentences Act 1992 to make provision for domestic and family violence to be an aggravating factor on sentence and create a new offence in the Criminal Code of strangulation in a domestic relationship.

This is a reasonable and measured response to an epidemic in our community. Women and children are disproportionately the victims of domestic violence, and I had a lot of contact from those who are distressed by the perceived bias in the government's response to this issue. What is often missed is that, while we talk about women and children because statistics and the evidence show that they are disproportionately affected by violence, the government's response overwhelmingly does not discriminate. It protects all victims, whatever their age or gender and whatever type of relationship they are in. This is a good principle of lawmaking, and I feel I should encourage further support and satisfaction with the government's response and this bill in particular. Domestic violence is not a private matter between two individuals, and the days of turning a blind eye are well and truly over. This is a community issue and it deserves the strongest possible community response, including in our Criminal Code.

I would like to acknowledge and thank the Minister for Women for her strong advocacy and leadership on this issue and the Attorney-General for bringing these recommendations to fruition. I commend the bill to the House.

 **Mr KRAUSE** (Beaudesert—LNP) (3.36 pm): It is my pleasure to rise in support of this bill today. The bill has three key objectives: to amend the Penalties and Sentences Act 1992 to make provision for domestic and family violence to be an aggravating factor on sentence; to amend the Criminal Code to create an offence of choking, suffocation or strangulation in a domestic setting—and I note those two objectives are recommendations that have been drawn from the *Not now, not ever* report from the task force on domestic violence headed by Dame Quentin Bryce—and, thirdly, to amend legislation to allow a court to receive a submission from a party on what they consider to be the appropriate sentence or sentence range for the court to impose. As a member of the committee that examined the bill, I note that the committee made one recommendation: that the bill be passed.

The previous government instituted the *Not now, not ever* task force in September 2014 as a result of significant concern within the Queensland community about the prevalence of domestic violence in our community. As a member of that government, I was one of the members who brought this serious issue in our community to the attention of ministers at the time. I am proud that our government instituted that task force and that the recommendations which flowed from that task force are being implemented at this time.

Recommendation 118 of the task force was that the Queensland government introduce a circumstance of aggravation of domestic and family violence to be applied to all criminal offences, but it did not make any specific recommendation about how that recommendation should be implemented within the criminal law. During the committee's deliberations we heard evidence from the department that there would be serious impediments to making domestic and family violence an element of criminal offences. It would require that that element be proved beyond reasonable doubt, and this would potentially make it harder for domestic and family violence to be taken into account in offences. The bill we have before us makes the circumstance of aggravation a factor in sentencing on offences and means that either the judge or a jury who is considering the guilt of an offender does not need to be satisfied beyond reasonable doubt about the domestic and family violence setting but is able to take those circumstances into account when sentencing an offender. The committee and the opposition support that approach. The discussion paper on this matter put forward various options, and this was the option that came forth.

One of the issues I raised in the committee process related to the possibility of putting into the Criminal Code a specific offence related to domestic violence. One view in our community is that domestic violence in all its forms should itself be an offence. It is certainly something that members of my community have made clear to me. If there is one place where a person should feel safe and not be subject to violence, intimidation or harassment, it is in their home, in their domestic and family relationships.

I think there is a good argument for saying that criminal conduct of one type when committed in a domestic or family setting should have a greater penalty attached to it and that there should be a specific offence of domestic violence, as opposed to the same type of conduct when committed in a non-domestic or non-family situation. That is a view I will continue to pursue. I understand that there are difficulties in legislating that type of proposal, but I do believe that, in terms of trying to get the message across to our community that domestic violence in all its forms needs to cease and must be punished appropriately, we do need to look at that option again in the future.




This bill represents the implementation of two recommendations from the *Not now, not ever* task force. I am sure there will be further bills in the future to deal with those recommendations. Perhaps at that time the Attorney-General may be able to consider that possibility.

I will talk briefly about one of the other matters in the bill—that is, in relation to taking into account the aggravating factor of domestic and family violence as it relates to juveniles. I note that in its written submission and during the public hearing the Queensland Indigenous Family Violence Legal Service proposed that the circumstance of aggravation should apply to juveniles as well. In their evidence they indicated that there were instances of young offenders committing domestic violence offences against their girlfriends. According to them, there should be ‘a high-level sentence where it is compulsory that a juvenile successfully engage in ending domestic violence and family violence programs so that we can get away from that core offending behaviour’. I unfortunately did not hear the Attorney-General’s second reading speech to the House, but that is one of the issues the committee sought clarification about in its report comments. I hope the Attorney-General was able to provide clarification about why the circumstances of aggravation involving domestic violence do not apply to juveniles. At this time there is a bill before the House dealing with youth justice, but I will not get into that now.

The opposition is supporting this bill. One of the other matters it deals with is clarifying the law that was set out by the High Court in the *Barbaro* decision, which made it unlawful for the prosecution in criminal proceedings to make submissions on the range of penalties in criminal cases. This bill reverses that decision to clarify and ensure that sentencing submissions can be made in criminal proceedings in Queensland. We welcome that decision. It had very broad-ranging support from the Bar Association and other submitters. I commend the government on bringing in this legislation to clarify that issue.

We do have a very unenviable scenario in our society, where domestic violence is prevalent. This bill represents part of the approach towards recording better data about that and also introducing a new offence to deal with certain aspects of domestic violence. It is a very important issue that we as a society must get on top of. I commend the government for implementing the recommendations of the *Not now, not ever* task force, which came about under the stewardship of the Newman LNP government. I commend the bill to the House.

 **Ms PEASE** (Lytton—ALP) (3.44 pm): I am pleased to speak in support of the Criminal Law (Domestic Violence) Amendment Bill (No. 2) 2015. As a member of the committee that examined the bill, I would like to thank Mr Mark Furner, the committee chair, my fellow committee members and the committee secretariat for their hard work on this important bill.

Domestic and family violence is at epidemic levels in our community. I believe that all of our communities want to put a stop to this disgrace. Domestic and family violence has for too long been hidden away, kept secret amongst families, with victims often feeling that they are in some way responsible for the abuse. We all know that it is time we as a community stand united and say that domestic and family violence at any level is absolutely not acceptable.

Sadly, I am told by my local police that Wynnum currently has the highest rate of domestic violence in the Bayside region—not a proud statistic. We Baysiders know that it is not acceptable, and we as a community have banded together with the Wynnum and Manly Rotary to form an activism project. Our local faith and community groups, sporting clubs, schools, police and service providers are working together to raise awareness and to provide support to those affected. I am proud of my community’s commitment to this important initiative and to be working alongside my fellow Baysiders.

The Criminal Law (Domestic Violence) Amendment Bill (No. 2) 2015 is in response to the Special Taskforce on Domestic and Family Violence in Queensland, which was chaired by the Hon. Quentin Bryce. The task force released their report, *Not now, not ever: putting an end to domestic and family violence in Queensland*, in February 2015. The government made a number of recommendations, including to increase perpetrator accountability, based on two recommendations in the Bryce task force report, following consultation with stakeholders through a discussion paper which was released in October 2015. The committee heard from victims and from organisations that represent victims. Often their stories were chilling and challenging. I thank those who gave evidence at the public hearings and made their submissions.

The recommendations of the Bryce report provide for the introduction of a circumstance of aggravation of domestic and family violence to be applied to all criminal offences so as to increase the maximum penalty for the offence—recommendation 118—and would mean that offences that indicate

the intent of domestic violence should be met with harsher sentences. Further it recommended the creation of a new offence of strangulation. The Bryce report told us that the prevalence of strangling or choking conduct in a domestic setting is a predictive indicator of an escalation in domestic violence offending including homicide.

The bill amends the Criminal Code to create a new offence of choking, suffocation or strangulation in a domestic setting and will only apply if a person without consent chokes, suffocates or strangles a person with whom they are in a domestic relationship. I know that earlier the Attorney-General gave further details and expanded on that information. This offence will carry a maximum penalty of seven years imprisonment. It is important to identify this conduct to assist in assessing risk to victims and increasing protections for them. It will also deter this behaviour.

The community and stakeholders made it clear that there must also be a system-wide change to ensure offenders are charged by police and to ensure there is intervention and support available for victims coupled with education, training and communication as imperative. Eradicating domestic and family violence from our communities is imperative. Putting in place protections for victims is imperative. Harsher penalties for perpetrators are also imperative.

I am pleased that there is support from both sides of the House on this important issue. I thank the Special Taskforce on Domestic and Family Violence in Queensland for their report *Not now, not ever: putting an end to domestic and family violence in Queensland*. I look forward to continuing to work with my community and Lytton's own task force at the upcoming family fun day on 15 May at George Clayton Park. I am proud to be part of the Palaszczuk government, which has a vision to eradicate domestic and family violence once and for all. I commend the bill to the House.



**Miss BARTON** (Broadwater—LNP) (3.49 pm): I rise to make a brief contribution to the debate on the Criminal Law (Domestic Violence) Amendment Bill (No. 2). As a member of the Legal Affairs and Community Safety Committee I want to acknowledge your work, Mr Deputy Speaker Furner, as the chair of this committee and of course the deputy chair, the member for Beaudesert, as well as other members of the committee and the secretariat. As the member for Lytton has touched on, it is heartening to see that there is bipartisan support for this bill as it moves through the second reading stage. Indeed, it is heartening to see that all members of parliament are able to come together and work together in a way that we really should on big issues like domestic and family violence. It was heartening that when the Newman government established the task force members of the then opposition and the crossbench were asked to participate and be involved.


Subsequent to the delivery of the *Not now, not ever* report, it is heartening to see that both the government and the opposition have been able to work together as we strive to make some very important changes in this area, because all members of this House, regardless of where we come from and what side of this House we sit on, would agree that domestic and family violence is not acceptable. It does not matter who you are, where you come from, what you look like, what you believe in or what you do: there is never a circumstance in which it is okay that you should be the subject of domestic and family violence. I very much look forward to continuing to work with all members of this House as we continue to educate everyone in our communities about just how important it is that we strive to rid our communities of this scourge that is domestic and family violence.

Over many years we have seen strong evidence which suggests that strangulation and attempted strangulation in particular are often a precursor to further violence to come. It is fantastic that we as a parliament are able to take these steps to identify strangulation and attempted strangulation as an offence because it means that we are able to identify families that will need additional support and victims who will need additional support and who will need us absolutely rooting for them. I also want to particularly acknowledge the contribution of the Women's Legal Service in this space and I also want to thank and acknowledge the Attorney-General for addressing the Women's Legal Service's concerns around the definition of 'domestic setting'. We can all appreciate how it could have potentially been misunderstood. As you would appreciate, Mr Deputy Speaker, we had an opportunity in the public hearing to get clarification from the department, but it is also very nice that we have been able to provide some clarification from the Attorney for the Women's Legal Service around what it is that a domestic setting actually means.

I want to quickly touch on the outcomes from *Barbaro & Zirilli v The Queen*. It has been longstanding practice in Queensland that both prosecution and defence counsel have been able to make submissions with respect to a range of possible sentences. That has, as I said, been longstanding

practice within the legal fraternity in Queensland, but a High Court decision with respect to a Victorian case put that in jeopardy where it said that it was not appropriate. I also acknowledge that there is bipartisan support for the changes that are being made that will in effect nullify the High Court's decision in *Barbaro*.

I also want to pay tribute to the amazing support services on the Gold Coast. It is an unfortunate reality that Southport is the busiest domestic violence court in Queensland. That is not a record that any of us on the Gold Coast should be proud of, but there are some amazing domestic and family violence services on the Gold Coast that do an absolutely fantastic job of not only supporting victims and their families but also working with perpetrators to ensure that they understand that what they did was wrong so that they do not do it again, because that is absolutely critical. Not only do we have to ensure that victims are safe; we need to ensure that those who are committing this violence appreciate that it is not okay and that our society says that it is not acceptable and work with them to ensure that it absolutely never happens again. Like all of my colleagues on the Legal Affairs and Community Safety Committee, I absolutely welcome the support of all members of this House. I look forward to seeing the bill pass through the second reading stage in this House.

 **Hon. SM FENTIMAN** (Waterford—ALP) (Minister for Communities, Women and Youth, Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence) (3.54 pm): Today I rise to give my wholehearted support to the Criminal Law (Domestic Violence) Amendment Bill (No. 2). Last year I had the privilege of being appointed Queensland's first Minister for the Prevention of Domestic and Family Violence. While at times being the minister that oversees such a complex and emotional portfolio has been tough, it is of course mostly rewarding. During the past year the Queensland government has introduced and passed transformative legislation that prioritises the safety and voices of victims of domestic and family violence. This includes introducing a principle that the views and wishes of victims should be sought before decisions affecting them are made, requiring courts to consider ouster conditions, establishing a death review board to help prevent future deaths, and increasing maximum penalties for breaches of domestic violence orders. We are continuing to implement the 121 government led recommendations handed to the Premier in Quentin Bryce's landmark *Not now, not ever* report. However, we know that there is much more to be done.

Two weeks ago I attended a Red Rose Rally. Every time a woman in Queensland is killed by domestic and family violence there is a Red Rose Rally. Two weeks ago was particularly tragic. Five women in Queensland died over a period of just three weeks. That is not a national figure; that is Queensland alone. The Palaszczuk government has undertaken tremendous reform over the past year, but we recognise that there is more work to do. This bill demonstrates the Palaszczuk government's continued commitment to eradicating domestic and family violence. We know that the way to do this is through preventative measures that can help to identify situations of domestic and family violence that are likely to escalate. If we can identify dangerous situations then we can prevent them for the devastating consequence of domestic and family violence.

The *Not now, not ever* report makes it clear that strangulation or choking is a predictor of an escalation of violence within an abusive relationship. Creating a specific offence for strangulation within the Criminal Code will serve a dual purpose. It will enable courts to charge and sentence perpetrators for the act of strangulation as a stand-alone offence, not one committed in association with an indictable crime. It also allows for more effective recording of domestic and family violence incidents that are at risk of escalation. This is a vital step towards ensuring that all incidents of domestic and family violence are identified and addressed swiftly.

The lifesaving impact of creating a specific offence for strangulation within the Criminal Code cannot be downplayed. Evidence given to the Royal Commission into Family Violence last year indicated that women are 800 times more at risk of being seriously hurt or even killed within weeks of an attempted strangulation by their partner. Professor Heather Douglas, a law professor at the University of Queensland, told the Royal Commission into Family Violence—

... the risks increase some 800-fold after an incident of strangulation that a woman will receive serious injury or be killed in the weeks after the event.

She continued—

... having a previous history of strangulation on a police record I think would be very important information for police to know about when they are coming to a call-out.


The recommendations of the Bryce report were developed following extensive and statewide consultation with victims and survivors of domestic and family violence. The document that accompanied the *Not now, not ever* report is called *Our Journal*. It is a collection of personal essays

and stories from victims and survivors of domestic and family violence. It is necessary reading if we are to understand the true horror of strangulation. Many of the stories mention incidents of strangulation and provide telling insight into how quickly the violence can escalate. One of these stories reads—

The first time he was violent it came out of the blue. It was an intense, terrifying experience. He flew into a rage over something I've long since forgotten. What I do remember is his hands closing around my throat. I remember gasping, I remember the fear, and I remember the way he watched my eyes as I slipped towards unconsciousness. He would release the pressure just as I felt myself sinking into blackness, allowing me just enough oxygen so that he could begin the process again.

The use of strangulation, particularly within intimate partner relationships, shows how reliant domestic and family violence is on power and control. But strangulation stretches beyond that. I remember attending a media event about creating a specific offence for strangulation months ago with the Premier, the Attorney-General and Di Mangan, the CEO of DVConnect. Di was asked why strangulation within abusive relationships was so common. She replied that it was because strangulation is an extremely personal act of power. It not only allows the perpetrator the opportunity to showcase their control; they can look into their victim's eyes as they do it. The perpetrator is given complete power over the victim.

I am proud to be a member of a government that has made and continues to make domestic and family violence one of its highest priorities. Too many Queensland women and children are being hurt and killed each year as a result of this violence and we know that these deaths are preventable. Every Queensland woman who lives in fear as a result of domestic violence deserves our help. I do not simply want to reduce the statistics of women suffering from domestic and family violence here in Queensland; I want them to be where they belong: in the past. I commend this bill to the House.

 **Mrs SMITH** (Mount Ommaney—LNP) (4.00 pm): I rise to make a short contribution to the debate on the Criminal Law (Domestic Violence) Amendment Bill (No. 2) 2015. Firstly, I wish to thank the secretariat and all of those people who made submissions to the Legal Affairs and Community Safety Committee. We received quite a number. I also thank all of the witnesses who attended the public hearing.


This bill is born from the *Not now, not ever* report of the task force, which was established under the previous LNP government and led by the Hon. Dame Quentin Bryce. As a member of the committee, I am pleased to say that our recommendation was that the bill be passed.

I draw the attention of the Attorney-General to the committee's comment on page 5 of its report, which states—

The committee requests the Attorney General, in her second reading speech on the Bill, respond to concerns of submitters in relation to consent (including the concept of reckless indifference), the application of the terms 'domestic setting' and 'domestic relationship' in the proposed Section 315A offence, attempted offences and the Bill's application and effect on juveniles.

I believe that the Attorney-General has satisfied this request in her speech today. I had concerns about the term 'domestic setting'. I draw the attention of the House to the high-profile case of Nigella Lawson as it is what prompted me to question the term 'domestic setting'. Back in 2011, at a restaurant the then husband of Nigella Lawson lent over in full public view and put his hands on her throat. That was caught on camera and subsequently they divorced. I had a concern about what the term 'domestic setting' meant for laypeople—not people in the law. As a member of the committee, I think the Attorney-General has certainly addressed that issue to my satisfaction.

The *Not now, not ever* report states very clearly that the picture of domestic violence in Indigenous communities is bleak. In most Indigenous communities domestic violence has been normalised as part of everyday life. It was very interesting to hear the witnesses at the public hearing, especially Thelma Schwartz, who appeared in her capacity as the principal legal officer of the Queensland Indigenous Family Violence Legal Service. My colleague the member for Beaudesert touched on the matter of juveniles being excluded from this legislation. The report referred to the picture of domestic violence as being so bleak in our Indigenous communities that it is almost normalised. If that behaviour is carrying on from generation to generation and people think that it is normal, then more needs to be done. I ask the Attorney-General to give some more consideration to excluding juveniles from the legislation. As I said, the committee recommended that this bill be passed. I put my support behind this bill.

 **Mr FURNER** (Ferny Grove—ALP) (4.04 pm): I rise to commend the Criminal Law (Domestic Violence) Amendment Bill (No. 2) 2015 to the House. The bill was referred to the Legal Affairs and Community Safety Committee last year. I am proud to be in the chamber, along with my other colleagues and the non-government members of the committee, to speak in support of this bill.

The committee received 20 submissions. The committee received a written briefing on the bill and subsequently, in February, received advice on issues raised in submissions from the Department of Justice and Attorney-General. On 24 February this year the committee also received from the department an oral briefing during public committee proceedings.

We have covered the key objectives of the bill, so I will not go over them. The Palaszczuk government has addressed a number of task force recommendations for legislative reform to address this scourge in our community. The bill was introduced to address recommendations 119, 121 and 133 of the task force report titled *Not now, not ever—putting an end to domestic and family violence in Queensland*. The bill also makes changes to the Penalties and Sentences Act 1992 and the Youth Justice Act 1992 to restore Queensland's longstanding sentencing practice whereby a court has the discretion to hear submissions from both parties to a matter in respect of appropriate sentencing.

Under the Criminal Code, a circumstance of aggravation is defined in section 1 to mean the following—

Circumstance of aggravation means any circumstance by reason whereof an offender is liable to a greater punishment than that to which the offender would be liable if the offence were committed without the existence of that circumstance.

The amendment to the Penalties and Sentences Act will provide that the court must have regard to whether the offence constitutes an act of domestic and family violence when determining an appropriate sentence for an offender. During the public hearing, the department advised that this amendment has a different effect from an aggravating circumstance applied to an offence. The aggravating factor does not have to be charged by the prosecution and be proved beyond reasonable doubt as part of proving the offence. Once proven, the effect is that the context of domestic and family violence applies to the offence and the sentence is to be considered at the higher end of the range of sentencing for that offence. The Women's Legal Service and the Queensland Association of Independent Legal Services supported making domestic violence an aggravating factor on sentence as proposed by the amendment, subject to 'ongoing monitoring by the relevant departments that consider the impact on victims of domestic violence and if there are any unintended consequences'.

In terms of the new offence of choking, suffocation and strangulation in the domestic setting, the task force recommended that the government consider the establishment of a new and separate offence of non-fatal strangulation, because strangulation was a key predictor of domestic homicide. It also noted that there were strong arguments against the creation of a specific offence. The task force noted that many of the submitters who related personal stories as part of the inquiry had had these acts inflicted upon them and identified the importance of identifying this conduct to assist in assessing the risk to victims and increasing the protection of victims.

During the public hearing the Women's Legal Service stated that they considered that strangulation, 'sends a very effective message to their victims that they have ultimate control over them and whether the victims live or die. It is a very serious and intentional act.' Professor Heather Douglas expressed support for this provision to the committee. In her submission she suggested the following—

Offence specificity also has an educative function, emphasising the particular context and seriousness of strangulation to police and the wider community.

I digress for a moment to tell a story that was provided to me over the weekend by a friend of mine who is close to me. I never knew that she had suffered such severe and extreme domestic violence. She related her story to me and I wish to inform the House of part of it. She related the following to me—

It was the early hours of the morning before he returned on this particular night. I was asleep. He decided we were going to have sex so he yanked my underwear off.

...

I started fighting him off. He was determined and I remember pulling him out of me. Saying no. He grabbed me by the throat and I remember trying to pull his hands off my throat. His face grimaced as he was trying really hard to choke me. He wouldn't let go. I was trying to remove his hands and it seemed like minutes went by. I felt myself losing consciousness and then I just gave up. I could finally escape. I took my hands away and prepared to die. It was at that moment I heard the door open and one of my sons asked his dad what was he doing to mum.

...

He took my son back to bed. I can't remember what he did or said as I was struggling to breathe. He must have semi-crushed my windpipe.

...

He came back to bed and appeared to go to sleep. I did not move. I lay stiff waiting for him to sleep.

...

Then finally two of the kids broke down at school after watching my ex strangle me yet again over the kitchen sink. The police turned up and took out a domestic violence order.

This has to stop. The new strangulation offence and the significant penalties attached reflect that this behaviour is not only inherently dangerous but also a predictive indicator of escalated domestic violence offending, including homicide. This will send a clear message out to those in the community that these actions will not be tolerated.

Some submitters considered that the new offence should not be limited to a domestic setting. This concern was addressed in respect of both the title of the new offence and the element of the offence specifying the necessary domestic relationship between the offender and the victim. For this reason the committee requested the Attorney-General in her second reading speech on the bill to respond to concerns of submitters in relation to consent. I thank the Attorney-General for clarifying that particular part of the bill.

Finally, in respect to submissions on penalty or range of penalties, in addition to the measures relating specifically to domestic and family violence reform, the bill also contains amendments to restore the sentencing practice in Queensland whereby courts have the discretion to receive a submission from both the defence and the prosecution on what they consider to be the appropriate penalty or the range of appropriate penalties to be imposed at sentence. There was strong support from submitters to the inquiry. White Ribbon Australia were supportive of this amendment stating that it will allow courts to receive submissions from a party so as to enhance the evidence that can be presented to assist the judicial investigation and decision making. The committee unanimously supports the bill. I commend the bill to the House.



**Ms DAVIS** (Aspley—LNP) (4.11 pm): I rise to make a contribution to the Criminal Law (Domestic Violence) Amendment Bill (No. 2) 2015. Only a few years ago the subject of domestic violence was not broadly discussed in the community. The LNP sought to change this in Queensland when we stood front and centre on the issue by establishing the Special Taskforce on Domestic and Family Violence and we remain resolute on keeping families and the community safe. Sadly, we are all too familiar with the tens of thousands of domestic violence incidents being reported each year to police, but we must never forget the many more Queenslanders who remain silent victims of this crime and the innocent children who witness domestic violence who in turn may suffer lifelong trauma as a result.

The data is alarming. One in six Australian women has experienced violence from a current or former partner. One in three Australian women will experience violence in their lifetime. Last year 63 women were killed in Australia. It sickens me to say that in the last month in Queensland eight women have been killed as a result of domestic violence. This is absolutely gut-wrenching and demonstrates just how horrific the situation has become. In just one month here in Queensland one death has occurred almost every four days. It is absolutely unfathomable and I truly cannot think of any other situation where this would be tolerated.

Beyond the data the reality is we just do not know how many people's lives are being affected by domestic violence. The Prime Minister has said, and I agree, that we must elevate this issue to our national consciousness and make it clear that domestic, family or sexual violence is unacceptable in any circumstance. We have a crisis on our hands and it is evident from what we have seen in Queensland in recent weeks. These heinous acts fly in the face of everything we know to be humane and they abuse the very fundamentals of a civilised society. Yet we know that the terrible and terrifying realities of domestic violence will not escape us until we as a society treat it as the crime that it is and undertake a zero tolerance attitude to domestic violence in our community.

We all have a responsibility to bring an end to this violence happening in homes across Queensland. This is why the passage of the bill is important and receives the support of the LNP. This bill supports the implementation of recommendations 118 and 120 of the *Not now, not ever* report. The bill has a number of objectives. Firstly, it seeks to amend the Penalties and Sentences Act 1992 to make provision for domestic and family violence to be an aggravating factor on sentence. The special task force was very firm in its position that stronger laws were required to hold perpetrators to account for their conduct. They were definite, and I am sure we would all agree, that acts of domestic and family violence are criminal acts.


To reinforce the message that such actions are not acceptable in our society, the task force made the recommendation to introduce a circumstance of aggravation for all criminal offences related to domestic and family violence so that penalties were commensurate to the crime committed. I am very pleased that where the bill introduces the use of an aggravating factor in the main it has received support from stakeholders. Whilst recommendation 118 is not implemented in the literal sense as outlined in the task force report, it will deliver on the objective underpinning the recommendation which is for offenders to be held to account for their domestic violence crimes and to provide mechanisms to safeguard victims against unintended effects of domestic violence.

It will also introduce amendments that will compel the judiciary to consider whether the offence constitutes an offence of domestic and family violence when determining an appropriate sentence for an offender. We do hope that the new sentencing principle sends a very clear message to the community at large that members of this 55th Parliament are serious about applying harsher penalties and are resolute in stamping out domestic and family violence in this state.

The bill also has the objective to amend the Criminal Code to create a new offence of choking, suffocation or strangulation in a domestic setting. The task force found gaps in the existing Criminal Code. During its thorough review evidence was given that showed how the act of strangulation was a key predictor of domestic homicide. There is absolutely no question, the research certainly shows, that strangulation is one of the most lethal forms of domestic violence. Unconsciousness may occur within seconds and death within minutes. A 2008 study published in the *Journal of Emergency Medicine* reported that the odds of becoming an attempted homicide increased by about sevenfold for women who had been strangled by their partner and that whilst the victims may not have any signs of visible injuries, underlying brain damage caused by deprivation of oxygen can cause serious internal injuries or even death in the days or weeks later. This is a very serious matter and perpetrators must be punished by the full extent of the law. The reality is, however, that no punishment can equate to the devastating psychological effect that this crime has on its victims with potentially fatal outcomes, including suicide.

Finally, the bill will amend legislation to allow a court to receive a submission from a party on what they consider to be the appropriate sentence or sentence range for the court to impose. The provisions in this bill are a significant step forward in protecting those who experience domestic violence. The LNP implemented the special task force for the very reason of this bill: to provide the full force of the law in protecting victims of domestic and family violence and, with that, greater mechanisms to hold perpetrators to account for their crimes. We expect this government to show the same strong leadership on this issue and build on the work that was initiated by the LNP to make our community safe.

Appropriate resourcing should be made available for programs aimed at reducing violence. More work must be done on changing public attitudes and addressing the risk of community complacency to this crime. Over the past four years we have seen some significant achievements in raising awareness, but it is only the start and there is much work ahead to be done. Eight deaths in one month is simply unacceptable. We should be doing everything we can and have all the tools available so that people can be safe and free of violence in their own home.

 **Ms HOWARD** (Ipswich—ALP) (4.18 pm): I rise to speak in support of the Criminal Law (Domestic Violence) Amendment Bill (No. 2) 2015. The Palaszczuk government is committed to ensuring we live in a Queensland that is free from domestic and family violence. As parliamentarians we strive for that same goal, but we have much to do in our communities. In February last year, the Special Taskforce on Domestic and Family Violence in Queensland released its landmark report, *Not now, not ever: putting an end to domestic violence in Queensland*. I was pleased that the Palaszczuk government committed to implementing all 140 recommendations of the report. Those recommendations included initiatives for the government and the community of Queensland to better address and reduce the incidence of domestic and family violence. A number of recommendations related to ensuring perpetrators are made accountable for their actions. For too long the approach has been to help victims by providing safe houses, shelters, improvements to policing and support through counselling services. Whilst those processes and projects are vital to ensuring the wellbeing of victims, an emphasis on making perpetrators responsible for their actions is also vital in helping to eradicate domestic and family violence in our communities.

I understand that over 30 of the 140 recommendations relate to the portfolio of Justice and Attorney-General. That figure shows the importance of laws in helping to drive community change. Two recommendations of the task force report were the introduction of a circumstance of aggravation of domestic and family violence to be applied to all criminal offences and the creation of a specific offence of strangulation. Both recommendations were strongly supported by the DV sector.

In support of the first recommendation, the task force found that if the circumstance of aggravation of domestic and family violence were applied to all criminal offences, it would ensure the seriousness of domestic and family violence is acknowledged. The task force held that an increase in penalties reflects community attitudes that domestic and family violence is unacceptable. An aggravating factor increases the culpability of an offender, which means that the offender may receive a higher sentence. The amendment reflects community attitudes about the seriousness of criminal offences that occur in a domestic and family context and makes offenders more accountable. The amendment shows that the Queensland government and the community in general will no longer tolerate this conduct in the domestic setting. As the Premier recently stated—

Domestic and family violence is such a breach of trust that it deserves a higher penalty.

In support of the second recommendation, the task force report stated—

Strangulation is a very common feature of domestic and family violence and is also seen as a predictive risk factor for future more severe domestic and family violence and for homicide.

Under current laws, a person alleged to be choking, strangling or suffocating a person would be charged with an offence of assault. Common assault relates to situations where a person strikes, touches or moves or otherwise applies force of any kind to the person of another, either directly or indirectly. If found guilty of common assault, a perpetrator will serve a maximum penalty of three years imprisonment, although in most cases the courts only apply fines or lesser penalties. Very rarely do the courts establish a correlation between the assault and further aggravation. However, workers in the DV sector acknowledge that acts of choking, suffocation or strangulation in a domestic setting can be predictive indicators of an escalation in domestic violence offending, including homicide. The new offence will have a maximum penalty of seven years imprisonment. This offence and the significant penalty attached reflect the serious and dangerous nature of the offending behaviour and recognise the importance of deterring this prevalent conduct.

It is evident that both amendments before the House reflect the seriousness of criminal offences that occur in a domestic and family context and make offenders more accountable. Perpetrators must be held accountable for their actions and the public must have confidence that its judiciary and lawmakers understand the nature of domestic and family violence and that our laws and penalties uphold community standards. I commend the Attorney-General and the Minister for Women for their efforts in this arena. They have consulted widely regarding these amendments. In August last year a comprehensive discussion paper was released and I understand that a number of submissions regarding the discussion paper were considered.

This is appropriate lawmaking. It is about considered approaches to crime and criminal activity. It is about finding a balance between community expectations and judicial fairness. It is about proper consultation with the community, stakeholders and those with expertise. As a government we have already made significant progress in implementing the urgent priorities needed to lay the foundations for sustainable reform. We have started work on developing the tools that will be needed to support three integrated service response trials in urban, regional and discrete Indigenous communities. Additionally, the government has partnered with CEO Challenge to develop online resources to enable employees to recognise domestic and family violence in the workplace and to respond and refer appropriately. So far, 20 government departments have taken up those resources by the end of August. At the same time, the Department of Justice and Attorney-General has commenced a specialist court trial at Southport.

Changes to the laws that govern us can help bring about the cultural shift that is now gaining momentum across our vast state. However, it is important to realise that, as a government, we cannot achieve change alone. That is why we are calling on all sectors of the Queensland community to embark on this journey together. In my own community of Ipswich, I am champion of the Ipswich antidomestic violence taskforce or I-ACT, which is working toward the elimination of domestic and family violence in our city through a number of initiatives. As the minister stated in her introductory speech—

It is a time for optimism as well as action, not just by the government but all members of this parliament and the entire Queensland community.

I am proud to support this bill.





**Mr MINNIKIN** (Chatsworth—LNP) (4.25 pm): I rise in the chamber to contribute to the debate on the Criminal Law (Domestic Violence) Amendment Bill (No. 2) 2015. Simply put, domestic violence is a complete scourge on society. In the debates last year and today, it has given me great solace to listen to the personal stories—some of them heart-rending—about domestic violence issues that members of this very chamber have experienced. I think back to last year, when I sat not too far from where I am standing today and had the privilege of hearing the member for Mudgeeraba, Ros Bates, give one of the most heart-rending speeches I have heard in my five years in this chamber. It was certainly from the heart and it resonated not just with members of this chamber but also with anyone else who cared to listen to it.

As we know, the bill before the House is in response to the 2015 *Not now, not ever* report. It needs to be noted that in 2014 the former LNP government established the Special Taskforce on Domestic and Family Violence that was chaired by the Hon. Dame Quentin Bryce. We are aware that, in total, 140 recommendations were made, including 121 directed specifically at government.

I am honoured to have the opportunity to provide a voice on behalf of the women and men of my seat of Chatsworth. Domestic violence is far more prevalent in society than many of us wish to admit. No matter how often I research and prepare for a speech such as this, I still find the statistics scary. Approximately one in six women and one in 19 men have experienced either physical or sexual abuse at the hands of their current or former partner. According to the Australian Bureau of Statistics, every year approximately 80 to 100 Australian women die at the hands of their male partners. That is a national tragedy and a national disgrace. It means that in Australia a woman is more likely to be killed in her own home by her own partner than anywhere else or by anyone else. During the period 2004 to 2012, approximately 44 per cent of Queensland's homicides were as a result of domestic and family violence. These statistics are alarming and they are way too high.

The bill being debated this afternoon will see recommendations 118 to 120 of the *Not now, not ever* report implemented. It will amend the Penalties and Sentences Act 1992 to make provision for domestic and family violence to be an aggravating factor on sentencing. The bill will also see the Criminal Code amended to create a new offence of choking, suffocation or strangulation in a domestic setting. As many members in the chamber are aware, currently a person who unlawfully chokes, suffocates or strangles another person would likely be charged with common assault occasioning bodily harm, grievous bodily harm, torture, disabling in order to commit an indictable offence or attempted murder. The changes to the Criminal Code will see a new offence of choking, suffocation or strangulation of another person without the other person's consent; and either the person is in a domestic relationship with another person or the choking, suffocation or strangling is associated with domestic violence under the Domestic and Family Violence Protection Act 2012. This new offence will attract a maximum penalty of seven years imprisonment. Finally, it will also amend legislation to allow a court to receive a submission from a party on what they consider to be the appropriate sentence or sentence range for the court to impose.

When one is elected and has the privilege of standing in this House to deliver speeches we cover a whole range of topics—some of them economic; some of them social justice. Some of them actually have ramifications that hopefully, when passed, will outlive our time in this hallowed chamber. The collective efforts of this 55th Parliament last year and, hopefully, what will take place again in the next hour or two make me extremely proud and privileged to be part of the 55th Parliament. We will bring into play laws that will go a long way to safeguarding both women and men in the years to come.



**Mr RYAN** (Morayfield—ALP) (4.30 pm): I rise to speak in support of the Criminal Law (Domestic Violence) Amendment Bill (No. 2) 2015. In doing so I acknowledge the contribution that the Attorney-General and the Minister for the Prevention of Domestic and Family Violence have made in respect of not only this bill but also this very sad subject matter. I also acknowledge the contribution of the members of the committee in preparing the report that the parliament has had to consider in considering this bill.

I note that there are three key objectives of this bill. The first is to make provision for domestic and family violence to be an aggravating factor on sentencing by amending the Penalties and Sentences Act. The second is to create a new offence of choking, suffocation or strangulation in a domestic setting by amending the Criminal Code. The third is to allow a court to receive a submission from a party on what they consider to be the appropriate sentence or sentence range for the court to impose.

The first two objectives follow recommendations contained in the *Not now, not ever* report—the very detailed report by Dame Quentin Bryce who chaired the Special Taskforce on Domestic and Family Violence. It follows work done by many, many people over many, many years to shine a light on domestic and family violence and to take action against domestic and family violence.

Members of this House would have heard me speak about some of the work that we have been doing locally in the Morayfield state electorate not only to provide additional support for those people who might be experiencing domestic and family violence but also to actually change attitudes and instil respectful relationships in our communities. I note that when the Attorney-General introduced this bill she mentioned that the changes contained in this bill—particularly to make provision for domestic and family violence to be an aggravating factor and obviously to create a new offence of choking, suffocation and strangulation in a domestic setting—go some way to increasing perpetrator accountability.

These changes go a little further as well. They are about changing attitudes and creating greater awareness around domestic and family violence and instilling in those people who may find themselves in a situation where they are perpetrating domestic and family violence that that behaviour is never acceptable—not now, not ever. We have to create a whole suite of responses to domestic and family violence and not only ensure that perpetrators are accountable for their actions but also that we are instilling respectful, positive relationships into households all over Queensland so that in a generation's time we can look back and say, 'This was a turning point where we changed our community for the better. We took steps towards eliminating domestic and family violence.'


In the debate today many people have touched on the relevance of making the provision for domestic and family violence to be an aggravating factor on sentencing and creating the new offence of choking, suffocation or strangulation in a domestic setting. I wanted to touch quickly on the changes which flow as a result of the third objective of the bill which is to allow a court to receive a submission from a party on what they consider to be the appropriate sentence or sentence range for a court to impose.

This change follows the High Court decision in 2014 of *Barbaro & Zirilli v The Queen*. This was a very interesting decision because it changed some practices that had been commonplace in courthouses all over Australia. The key thing we have to distinguish from the outset is that the submissions which were ultimately the focus of that High Court decision are not the same as victim impact statements. We have to make that very clear. Victim impact statements are provided for under the Penalties and Sentences Act and the Victims of Crime Assistance Act and apply to all victims of offences against the person.

What this particular High Court decision considered was whether or not people could make submissions to the judge at the point of sentencing about the appropriate sentencing range for particular offences and convictions. The key thing that the High Court said was that those submissions were not allowed. The High Court came to the conclusion that if the judge actually sentences incorrectly then the appropriate course is to appeal that incorrect sentence.

There have been a number of people who have commented that there is some advantage in allowing the prosecution and other parties to make submissions about sentencing ranges. In particular, the Bar Association said that there are significant practical advantages associated with that, including improving consistency in sentencing and assisting courtroom efficiency. Ultimately, there would be many in the legal profession who would say that if people can assist the court by making submissions about the available range of sentences then we can ultimately avoid appeals about sentences being incorrectly determined and ruled on by judges.

I do not think we should underestimate the importance of the third objective—that is, restoring the ability of parties to make submissions to the court about appropriate sentences. That being said, this bill goes some further way to ensuring that we send a strong message to our community that domestic and family violence is never acceptable—not now, not ever. Through making the provision for domestic and family violence to be an aggravating factor on sentencing and creating the new offence of choking, suffocation and strangulation we go some way further to holding perpetrators to account for their actions but also changing attitudes and instilling respectful relationships in our community which we all hope will save lives.


 **Mr CRANDON** (Coomera—LNP) (4.37 pm): I rise to speak on the Criminal Law (Domestic Violence) Amendment Bill (No. 2) 2015. It is a bill for an act to amend the Criminal Code, the Penalties and Sentences Act 1992 and the Youth Justice Act 2002 for particular purposes. In rising, I am confirming my support for this further bill intended to tighten the laws around domestic violence.

We have been on this road since 2014 when the Special Taskforce on Domestic and Family Violence was created. This resulted in the release of the *Not now, not ever* report. This bill is designed to increase perpetrator accountability in two main areas: introduce a circumstance of aggravation of domestic and family violence to be applied to all criminal offences; and consider the creation of a specific offence of strangulation, which includes choking and suffocation.

I note that the committee's unanimous recommendation was that the bill be passed. I congratulate the committee, the Attorney, everyone in this House, and anyone and everyone who has been involved in the steps taken on this and previous bills relating to domestic violence. I applaud the efforts of the House going forward from here to finish the job.

We have a long way to go. Legislation alone is not going to purge society of this abhorrent activity. It is up to society as a whole—no more turning a blind eye; no more turning our backs on those who are victims as though it were they who were committing the crime; and certainly no more accepting the excuses of perpetrators. It is just not on. It is up to us here to legislate. It is up to our police officers and judiciary to follow through with prosecutions. It is up to society to drive the changes home and to teach our children, our youth, that domestic violence is not normal behaviour.

I commend this very important bill to the House and look forward to further actions by this House over the coming months and years to stamp out this despicable crime in society.

 **Ms FARMER** (Bulimba—ALP) (4.39 pm): I rise to speak briefly on the Criminal Law (Domestic Violence) Amendment Bill (No. 2) and note with great pleasure the widespread support that the committee noted from stakeholders during their consultation on this bill. Many of us have spoken a number of times on the various pieces of legislation that have passed through this House around domestic violence in this term of parliament. We always are very appreciative of the bipartisan support that is shown. In fact, from hearing members' speeches and from private conversations many are having about this, there are many people in this House who have either direct or indirect personal experience of domestic violence themselves.

This bill arises obviously from the *Not now, not ever* report in which Quentin Bryce made 140 recommendations intending to address domestic violence. The government accepted all 121 of the recommendations that were directed at government in August last year. It is quite gratifying to see the commitment there has been by the ministers involved—and there are obviously a number of ministers involved—to making sure that those recommendations are implemented as quickly as possible and in a prioritised way. We have increased penalties. We have changed the way convictions are recorded. We have established a specialist court. We have built new shelters. We have increased service funding. We are continuing to reform our laws, as we are today, to keep women safe and to hold perpetrators to account.

I note that in September last year we already addressed a number of task force recommendations under the Criminal Law (Domestic Violence) Amendment Act. In this amendment bill (No. 2), two more recommendations from the task force report are now addressed. I represented the minister for domestic violence just last week at the Red Rose Rally. It was interesting to note that that very, very sad ceremony was acknowledging the fact that seven Queensland women have been murdered in domestic violence situations in the last 3½ weeks. In fact, they were praising the Queensland government for the work that is being done around domestic violence. They were saying the next thing we must do is to enact the legislation around strangulation, and that is what we are doing today.

I want to acknowledge everyone who was at that rally, particularly Betty Taylor, who was the coordinator. There were many people there who have worked in the community sector around domestic violence for 30 and 40 years and have seen far too much happen. Even they were shocked that on that day we were talking about the domestic homicide of seven women. It was a milestone that nobody could believe they were having to acknowledge. It was very sad to hear the parents of not only those women but also other Queensland women who had been killed in domestic violence situations and their despair that someone else's daughter had been killed in this situation.

I am sure Betty Taylor and many of the people who were there at that rally are listening to this debate today and will be really gratified by the support for this bill which will be passed today. As the Attorney-General explained when she introduced the bill, this is about perpetrator accountability, to provide for the introduction of a circumstance of aggravation of domestic and family violence to be applied to all criminal offences so as to increase the maximum penalty for the offence, and for the consideration of the creation of a specific offence of strangulation, which is recommendation 20. It talks about changes to the Penalties and Sentences Act and the Youth Justice Act so that a court has the discretion to hear submissions from both parties to a matter in respect of appropriate sentencing.


I note—and this was something that was talked about at the Red Rose Rally last week—that strangulation and choking in a domestic context are strong predictive indicators of an escalation in violent offending, including homicide. There were a number of submissions to the committee in this regard. In fact, there were some figures quoted at the rally last week—and I do not have a reference for them, but they were quoted a number of times—that where there has been non-fatal strangulation a victim is eight times more likely to be killed in a domestic homicide situation.

I note that the Women's Legal Service made contributions about that, talking about the importance of identifying this conduct to assist in assessing risk to victims and increasing protections for victims. They confirmed to the committee that it was very common for clients of their service to have been victims of non-fatal strangulation in the context of a domestic violence relationship. Professor Heather Douglas noted that it would warn support agencies that the violence has reached a serious level and that the victim is in serious danger. Clearly, it is very important that we recognise this in legislation and that there is a means by which offenders can be identified, that domestic violence victims can be seen to be at a point of particular risk and action can be taken and support given, and also that there is an opportunity to gain convictions, so we are allowing everyone working in this space to do their job and protect those victims.

As a number of speakers have already said today, all of the work that is being done both inside and outside of parliament is incredibly important, but there is still so much more to be done. Aside from government actions, it is just so important that all of us in the community take responsibility for changing attitudes and for addressing the extremely problematic attitude towards women in particular, to addressing gender equality and to changing attitudes and ensuring that respect for women is fundamental to the way our society operates.

I want to acknowledge some of the work that goes on in my community both from a formal service point of view and from the point of view of a number of families, and women in particular, who are identifying women in domestic violence situation and taking them into their homes and providing support in a most informal but very personal way, making sure their kids are looked after and making sure that they have that emotional support. I would like to acknowledge my very good friend Janelle Blatchly-Read, who is probably the kindest person I have ever met in my entire life, who seems to spend half her life in that cause supporting people in our community. I just want to say her name in this place so that she knows how important her work is.

I also want to acknowledge the Women's Legal Service. I attended the launch of their helpline last week which has been going for 2½ months now. They reported that, with the support of government funding and funding from other sponsors in being able to set up that helpline, they had been able to take a 700 per cent increase in calls which they previously would not have been able to process. The impact that makes is obviously immeasurable. I want to acknowledge the committee for their very hard work and their ongoing work in this area and the minister for domestic violence and also the Attorney-General for their excellent work and the diligent way in which they are working through these recommendations. I commend the bill to the House.

 **Mr McEACHAN** (Redlands—LNP) (4.48 pm): I rise to speak to the Criminal Law (Domestic Violence) Amendment Bill (No. 2). I speak in support of this bill and its implementation of recommendations made in the Bryce *Not now, not ever* report. In September 2014 the former LNP government established the Special Taskforce on Domestic and Family Violence to be chaired by the Hon. Dame Quentin Bryce. This task force delivered its report on 28 February 2015 and made 140 recommendations including 121 recommendations for the government. I was pleased to see the government accept all these recommendations.

The Criminal Law (Domestic Violence) Amendment Bill (No. 2) implements some of these recommendations, including the creation of a provision for domestic and family violence to be an aggravating factor on sentence; to amend the Criminal Code in creating an offence of choking, suffocation or strangulation in a domestic setting; and to amend legislation allowing a court to receive a submission from a party on what they consider to be an appropriate sentence or sentence range for the court to impose. Our society will only be successful in tackling the scourge of domestic violence if all levels of government and political persuasions work together. I am pleased to say that the LNP opposition members have worked closely with government committee members on this hugely important issue. I would also like to acknowledge the hard work of shadow minister Tracy Davis on this issue.

The figures are damning. The Bryce task force reported that in 2013 more than 64,000 incidents of domestic and family violence were reported and 13,000 breaches of domestic violence orders occurred in Queensland. It is an indictment on our society. For far too long domestic and family violence was an issue that stayed in the shadows, a shameful stain on our society that has a place at the very heart of social dysfunction. This is an issue that touches us all and, unfortunately, it is all too common to find someone in our community affected by domestic or family violence. Even in this House, we have listened to many of our colleagues speak of their own harrowing experiences. I want to take a moment to acknowledge the bravery of my colleague the member for Mudgeeraba, Ros Bates, in sharing her story. I know that all of us listening to her speech late last year were deeply moved. It serves as a reminder for all of us in this House that on this issue we are working not only for Queenslanders as a whole and our electorates but also for each other. I am honoured to be a member of this parliament that is advocating for this issue and I passionately support this bill.


This bill implements recommendations 118 and 120 of the Bryce task force report. The task force undertook extensive consultation in preparing its report. The task force met with victims, service providers and community leaders in its consultation process. The recommendations made through this consultation are reflected in the amendments proposed through this bill.

The Bryce task force recommendation 118 was that the Queensland government introduce a circumstance of aggravation of domestic and family violence to be applied to all criminal offences. Rather than attaching a general circumstance of aggravation to any offence in the Criminal Code, which must be charged in the indictment and becomes a matter the Crown must prove beyond all reasonable doubt, this bill amends the Penalties and Sentences Act 1992 to make provision for domestic and family violence to be an aggravating factor on sentence. The amendment provides that the court must have regard to whether the offence constitutes an act of domestic and family violence when determining the appropriate sentence for an offender.

I note that the Bryce task force did recommend a specific circumstance of aggravation of domestic and family violence to all criminal offences. This bill proposes an alternate approach: providing that an aggravating factor must be considered on sentence. A circumstance of aggravation must be charged by the prosecution and is, therefore, a matter that must be proven beyond reasonable doubt. A previous High Court judgement of *Barbaro & Zirilli v The Queen* held that prosecutors were not permitted to make a submission to the court during a sentence hearing on the appropriate sentence to be imposed by the court. This decision led to a very significant shift to established practice in Queensland, which this bill proposes to restore.

The Bryce task force recommendation 120 refers to the creation of a specific offence of strangulation, choking or suffocation. Presently a person who unlawfully chokes, suffocates or strangles another person can now be charged under the Criminal Code with the offence dependent on the force used, the intent in committing the act and the injuries sustained by the victim. The new offence of strangulation will attract a maximum penalty of seven years imprisonment. This penalty reflects the seriousness of this offence and that the behaviour is in itself extremely dangerous. The Bryce task force heard evidence that strangulation was often a key predictor of domestic homicide. It is vital that our law reflects that this violent situation is often a predictor of escalated risk to victims of domestic and family violence.

I urge all members to support this bill. It is vital that we continue to work on implementing the recommendations made by the Bryce report. I commend this bill to the House.


 **Ms BOYD** (Pine Rivers—ALP) (4.54 pm): I rise in support of the Criminal Law (Domestic Violence) Amendment Bill (No. 2) 2015. We have made a commitment to the people of Queensland to put an end to domestic and family violence. We have highlighted the perverse and destructive nature of domestic and family violence in this place and throughout our communities many times. We need strong action and leadership on this issue, and I am proud to be part of a government that is leading the way.

This bill will hold perpetrators to account. This is done through implementing recommendation 118 of the *Not now, not ever* task force report, including recording the offence on the perpetrator's criminal record. All of the evidence indicates that the act of strangulation is a key predictor of increased violence and domestic homicide, so it is imperative that the gaps in the Criminal Code around section 315 are closed. Recommendation 120 of the task force report is implemented with this bill creating the specific offence of strangulation, choking or suffocation. This will carry a maximum penalty of seven years imprisonment. Evidence indicates that once a perpetrator engages in strangulation, they are 800

times more at risk of causing serious injury or indeed death. In the position of government it is our job to provide protections, to provide an avenue for safety and to ensure that the voices of victims are heard, not silenced.

Not too long ago I was contacted by a woman who was not in my electorate but was living in a domestic violence relationship. It was a call that I answered directly from my office. I could hear the fear and desperation in the woman's voice as she outlined the escalation of violence in her domestic relationship, how she was banished to live in the shed outside the house but needed to enter the house to use the bathroom. She described how she could secure herself in the shed but never for long periods of time and how every few days she would sleep rough in her Mitsubishi Mirage or couch-surf despite spinal injuries, the pain and the discomfort, which was less than that of her domestic situation. She knew that if she did not leave, the violence would continue to escalate, yet she could not get out for more than a short time. That day—the day of that call—her situation changed forever. I am committed to ensuring that it changes for all in our community.


We need to make sure that we are sending a clear message to perpetrators that domestic and family violence is not acceptable and there will be clear action and penalties. It is not—and never will be—acceptable. I commend the bill to the House.

 **Mr MANDER** (Everton—LNP) (4.57 pm): I rise to speak on the Criminal Law (Domestic Violence) Amendment Bill (No. 2) 2015. Although I will be making a short contribution, I want to put on the public record my abhorrence of domestic violence. Domestic violence is an incredibly serious issue. It is a scourge that must be removed from society. The strategies that address this growing problem deserve bipartisan support and it is great to see we have it in this bill. I think this bill is a great demonstration of the two sides of politics working together. Of course, the previous LNP government commissioned the task force into domestic violence, which was headed up by Dame Quentin Bryce, and in this term of government that process led to the *Not now, not ever* report, and of course the current government is adopting those recommendations.

I am proud to say that I am in the final stages of becoming a White Ribbon ambassador. That has been a great process. It is not something that is simply given out as a badge without putting in the effort. It is something that requires some online engagement and an interview with the White Ribbon people. Although it has been a couple of months, I think I have been successful and I am just waiting for final confirmation of that.

One of the reasons I want to become a White Ribbon ambassador is that I believe it is incredibly important that everyday Queenslanders speak out about this scourge, and I think it is particularly important that men speak out against domestic violence. One of the things that we did last year in my electorate was a White Ribbon Day walk from our local park at Teralba Park up to the Nest. As I have mentioned previously in this House, the Nest is a centre for women which helps isolated women who are not networked or connected, and it is through creativity that they provide this sense of community. That was a great walk, and one of the great features of it was that many men who come from traditionally male dominated areas of society, such as football and sporting clubs and RSLs, were there at the front of the march proudly stating they are against domestic violence and that we must do everything possible to eliminate it.

I support any initiative that will be a deterrent to domestic violence. This bill seeks to amend the Penalties and Sentences Act 1992 to make provision for domestic and family violence to be an aggravating factor on sentence. It seeks to amend the Criminal Code to create an offence of choking, suffocation or strangulation in a domestic setting, and it also seeks to amend legislation to allow a court to receive a submission from a party on what they consider to be an appropriate sentence or sentence range for the court to impose. I support these objectives, and I therefore commend the bill to the House.

 **Hon. LM ENOCH** (Algester—ALP) (Minister for Innovation, Science and the Digital Economy and Minister for Small Business) (5.01 pm): I rise to speak in support of the Criminal Law (Domestic Violence) Amendment Bill (No. 2) 2015. It is an unfortunate truth that domestic violence continues to be a blight on our community. In fact, on average Australian police deal with an estimated 650-plus domestic and family violence incidents every day of the year. That is one every two minutes. Going by those figures, police would have dealt with almost 500 incidents today alone. Despite the spotlight which has now been shone on the issue, despite the many forums across our state that we have all been part of, despite the marches in our communities right across the state against domestic violence—I attended the Logan walk against family and domestic violence with many other MPs and people from the community who are united against domestic violence—despite all of that, each week we are left with more stories of families that have been torn apart by domestic and family violence. Of course there are those cases we do not hear about where families live in fear at the hands of one of their own.

For Indigenous women in particular it is an even more harrowing story. According to the Queensland Indigenous Family Violence Legal Service, statistics indicate that Aboriginal and Torres Strait Islander women are significantly more likely to experience domestic and family violence than non-Indigenous women; furthermore, Indigenous women are 35 more times likely to be hospitalised for assault and 10 times more likely to die from assault than non-Indigenous women. This is an issue that acts to destabilise communities, disturbs and disrupts social norms and impacts families in a way that ripples across generations right into the future. In the case of Aboriginal and Torres Strait Islander women, domestic and family violence may occur in the context of complex kinship structures, which creates a further layer of complexity.

This has to stop and it has to stop now. I am proud to be part of a government which is standing up and saying 'enough is enough'. On that point I would like to commend my colleagues the Attorney-General and the Minister for the Prevention of Domestic and Family Violence for their incredible and tireless work in this area, ensuring that we are doing everything possible as a parliament and as a government to make sure that we do not see domestic and family violence across future generations. I would like to acknowledge the bipartisan approach to tackling this issue. We have heard everyone's stories across the chamber, and I know that we are absolutely together on this particular issue. It is important that communities across the state know that, when it comes to domestic violence, there is a united voice condemning the perpetrators.

One of the most important aspects of this bill is the creation in the Criminal Code of the new offence of strangulation in a domestic relationship, which is punishable by a maximum period of seven years imprisonment. Recommendations 118 and 120 of the Bryce report specifically provide that the Queensland government introduce a circumstance of aggravation of domestic and family violence to be applied to all criminal offences and consider the creation of a specific offence of strangulation. The importance of this amendment is twofold: firstly, it is a further deterrent to those who would physically abuse their partner in a domestic relationship; secondly, this amendment recognises that this behaviour is not just inherently dangerous, but also a predictive indicator of an escalation in domestic violence offending. As my colleague Minister Fentiman has previously said in this House, we know that non-fatal strangulation is a serious predictive risk factor for future homicide, and the specific offence of non-fatal strangulation aims to improve the identification of such conduct, increase perpetrator accountability and improve risk assessment and management for victims.

This legislation further sets out that Queenslanders do not accept domestic violence. Introducing greater deterrents is one way that we can address this issue; changing attitudes is another. We have to make it clear to everyone that we will not tolerate violent behaviour towards a partner. This message needs to be strong and clear and broadcast far and wide, regardless of what community you may live in, in every part of our state and our country. Everyone in our community—young and old, men and women, Aboriginal and Torres Strait Islander and non-Indigenous—need to understand that we will not stand for this kind of destructive behaviour. These amendments are part of the Palaszczuk government's broader work to stamp out domestic violence in our community, and I commend the bill to the House.



**Mrs FRECKLINGTON** (Nanango—LNP) (5.07 pm): Today I rise to add my comments on the Criminal Law (Domestic Violence) Amendment Bill (No. 2) 2015. As I have said in this House before, I was extremely proud to be part of the former LNP government which established the Special Taskforce on Domestic and Family Violence chaired by the Hon. Dame Quentin Bryce in September 2014. The *Not now, not ever* report that was taken up by the government aims to put an end to domestic and family violence in Queensland. It made some 121 recommendations to the government. The LNP have confirmed our bipartisan support for the implementation of these recommendations, and I am pleased to add my support to this bill which implements recommendations 118 and 120 of the report.

The key objectives of this bill are: to amend the Penalties and Sentences Act to make provision for domestic and family violence to be an aggravating factor on sentence; to amend the Criminal Code to create an offence of choking, suffocation or strangulation in a domestic setting; and to amend the legislation to allow a court to receive a submission from a party on what they consider to be the appropriate sentence or sentence range for a court to impose. As a former lawyer I handled many cases of family and domestic violence, and I am personally very pleased to see the introduction of these amendments.

As has been mentioned in this House, in the past month we have seen one death every four days in Queensland as a result of domestic violence. Unfortunately, in the South Burnett region of my electorate the number of domestic violence applications filed across the three primary court registries of Murgon, Nanango and Kingaroy is very high. Recently former magistrate Simon Young undertook a

research project to review some 338 DV applications from across our region. For the South Burnett overall the general ratio of female victims of family violence to male victims was 80 per cent to 20 per cent.

The prevalence of alcohol and drugs in the commission of violence overall was 43 per cent. Unfortunately, children were affected by family violence in more than 53 per cent of all applications. Mental health issues were raised in 14 per cent of the applications overall. These statistics do not include criminal charges of the outcomes of domestic violence such as assault.

There is much work to be done to address these statistics, but I would like to acknowledge the very hard work being done by so many people in my area—people like Enid. I was extremely fortunate to enjoy a local lunch to celebrate the 15 years of voluntary service she has given as a domestic and family violence court support worker in the South Burnett. I spent many a day in the courts in Kingaroy, Nanango and Murgon with Enid and her co-worker Pam, who have supported thousands of women and men through the court system in my area. I really cannot thank them enough for the tireless and selfless work they do. I would like to mention their surnames but they have asked that I do not, for obvious reasons.

The amendments made as a result of the Bryce report recommendations will help make a difference to the lives of those touched by domestic violence. Importantly, expanding the circumstances in sentencing is just one way these offences are treated in the way they should be. Domestic violence will not be tolerated. With regard to recommendation 118, rather than attaching a general circumstance of aggravation which must be charged in the indictment, becoming a matter the Crown must prove beyond a reasonable doubt, the bill amends the act to make provision for domestic and family violence to be an aggravating factor on sentence. That is an alternative to attaching a circumstance of aggravation to any offence in the Criminal Code. The amendment provides that the court must have regard to whether the offence constitutes an act of domestic or family violence when determining the appropriate sentence for the offender.

With regard to recommendation 120, a person who unlawfully chokes, suffocates or strangles another person now can be charged under the Criminal Code. The offence is dependent on the force used, the intent in committing the act and the injury sustained by the victim. It would likely be one of the following offences: common assault, assault occasioning bodily harm, grievous bodily harm, torture, disabling in order to commit an indictable offence or attempted murder. These are some of the crimes that are not included in those shocking statistics I mentioned earlier. In researching for this speech in the House tonight I came across an amazing statement—

Many domestic violence offenders and rapists do not strangle their partners to kill them; they strangle them to let them know they can kill them—any time they wish.

People live with that threat hanging over their head day in, day out. It is absolutely frightening. This proposed new offence relates to choking, suffocating or strangling without the other person's consent when they are in a domestic relationship with the other person or the choking, suffocation or strangling is associated with domestic violence under the act. The new offence attracts a maximum penalty of seven years imprisonment.

It is good to see these sensible amendments before the House. I know that they may help reduce the insidious level of domestic violence in our communities or certainly will bring the offenders of domestic violence to light. That the amendments are supported by both sides of the House shows the resolute intention of members of parliament to be tough on crime. Domestic violence is a crime, and the LNP has no intention of being soft on crime. We all must stand up for the victims and, importantly, the victims' families. I commend the bill to the House.




**Mr CRAWFORD** (Barron River—ALP) (5.13 pm): I rise to speak in support of the Criminal Law (Domestic Violence) Amendment Bill (No. 2) and offer a brief contribution to the debate tonight. Today we take another step in addressing this very important issue. It is great to see this House as a whole support this legislation. I certainly thank the members who have spoken today for their statements.

We as members of parliament, as community leaders and as family members have all made various commitments to move the issue of domestic and family violence closer and closer to its inevitable extinction. The amendments to the Penalties and Sentences Act as well as the Criminal Code represent one step in what I hope will be an ongoing commitment by this House to a continued push to roll out legislation and programs aimed at eradicating domestic and family violence.



I spent a great deal of my working life at scenes of crime and violence, many of those domestic scenes, and I witnessed firsthand the frustration of doctors, nurses, social workers, police and paramedics that domestic violence in the community, within the law industry and certainly within parliament was not taken seriously. We have certainly seen changes coming through in the 55th Parliament which prove that is not the case. It is great that this House is pushing these forward. It is clear that Queensland wants these changes and I support the bill.

 **Ms BATES** (Mudgeeraba—LNP) (5.15 pm): I rise to make a contribution to the debate on the Criminal Law (Domestic Violence) Amendment Bill (No. 2) 2015. This bill is the latest example of the legacy of the former LNP government coming to fruition in legislation passed in this current parliament. Through this bill, which seeks to introduce policies recommended by the *Not now, not ever* task force, commissioned by the LNP, we will see the scales of justice weighted towards victims in domestic violence cases. Importantly, these reforms will ensure appropriate penalties and mechanisms exist in our judicial system to stamp out domestic violence in our communities.

This bill will amend the Penalties and Sentences Act 1992 to make provisions for domestic and family violence to be an aggravating factor on a sentence whilst amending the Criminal Code to create an offence of choking, suffocation or strangulation in a domestic setting. It will also amend legislation to allow a court to receive a submission from a party on what they consider to be the appropriate sentence or sentence range for the court to impose, taking into greater consideration the needs and the perspectives of the victims in domestic violence cases.

At the outset I thank my good friend Tracy Davis, the member for Aspley, for the outstanding work she did as the minister for communities, child safety and disability services and for the work she continues to do as the shadow minister to get the *Not now, not ever* task force underway and ensure we take concrete, tangible steps to address the scourge of domestic violence in Queensland.


As a survivor of domestic violence I am pleased to see these recommendations being implemented in the 55th Parliament as a direct result of the member for Aspley's commitment. In Mudgeeraba these steps to reduce domestic violence are sorely needed. In fact, Mudgeeraba has seen an increase of 96 per cent in reported incidents of domestic violence in the light of recent media attention, with more residents coming forward and telling police about their situation in the hope it can finally be addressed. Unfortunately, due to inadequate staffing arrangements, I am told that the Mudgeeraba Police Station is now about 10 officers down and is being absolutely swamped by domestic violence reports.

The Robina Community Legal Centre remains unfunded, despite providing free front-line legal advice to domestic violence victims on the southern Gold Coast. For two years the Robina CLC has delivered free front-line legal and referral services as an all-volunteer, unfunded community legal centre. I regularly speak with the president of the Robina CLC and have visited the centre on a number of occasions, including alongside my colleague the shadow Attorney-General, Ian Walker, and I greatly admire the good work they do to assist those in need who may be struggling with a domestic violence situation but simply do not have the resources to get legal advice. In total I am told that, on average, between 40 and 50 per cent of the Robina CLC's case load is related to family and domestic violence cases on the southern Gold Coast. Whether it is our boys in blue at the Mudgeeraba Police Station or the hardworking volunteer lawyers at the Robina Community Legal Centre, who give up their time to help those in need, funding our community needs to deal with the scourge of domestic violence is still of paramount importance.

Late last year I made a speech on domestic violence. It was a speech through my eyes as a seven-year-old child. It was with great trepidation that I gave that speech, but I felt strongly enough that it was time to speak out. Many thousands of Australians saw that speech as it was picked up by the mummy blog Mamamia and went viral. The number of women who rang my office, wrote to me or facebooked me was astounding. A number of women said that my speech gave them the courage to leave and to take their children from circumstances similar to what my sisters and I endured.

Whilst many were shocked by my speech and praised my sisters and me for our courage, it was a watered down version of the events which occurred to all of us on a weekly basis. There are too many stories to put on paper and too many memories that haunt me and my sisters to this day. I said then that my greatest concern was that when the media died down and all of the speeches were over in this House, in many homes when the front door closed many women behind those doors would be forgotten as we go home to our own safe homes. I still believe that many are still suffering in silence and still suffering in fear and, whilst more women are coming forward, there are still those who feel there is no escape and nowhere to run. I have had the privilege as a member of parliament to have recently been

involved in the urgent removal of two women who were in incredibly high-risk situations in my electorate. I thank my local police for their swift action and it would be remiss of me to not acknowledge the Labor ministers who worked very quickly to assist in rescuing these women out of imminent and immediate harm, and I thank them. I, like everyone in this House, have a responsibility to keep this issue front and centre and never forget that for all of those women we save there are still women behind closed doors, terrified and in danger. I join with all of my colleagues in this House to support the passage of this legislation.

 **Mr EMERSON** (Indooroopilly—LNP) (5.20 pm): I rise to make a contribution on the Criminal Law (Domestic Violence) Amendment Bill (No. 2) 2015. As has been mentioned by all of my colleagues, we take great pride in the fact that there is bipartisanship on this bill. This bill flows from the investigation into domestic violence initiated by the former LNP government headed by Quentin Bryce, which resulted in the *Not now, not ever* report. The bill flows from recommendations of that report, particularly recommendations 118 and 120, and deals with the objectives of amending the Penalties and Sentences Act 1992 to make provision for domestic and family violence to be an aggravating factor on sentencing; amending the Criminal Code to create an offence of choking, suffocation or strangulation in a domestic setting; and amending legislation to allow a court to receive a submission from a party on what they consider to be the appropriate sentence or sentencing range for the court to impose.

I go back to the *Not now, not ever* report and urge all my colleagues and all Queenslanders who have not done so to take the opportunity to read that report. I have to admit that it not only reveals some horrific tales in some parts of our society but also strongly indicates that no part of our society is immune from the issues that that report confronts. Page 15 of that report deals specifically with the issue of strangulation and choking and points out that there are gaps in the existing Criminal Code. The report states—

... the Taskforce was given evidence that showed that strangulation was a key predictor of domestic homicide. A dedicated offence for this serious and violent act needs to be added to the Code and an appropriate penalty applied that takes into account that the act of strangulation within a domestic and family violence situation is a predictor of escalation and increased risk to the victim.

The report goes on to quote a contributor to the task force who said—

The violence would consist of him punching me, spitting on me, choking me ...

As the task force report points out—

The Taskforce also heard repeated submissions in support of the introduction of a criminal offence which specifically encompasses the act of non-fatal strangulation. Strangulation was also mentioned in many of the personal stories told to the Taskforce, often using language such as 'choking' or 'grabbing the throat'. Using terms such as these instead of 'strangulation' downplays the seriousness of the behaviour. This in turn can affect the response of health professionals, the police and the justice system to the act of domestic and family violence.

The report goes on to say—

Strangulation is a very common feature of domestic and family violence and is also seen as a predictive risk factor for future more severe domestic and family violence and for homicide.

It is very welcome that we are debating this bill today, and I saw the comments by the very hardworking and widely respected chief executive of DVConnect, Di Mangan, who said that the new amendments were a welcome addition and that it was an important decision considering Queensland's domestic and family violence statistics. Ms Mangan said that DVConnect is still receiving between 360 and 400 calls a day, which is double any other statewide service in the country. She said that strangulation is mentioned all day every day to the counsellors at DVConnect and that many of the women have been strangled or choked many times to a point where it becomes normal for them and that every now and again it leads to their death. Ms Mangan said that strangulation as a stand-alone offence was an important step to stopping domestic and family violence deaths and that it is a weapon that is very close and personal to women. She said—

To be looking at her at the point that he's got his hands around her throat, that is the ultimate in domination.

She—

the victim—

knows at any point she could be dead and whether she lives or dies is determined by the man in front of her.

Like many of my colleagues here, I commend this bill to the House. We can only hope that it goes some way to dealing with the terrible scourge of domestic violence in our community.



**Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (5.25 pm), in reply: I thank all honourable members for their contributions to the debate on the Criminal Law (Domestic Violence) Amendment Bill (No. 2) 2015. This bill affirms the Queensland government's unwavering commitment to combat domestic and family violence by giving effect to criminal justice recommendations from the Special Taskforce on Domestic and Family Violence in Queensland's report, *Not now, not ever: putting an end to domestic and family violence in Queensland*. The bill reinforces this government's intention to ensure that our justice system holds perpetrators to account to end the violence.

Firstly, the bill amends section 9 of the Penalties and Sentences Act 1992 to make provision for domestic and family violence to be an aggravating factor on sentence. The effect of the amendment is that an offender should receive a higher sentence within the existing sentencing range for any offence. The impact of this amendment will be evaluated by the Queensland Sentencing Advisory Council once reinstated as part of a reference to consider the impact that maximum penalties have on the commission of domestic violence offences.

Secondly, the bill contains a new offence of non-fatal strangulation in a domestic setting. The new offence has two limbs. The first limb of the offence is that a person unlawfully chokes, suffocates or strangles without consent another person. The second limb requires that either the offender is in a domestic relationship with the victim or the choking, suffocation or strangulation is associated domestic violence under the Domestic and Family Violence Protection Act 2012. The offence will have a maximum penalty of seven years imprisonment. This new offence acknowledges the dangerous nature of the offending behaviour and recognises the importance of deterring this sinister conduct. The bill also amends the Penalties and Sentences Act 1992 and the Youth Justice Act 1992 to overcome impediments to the court hearing submissions on sentencing ranges from the prosecution. These amendments restore a longstanding sentencing practice in Queensland that existed prior to the 2014 High Court decision in *Barbaro & Zirilli v The Queen*.

All members contributing to this debate have spoken about the prevalence of domestic and family violence in their electorates and in our community as a whole. The fact that a number of members of this House have reflected both today and on previous occasions about how their own lives have been touched by domestic violence is a stark reminder of that prevalence. The collegiate and constructive tone taken by all members contributing to this debate today gives me much hope for our ability to continue our work in tackling both the incidence and the effect of this horrendous violence. I certainly welcome the bipartisanship that has been shown on this bill but more importantly the respectful debates that have occurred in this chamber to support that bipartisanship, and I am truly grateful for that support. Many would say that you would expect nothing less, but I truly believe it is worth acknowledging the contributions of everyone in this chamber to this debate and I thank you all. In conclusion, the bill represents a significant milestone in the government's plan to defeat domestic and family violence. I once again thank all honourable members for their contributions during the debate. I commend the bill to the House.

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

Motion agreed to.

Bill read a second time.

### Consideration in Detail

Clauses 1 to 10, as read, agreed to.

### Third Reading



**Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (5.29 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. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (5.29 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.

## QUEEN'S WHARF BRISBANE BILL

### BRISBANE CASINO AGREEMENT AMENDMENT BILL

Queen's Wharf Brisbane Bill resumed from 3 December 2015 (see p. 3205) and Brisbane Casino Agreement Amendment Bill resumed from 23 February (see p. 401).

### Second Reading (Cognate Debate)



**Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (5.30 pm): I move—

That the bills be now read a second time.

I rise to speak to the Queen's Wharf Brisbane Bill 2015 and the Brisbane Casino Agreement Amendment Bill 2016. These bills are important for Queensland as they provide the necessary legislative framework to support the implementation of the \$3 billion Queen's Wharf project, an iconic world-class tourism facility that will reinvigorate the heart of our capital city. This project will transform the Queen's Wharf area into a vibrant new-world city development unlike any other offered in our state that will attract visitors and investment to Queensland. Its design will celebrate our city's unique heritage and deliver high-quality public spaces for public events and everyday use from the city's centre to the river's edge. Already, the bulk of preliminary site investigations are being undertaken by local firms and early works, including a \$30 million Riverside Expressway refurbishment, are underway.

I will speak first to the Queen's Wharf Brisbane Bill, which is the primary bill that supports the implementation of the Queen's Wharf project. One of the main purposes of this bill is to ratify a casino agreement between the state and the Destination Brisbane Consortium, which will establish the terms and conditions for the operation of the Queen's Wharf casino. These terms include the area within which the casino will be located, the calculation of the casino tax, reporting and other obligations of relevant entities and matters relating to the grant of a casino licence and a liquor licence in relation to the casino. Under the Casino Control Act 1982, a casino agreement must be ratified by the parliament to have any force or effect. Ratification of the casino agreement not only provides the consortium with a higher level of certainty, given their significant investment to the project, but also ensures that the state can enforce obligations on the consortium provided for in the casino agreement.

The bill also clarifies that a provision of the Queen's Wharf Brisbane act, including a provision of the casino agreement, prevails over any other act to the extent of any inconsistency. The schedule to the bill currently provides for a proposed agreement, which is taken to be ratified by the Legislative Assembly once approved by regulation. This approach was taken as at the time of its introduction the casino agreement had not yet been executed. The casino agreement has now been executed and I will be moving amendments during the consideration in detail stage of the bill to replace the proposed casino agreement with the executed casino agreement for parliament's ratification. The executed form of the casino agreement is the same in all material respects as the proposed casino agreement, excluding a limited number of minor formatting changes.

The casino agreement is a prerequisite for the granting of a casino licence, which has been offered by the state to the consortium in recognition of its significant investment in the project. This casino licence will be subject to an initial geographic exclusivity of 60 kilometres from the Brisbane GPO for the first 25 years, for which the consortium will pay a total exclusivity fee of \$145.5 million to the state, in addition to quarterly licence fees of approximately \$230,000.

In regard to the grant of a liquor licence, the application will not be decided until the Queen's Wharf integrated resort is closer to completion and is a matter for the Commissioner for Liquor and Gaming. The liquor licence will be issued on a similar basis as the existing Brisbane casino and hotel

and will apply only to a limited area within the precinct rather than the entire precinct. The bill also provides for more detailed and far-reaching regulatory controls on entities or persons associated or connected with the ownership, management or operation of the Queen's Wharf casino than previous casino agreement acts.

These provisions recognise the more complex corporate and operational structures surrounding the ownership and management of the Queen's Wharf casino and will help to futureproof against changes in these structures. Unlike previous agreement acts, these regulatory provisions have also been provided for in the body of the act rather than just in the casino agreement itself to allow their application to relevant persons who are not parties to the casino agreement. These provisions will help ensure that the management and operation of the casino remain free from criminal influence and that the good reputation of casino gaming in Queensland is maintained.

The bill makes a number of amendments to the Casino Control Act 1982 to modify the existing provisions to align with the terms of the Queen's Wharf Brisbane Casino Agreement and address other matters negotiated between the state and the consortium. For example, the bill allows a casino licence to be granted to a person who has entered into an agreement to lease land for the proposed casino-hotel complex, but has not yet been granted this lease. It also allows a casino licence to be issued on conditions, such as preconditions for the conduct of gaming, which is important in the case of the Queen's Wharf Brisbane casino, as it is not expected to be operational until 2022.

The bill allows casino operators to extend credit for gaming to non-Queensland resident junket participants and to make deposits into player accounts by credit card. These concessions are important as they will allow our casinos to be competitive with similar concessions that are already offered in other Australian jurisdictions.

The bill also excludes the application of certain property and planning legislative provisions that are not intended to apply to large-scale developments and provides exemptions to various legislation such as the Retail Shop Leases Act 1994 so that the commercial outcomes negotiated between the state and the consortium can be achieved. These amendments will streamline the leasing of land under the Land Act 1994 to the state and the consortium, promote the activation of the precinct around the water's edge and ensure that requirements placed on the consortium by the state are met, such as the establishment of public thoroughfares through the precinct to enhance public accessibility.

The bill also amends the Economic Development Act 2012 to establish a process for the Minister for Economic Development Queensland to determine certain development outside a priority development area to be PDA-associated development. Specifically, these provisions have been designed to provide for the development of a pedestrian bridge over the Brisbane River from Queen's Wharf to South Bank Parklands. As the bridge will partially only fall within the Queen's Wharf Brisbane Priority Development Area, the development application process for the bridge would require approval from both the Minister for Economic Development Queensland for the portion within the priority development area, and the Brisbane City Council, exercising its assessment powers under the South Bank Corporation Act 1989 for the assessment of a portion over the river and the land in the South Bank Corporation area.

In order to simplify development applications across multiple planning jurisdictions, the bill provides for the Minister for Economic Development Queensland to approve and condition the portion of the bridge outside the priority development area as PDA-associated development. I note that the scope of what may be captured as a PDA-associated development was raised by a number of local governments and the Local Government Association of Queensland in submissions to the Infrastructure, Planning and Natural Resources Committee. Although the committee recommended passage of this bill, it encouraged my consideration of whether there was scope to refine the criteria for declaration of a PDA-associated development to address these concerns. On that basis, I intend to move amendments during consideration in detail that clarify the intended scope of these provisions. For example, the proposed amendments now treat infrastructure differently from other development. Some other minor and consequential amendments have also been proposed to ensure the effective operation of the PDA-associated development provisions.

I would now like to speak to the Brisbane Casino Agreement Amendment Bill. This is a companion bill to the Queen's Wharf Brisbane Bill. Its purpose is solely to remove the current development legislation exemption provided under the Brisbane Casino Agreement. This will allow a development application for the repurposing of the existing Brisbane casino and hotel complex and site to be lodged under the Queen's Wharf Brisbane Priority Development Area development scheme. The

bill amends the Brisbane Casino Agreement Act 1992 to replace the Brisbane Casino Agreement, which is a schedule to this act, with a revised agreement that no longer exempts the Brisbane casino and hotel complex and site from development legislation in force in the local government area.

These changes will not impact on the current use rights of the casino operator under the current special lease while the existing Brisbane casino-hotel complex is operating. As such, development relating to the current use of the Brisbane casino-hotel complex will continue to be considered under the Brisbane Casino Agreement until the Brisbane Casino Agreement Act 1992 is repealed, which will be shortly after the Queen's Wharf Brisbane casino opens.

All heritage listed features, places and buildings in the precinct will be retained and refurbished to their former glory and adaptively re-used for the enjoyment of the general public. The Brisbane Casino Agreement Bill provides that the redevelopment of the existing casino buildings and all other heritage places in the Queen's Wharf Brisbane Priority Development Area are subject to an independent development assessment process managed by the Minister for Economic Development Queensland. For heritage places currently included under the Brisbane Casino Agreement, until such time as the existing lease period ends, I will continue to consider development matters relating to these areas in accordance with the Heritage Management Plan. Once the lease period ends, responsibility for development assessment relating to all heritage places in the priority development area will transfer from myself to the Minister for Economic Development Queensland.

I would like to take this opportunity to thank the Infrastructure, Planning and Natural Resources Committee for its consideration of the Queen's Wharf Brisbane Bill 2015 and the Brisbane Casino Agreement Amendment Bill 2016, and also those who made written submissions to the committee on the bills. In this regard, I am pleased to note that the committee has recommended that the bills be passed.

My speech so far has been devoted to outlining to the House the technical aspects of the bills. It is a fact that the bills before the House are technical in nature. However, we should not lose sight of the significant economic benefits the passage of these bills will have for Queenslanders. Apart from the 1.4 million additional tourists a year, the project will provide Queenslanders with more than \$1 billion to the state's bottom line; 12 football fields of enhanced public open space; a new pedestrian bridge from the CBD to South Bank; 50 new food and beverage outlets; about 1,100 hotel rooms, ranging from four- to six-star; 2,000 residential apartments; and revitalisation of some of Brisbane's most significant heritage buildings.

As a member of the Palaszczuk government, I am happy to inform the House that Queen's Wharf Brisbane will significantly stimulate the construction, tourism and hospitality sectors and open new markets and opportunities for Queensland with the creation of more than 2,000 construction jobs and 8,000 ongoing jobs when the \$3 billion integrated resort development is operational in 2022.

The Palaszczuk government is committed to job creation and supporting skills development across the state. As the Minister for Training and Skills, I can advise the House the Department of Education and Training and Jobs Queensland secretariat have been consulting with the Department of State Development and the Destination Brisbane Consortium regarding assistance that it may be able to provide in workforce planning and skills and training development opportunities. The department is well placed to assist the consortium to make the most of funding opportunities under the government's existing VET investment programs, as well as explore other ways that the government may be able to assist and help navigate the training system and engage with the right people.

In particular, DET can provide assistance with the range of training and skills programs that are funded through the Palaszczuk government's Annual VET Investment Plan—\$754.6 million worth of funding in 2015-16. DET will continue to liaise with DBC and DSD in order to maximise the employment and training opportunities for Queensland students, apprentices and trainees available through the overall Queen's Wharf redevelopment projects. The Queen's Wharf development will not just provide full-time job opportunities for our existing workforce, but through TAFE Queensland, Queensland's trusted provider of vocational education and training, our teenagers will have available to them the necessary training to become Queensland's next generation of highly skilled workers.


The Queen's Wharf precinct will feature a number of high-end hotels and some 50 food and beverage outlets come 2018. There will be an unprecedented amount of not only hospitality work but also rewarding and long-lasting careers in one of Queensland's most dynamic and exciting industries. The Queensland Hotel & Hospitality School is a new initiative created in partnership with TAFE Queensland and The Star Entertainment Group to develop the next generation of six-star hospitality staff for the Queen's Wharf precinct. Industry partners have also supported the school to provide

feedback on industry needs and trends and also work experience opportunities for students. In addition to The Star Entertainment Group, the industry partners for the new hotel school include: Sofitel Brisbane Central; Hilton Brisbane; Hotel Jen Brisbane; NEXT Hotels Brisbane; Royal International Convention Centre; Sea World Resort & Waterpark; Palazzo Versace; and Intercontinental Sanctuary Cove Resort.

At present, the QHHS offers the International Hospitality Service Program as well as the Culinary Arts Program. The Culinary Arts Program is an enhanced Certificate III in Commercial Cookery—Apprenticeship program, designed to train new chefs at a six-star level. The QHHS is looking to develop further programs in the future. The International Hospitality Service Program has been designed to provide the hospitality industry with a specific outcome. Students are trained at a six-star level and are skilled and employable as soon as they finish the course. Key industry partners have been involved in choosing modules, contextualising modules to a six-star level and providing masterclasses. Training delivery is currently split between TAFE Queensland's world-class, cutting-edge facilities at South Bank, industry partners and The Star Entertainment Group's hotels.

The Palaszczuk government's investment in TAFE Queensland acknowledges the significant role TAFE Queensland has in delivering the skills needed now and into the future to meet the demands of significant projects such as this one. This training will enhance the workforce for all tourism and hospitality, including making sure that we have a six-star trained hospitality and tourism workforce for the Commonwealth Games in 2018.

I urge all members to provide their support for the bills today as they provide the necessary legislative basis for the Queen's Wharf project to move forward to the next stage in its development. I am pleased to be able to sponsor these bills and thank my honourable colleagues, the Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment; the Minister for State Development and Minister for Natural Resources and Mines; the staff of their departments and my own department, for their hard work and assistance in bringing these bills to the House for consideration today. I commend the bills to the House.

 **Mr WALKER** (Mansfield—LNP) (5.46 pm): I note, as the Attorney-General has informed us, that the Queen's Wharf Brisbane Bill 2015 and the Brisbane Casino Agreement Amendment Bill 2016 have been cognated and will be considered tonight as part of the one debate. It should come as no surprise to honourable members that the LNP will be supporting these two bills given that they are the result of a process that was instigated and put in place by the LNP as far back as 2013. That was when former deputy premier Jeff Seeney instigated the integrated resort development process and, as part of that, the redevelopment of the land on the north shore of the Brisbane River now known as the Queen's Wharf Brisbane development. The member for Callide should be acknowledged formally tonight as the person who instigated this process which is still in its infancy. Tonight is an important developmental step that will, as I will mention later in my speech, change Brisbane as we have never seen it change before. The member for Callide should be acknowledged for his seminal role in that occurring.

The Palaszczuk Labor government's breathtaking hypocrisy on this redevelopment is unsurprising because it is a government that does not have a plan of its own. All it has done in the past 15 months is either hand in the homework of the LNP by continuing on with projects such as this or wind back successful programs or laws put in place by the former LNP government for the betterment of Queensland. To summarise, for them it is either reheat or review and rewind. As recently as this morning in this House the Treasurer denounced the 1 William Street development. Those opposite are in complete denial about the jigsaw puzzle that has to happen to allow this complex Queen's Wharf development to take place. Without 1 William Street the Queen's Wharf development cannot and does not happen. Those opposite cannot expect to be taken seriously on this issue when they publicly condemn the LNP for initiating the 1 William Street project and then almost in the same breath announce the continuation of implementation of Queen's Wharf as if it is of their own creation and volition. Quite simply, unless the buildings are vacated to allow people to move into 1 William Street then this development cannot happen. They go together hand in hand. They cannot condemn one and then take credit for the other.

Let us not kid ourselves that this is not an important project for Queensland. It is scheduled to commence in 2017 and is set to open in 2022. It will create 3,000 jobs in the construction phase and 8,000 ongoing jobs for Queensland. It will be a tourism icon for Brisbane—a destination icon that we can utilise and market to draw in more domestic and international tourists to Brisbane as we compete with similar projects in other places in Australia such as Melbourne, Sydney and Perth and, in fact, other destinations throughout South-East Asia.

The other day I had the pleasure of attending a boardroom lunch organised by the Brisbane Airport Corporation. The point was made that for Queensland one thing that is still difficult to sell is an urban night-time project; of course it is easy to sell our wonderful reef, our wonderful beaches, our wonderful rainforests and our wonderful national parks, but the urban product is still missing in that jigsaw. The work done by the former deputy premier, the member for Callide, which is coming to fruition here, is a potential solution to that. Previously the LNP has congratulated the Destination Brisbane Consortium led by Echo Entertainment, which was the successful bidder announced as the part of the competitive tender process put in place by our former government. We look forward to seeing the redevelopment of the old government precinct part of George and William streets.

As I have said before, this development will significantly change Brisbane. I think it is as significant as the change that happened when I first started working and Queen Street was the key part of Brisbane. Suddenly, Brisbanites found Eagle Street and it became part of the golden triangle. This development will make the city look at itself in a totally new way. It will set the focus on the part of town that we are in now. It will make us address this stretch of the river and it will completely change the tone and feel of Brisbane. Let us not underestimate the significant effects of this huge development.

I will look at some of the specific elements of each bill. Firstly, I turn to the Queen's Wharf Brisbane Bill. As part of the arrangements made between the state and the Destination Brisbane Consortium, a casino licence was offered. The consortium includes the Star Entertainment Group, Chow Tai Fook Capital Ltd and Far East Consortium International Ltd. One of the main purposes of the bill is to ratify the Queen's Wharf Brisbane Casino Agreement, which is required by the Casino Control Act 1982 before a casino licence is granted. The proposed agreement deals with the broad range of matters, including the area within the Queen's Wharf Brisbane development where the casino will be located, the granting of a casino licence and the conditions and terms of that grant. It provides for exclusivity for the Queen's Wharf casino by providing that the state will not authorise or grant a new casino licence or otherwise permit gambling within 60 kilometres of the GPO for a specified time, with some exceptions. This geographic exclusivity extends for 25 years and the licence will run for 99 years upon commencement of casino operations, once they are ratified by this parliament.

The proposed agreement contained in this legislation also deals with other matters that include casino taxation and GST arrangements, inspection and facilities for gaming regulators and police, a range of reporting and other obligations, the termination of the agreement, finance, confidentiality and probity arrangements, including preventing certain people from involvement in the consortium. As part of the review of this bill, the department advised the committee that the proposed agreement had been negotiated during discussions with the Destination Brisbane Consortium and the Queensland government. For that to come into effect, the final Queen's Wharf Brisbane Casino Agreement must be ratified by the parliament, which will be done through the process of the debate that we are having tonight.

Issues that are considered as part of this debate include the planning requirements that have been put in place for the project. The LNP recognises that four local governments—the Gold Coast, Brisbane, Logan and Bundaberg—and the Local Government Association raised concerns with the extension of the ministerial powers through the declaration of a PDA-associated development, which may have unintended consequences for planning large-scale developments in the future. In their submission to the committee, the Brisbane City Council noted that—

- Council is seriously concerned about the proposal to expand the planning authority of the Minister for Economic Development Queensland (MEDQ) through the declaration of Priority Development Area-associated development (PDA-associated development) for areas outside a normal PDA.
- ...
- The QWB proposal includes a bridge over the Brisbane River from the proposed development to South Bank Parklands.
- As the proposed bridge is only partially in the QWB PDA, the State is concerned that the development application process would be uncoordinated as it would require approval from both Council and MEDQ. The inclusion of a PDA-associated development definition has been proposed by the State to remedy this issue. However, this view is not supported by Council.
- Council recommends that the State explore other legislative mechanisms specific to QWB to achieve a streamlined assessment and single assessment authority for the pedestrian bridge associated with the QWB proposal.

In its submission the LGA noted that—

The LGAQ is seriously concerned with the Bill's proposed broadening of the Minister for Economic Development Queensland's (MEDQ's) powers—



**Mr DEPUTY SPEAKER** (Mr Hart): Order! Member for Mansfield, we will pause the clock. Members, there is far too much background noise at the moment. Please keep it down. If you need to hold a conversation, please take it outside the chamber.

**Mr WALKER:** In its submission the LGA noted that—

The LGAQ is seriously concerned with the Bill's proposed broadening of the Minister for Economic Development Queensland's (MEDQ's) powers to assess and decide development to be located outside of all Priority Development Areas (PDAs) and be identified as "PDA-associated development". This expansion of powers to the Minister is seemingly at odds with Queensland Labor's election commitment to transparency and assurance that legislation "does not place undue power in the hands of the Planning Minister."

However, we also note that the Chamber of Commerce and Industry Queensland and the Queensland Tourism Industry Council supported the amendments to the Economic Development Act around streamlining planning approval processes. On balance, we recognise that the committee considered that PDA-associated development as a reasonable policy response to the need to have streamlined planning approval processes. In its report, the committee suggested further clarification for a defined area of the declaration of PDA-associated developments and I note the response from the Attorney-General in that regard. I also recognise that in Queensland the minister for planning is also the minister for local government, so I trust that the LGAQ will take up its concerns about this proposal with the Deputy Premier.

The other issue I want to address briefly in the Queen's Wharf Brisbane Bill is around lockouts and associated issues that we have previously debated in this House. The department clarified that the amendments do not change existing trading hours or lockout exemptions for casinos, that is, there will be one set of rules for this precinct and another set for the rest of Queensland. It might be said that that is the existing situation, but of course the development we are talking about is now a far more significant development than the existing casino. As we have previously stated, it is not acceptable to have one set of rules for those operating in the casino and another set for the rest of Queensland. Apparently, those who are affected by alcohol related violence do not frequent casinos! In that regard, the Attorney-General should familiarise herself with the various media reports about violent incidents at other like developments across major cities in Australia. You cannot be serious about tackling this important community safety issue when you have one set of rules for one part of Brisbane and another set for other licensed establishments across the state. For example, people who are in Fortitude Valley and want to drink longer can easily make the trip to the casino to continue drinking. It is not fair that one set of rules applies there and another set applies just down the road. Believe it or not, often criminals are aware of the law. If they know the rules are different, they will use that to their advantage.

I turn to the Brisbane Casino Agreement Bill 2016. This bill forms part of the process for the Queen's Wharf Brisbane development and enables amendments to be made to the Brisbane Casino Agreement Act to codify the arrangements as part of the licensing and planning processes for this significant development for Queensland. The Brisbane Treasury Casino is located in the heart of Brisbane and is custodian of the state owned Treasury and Land Administration buildings. It opened in April 1995 and includes a five-star heritage hotel, six restaurants, five bars and a casino. The bill proposes to amend the act to replace the current Brisbane Casino Agreement with a replacement agreement to amend, amongst other things, the casino hotel site. The bill also provides for a heritage management plan agreed between the developer and the Queensland government regarding the Treasury building, the Land Administration building, Queen's Park and the former state library now known as the John Oxley building.

During the course of this debate, one thing that has disappointed me relates to my portfolio of shadow arts. In the arts sector it is well known that Brisbane is in dire need of additional theatre capacity. The musicals *Ghost*, based on the hit film, and *Georgie Girl*, based on the story of The Seekers, will not play in Brisbane due to a lack of theatre space. Musical lovers from elsewhere in Australia will have the opportunity to see those two musicals, but not Brisbanites. If Brisbanites want to see those shows, they will have to travel to Sydney, Melbourne or Adelaide. I have spoken to the producers of both shows and they have confirmed that capacity issues have deterred them from coming to Queensland. Brisbane is missing out on theatre performances and it will continue to do so, because of poor planning by previous Labor governments and poor decisions made by the current government. Having the Premier as the arts minister should provide the sector with the best possible champion for addressing this problem. However, on this issue it seems that the Premier has her head well and truly in the sand. When in government, the LNP held a report that confirmed that we need a new 1,200- to 1,500-seat theatre in Brisbane. The LNP started the process for a 30-year plan for the cultural precinct at South Bank. We started the plan for all the city's cultural needs on that special site, but that plan has been canned by Labor.

The LNP encouraged the bidders for the Queen's Wharf casino site to include a link to South Bank and a new theatre, paid for by the casino developers as part of a social dividend for the city, and aligned with the casino project. I know that the then deputy premier was very keen to nail that and he did. Echo provided that in the bidding process.

Under the LNP Brisbane would have had a new theatre provided without the need to resort to taxpayer funds—an extraordinary outcome. The ALP actually negotiated the theatre out of the deal. They said, 'We will have the money instead thanks.' A late change to the proposal saw the theatre disappear. Instead, Echo was required to take an extra thousand poker machines, which they had not sought, and to pay the government an estimated \$100 million for that privilege.

The theatre could no longer be funded. Instead, the poor substitute we have is—guess what? It is another plan; another inquiry by way of a business plan to be presented later this year. We are missing out on shows. *The Phantom of the Opera* is going to remain a phantom. *Ghost the Musical* will not be performed in Labor's ghost theatre.

Debate, on motion of Mr Walker, adjourned.

## MOTION

### Early Childhood Development Programs



**Mr MANDER** (Everton—LNP) (6.00 pm): I move—

That this House:

1. notes the importance of early childhood development programs in providing an education to students with a diagnosed or suspected disability in the years before prep; and
2. commits to allowing parents and students the ability to access both the National Disability Insurance Scheme and the state funded Early Childhood Development Program beyond 2020.

The Early Childhood Development Program is a program that provides specialised support for children with special needs in their kindergarten year. It is an incredibly effective program that has been a godsend for desperate families for many years. For many families it has been the support mechanism that they have so desperately required. For others it is the early intervention model that enabled their child to transition to mainstream education which was impossible before entering this program. Unfortunately, this program's future is doomed under this government. The minister has announced that this program will be phased out as the NDIS is implemented. This decision by the minister will have disastrous consequences. Let me outline those.

Children who have a diagnosed disability will be picked up by the NDIS. It will provide support for these children in mainstream kindergartens. Parents tell me that whilst they welcome the NDIS they want their children to continue to attend an ECDP—an environment that is staffed by professional specialists and providers. It also provides a safe and comfortable learning experience for their children. Mainstream kindergarten is not a realistic option for them no matter what support they get from the NDIS.

The second major impact is that there are many children in this program who have undiagnosed learning difficulties or a suspected disability which may not be detected for years. There are a large number in this program who will not be picked up by the NDIS. Hundreds of children who are in this category and currently receiving the benefits of ECDP will fall through the cracks and will have no place to go for their kindergarten year. NDIS will provide therapeutic benefits to eligible children, but it was never meant to fund the education of these same children. This is a state government responsibility.

The response from parents to the cutting of this program has been simply overwhelming. Over 30,000 people have signed a petition calling on the minister to keep the ECDPs even after the NDIS has been fully rolled out. Many of them no longer receive the benefit from ECDP but they want to speak up for the future families that will need it.


Even the Labor member for Ipswich West recognised what a great program this was and tweeted a link to the petition. Of course, that tweet did not last long once, I imagine, the minister's staff found out about it.

The Minister for Education has blamed every man and their dog for the cutting of this program. She has and no doubt will shortly blame the former LNP government, the current federal government and the NDIS program. What this minister fails to acknowledge is that she is the Minister for Education. The future of this program falls totally under her control. The authority to continue this valuable program rests entirely in her hands.

A number of statements have been made by the minister guaranteeing that ECDPs will continue until 2020 when the transition to the NDIS will be complete. These statements have caused confusion not clarity and an enormous amount of angst for families.

There are a number of unanswered questions that these parents want answers to. Can the children who receive NDIS support packages in the future continue in ECDP? Will ECDPs be taking new enrolments from next year? Does the minister recognise that parents with children with special needs believe that this is the best place for the education of their children? These people have faced many challenges in their life. The last thing they need now is another kick in the guts.

*(Time expired)*

 **Hon. KJ JONES** (Ashgrove—ALP) (Minister for Education and Minister for Tourism and Major Events) (6.05 pm): Let us start by telling them the truth then, shall we? I move—

that the words after 'programs' be deleted and the following words inserted:

'for children with a diagnosed or suspected disability in the years before prep; and calls on the Commonwealth government, which is responsible for the National Disability Insurance Agency, to guarantee no child in ECDPs is disadvantaged through the transition to NDIS and urgently provide Queensland families with the information they need about the services available through NDIS.'

I listened very carefully to the words of the member for Everton. He said tonight that the ECDP services were never meant to be transitioned as part of the NDIS. That is what you said, member for Everton. I point to the letter from your colleagues John-Paul Langbroek, the former minister for education, and the former treasurer when the honourable member for Everton sat around the cabinet table and the Newman government decided in black and white that they would transition ECDP services through the NDIS. You know it. They know it—

**Opposition members** interjected.

**Mr DEPUTY SPEAKER** (Mr Hart): Order! Minister, take your seat for a second. I ask for a bit of peace and quiet while the minister has the call. Minister, I remind you not to refer to other members as 'you'.

**Ms JONES:** I am very deeply concerned that the member for Everton sat around the cabinet table when the former LNP government decided to transition ECDP services and started quarantining funding for ECDP services back in 2014. They are quiet now because they know that they decided in their cabinet deliberations that they would transition ECDP services as part of the NDIS. If I had followed in the footsteps of the LNP then absolutely—

**Opposition members** interjected.

**Mr DEPUTY SPEAKER:** Order! Members!

**Ms JONES:** Come on; parents deserve to hear the truth.

**Opposition members** interjected.

**Mr DEPUTY SPEAKER:** Order! Minister, I can hear you quite clearly from here.

**Ms JONES:** I need the time, though, Mr Deputy Speaker, to correct the record. Right now we have members of this parliament who should know better deliberately telling untruths to families with children with disabilities for political gain. I think that is shameful.

Let me be very clear about the process. If I had instigated what the LNP had proposed then ECDP services would have started closing from 2017. What I have done as the Minister for Education—

**Opposition members** interjected.

**Mr DEPUTY SPEAKER:** Order! The minister is not taking interjections. I am now starting to have trouble hearing her. Can we please keep it down.

**Ms JONES:** They are deliberately talking because they do not want the truth to come out. The truth is that if I had done what the LNP had proposed then these services would have started closing from 2017. I rejected the LNP plan—no plan for a transition, no plan to support families—and said that I would keep ECDP services open until 2020. At such time the NDIS would have been fully transitioned in Queensland, remembering that it is meant to be transitioned fully by 2019—a full year after. Why did I make that decision? I made that decision because, despite the LNP in their budget document saying we should close them from 2017, I did not think that was right. I listened to families. I listened to principals. I listened to our staff.

**Mr Mander:** Not the parents.

**Ms JONES:** And parents whom I met with, and I said I would reject the LNP plan and keep them open until 2020. At such time we can reassess the future of these services.

**Opposition members** interjected.

**Mr DEPUTY SPEAKER** (Mr Hart): Minister, can you pause again, please?

**Ms JONES:** It is shameful in the extreme—

**Mr DEPUTY SPEAKER:** Take your seat, please, Minister. Members, I am really struggling to hear the minister now. Those on my left, please keep it down.

**Ms JONES:** I think they are deliberately interrupting because they know that you have been caught out again, member for Everton—caught out not telling the truth to parents.

**Mr Mander:** Parents don't agree with you though.

**Ms JONES:** That is right. They do not believe me because you are putting out press releases saying that they are closing tomorrow, despite me putting out advice saying they are going to happen to 2020. You are stirring up angst and anxiety for families.

**Opposition members** interjected.

**Mr DEPUTY SPEAKER:** Minister—

**Ms JONES:** That is what he is doing.


**Mr DEPUTY SPEAKER:** Minister, take your—

**Ms JONES:** You come into parliament—

**Mr DEPUTY SPEAKER:** Minister! Minister, when I ask you to take your seat, please take your seat. Members, this is starting to get out of control. Please control yourselves. Keep the level of noise down. Minister, I remind you once again to please not refer to members as 'you'. That is the second time I have had to warn you, Minister.

**Ms JONES:** There is a very clear difference here. The LNP decided that ECDPs would be part of the NDIS transition in Queensland. They decided that back in 2013. I call on them to release all documents that demonstrate that. Secondly, the member for Everton when he was in cabinet decided that ECDPs would close from 2017. We will keep them open until after the transition of the NDIS, because we will stand up for families.

*(Time expired)*

 **Mrs SMITH** (Mount Ommaney—LNP) (6.11 pm): Without the state funded ECDP, kids with learning difficulties will not be equipped to face the challenges presented to them as they begin their early years at school. The parents and the people that I represent are not interested in theatrics or hysteria. We are not interested in the political one-upmanship and we are not interested in excuses or further buck-passing when the decision is wholly and solely the minister's. Let us be clear about that. The decision on whether the ECDP continues rests solely with the Minister for Education.

In the last parliament I shared with the House Bella's story. I got quite emotional in telling Bella's story because as a parent of three children they were challenges that I had never experienced. I was also uplifted because of how one program could have—

**Government members** interjected.

**Mr DEPUTY SPEAKER:** Member for Mount Ommaney, take your seat. I am going to be even-handed here.

**Government members** interjected.

**Mr DEPUTY SPEAKER:** Let us just have a bit of decorum and peace on the right-hand side of the House for the member for Mount Ommaney. The member for Mount Ommaney is not quite as loud as the previous speaker and I would like to hear her.

**Mrs SMITH:** I say again that the people and the parents that I represent are not interested in the theatrics or the hysteria that is coming from the government side.

Let me say how uplifting this program was to one individual. I will recap. Let us consider what Bella's transition to school would have been like without the foundation year at the ECDP, without all the support and knowledge that a teacher shared with her at school. It has not been an easy transition, but she has come a very long way from the little girl—hear this please—who could not talk, who would

sit in the corner of the playground eating sand, who could not sit at the desk or hold a pen. We owe all of that to the time she spent at the ECDP. If they get closed down, the department of education is failing all of those children, like Bella, who deserve a fair start to their education.

A constituent of mine came to see me over a month ago with concerns that the Early Childhood Development Program was going to close down. So concerned was Karen that she created an online petition, which, as the member for Everton said, resulted in over 30,000 petitioners signing that, showing their concern.

**Ms Fentiman** interjected.


**Mr DEPUTY SPEAKER:** Minister, your interjections are not being taken. They are not helpful. Please desist.

**Mrs SMITH:** It is always interesting that when Labor are caught out they start on the personal attacks. I want to continue with this issue that means so much to so many people. Having had my own personal experiences, I think everybody should be grateful if they have children who do not face these challenges. The minister has sidestepped this issue. If you look at the minister's response to the 30,000 petitioners, she said, first, 'Go and see your federal members. It is all the federal department's fault.' Then we saw her sidestep and over the Easter holidays she said, 'No. We are going to extend it to 2020.' If that is the case, that still leaves a lot of questions unanswered. On that date, who decides who stays, who goes and what replaces the education component—and what about all the staff and the specialist teachers?

I ask the minister to do the decent thing. If the minister is not going to commit to keeping the ECDP open after 2020, then she needs to keep her promise and meet with the parents and explain her reasons why. This program is crucial not only for the children who are our future generation—at the very least they should be given the same opportunities to access the best possible start in life. This program is not only so important to the children but also so important to the parents. They are dealing with a lot of emotion when their children are diagnosed. When I had the Leader of the Opposition and the shadow minister out in my electorate to talk to many concerned parents, the one message that came across loud and clear was that most parents in early years, say, one to five, are in denial of their child's situation or they are grieving. The ECDP is an amazing program, with positive outcomes for everyone who accesses it. Minister, the ball is in your court. Do the right thing for our future Queenslanders.

*(Time expired)*

**Mr DEPUTY SPEAKER:** Members, I am going to start warning people shortly. I am giving you fair warning.

 **Mr BROWN** (Capalaba—ALP) (6.17 pm): I rise in support of the amendment moved by the minister to the motion before the House. I know ECDPs do a great job supporting young children with disabilities and developmental delay. In my electorate, the early childhood development program at Capalaba State College ensures that young children with disability learn routines to develop the skills they need for school. That is why I am so angry that the member for Everton is taking advantage of vulnerable families, stirring up anxiety and fear in the community about the future of ECDPs. Unfortunately, he is not alone. In my area the federal member for Bowman, the LNP member Andrew Laming, did the same. He took up this campaign and dropped it as quickly as he took it up—not really fighting for the families and the parents of those children but using it for political advantage, for some pointscore in the local area.

The member for Everton and the member for Aspley took time away from their LNP fundraiser Latitudes North in Townsville on the weekend to meet with parents of children in ECDPs. Instead of being up-front with families, they chose to spread more fear and anxiety. We know that it was the LNP that decided to close ECDPs as part of the transition to the NDIS. The fact is that if the LNP government had been re-elected ECDPs would have closed next year.

**Ms Davis:** Is that right?

**Mr BROWN:** The member opposite did not stand up in the cabinet. She will get her chance. The member for Aspley sat around the cabinet table and decided to sign away ECDPs as a part of the transition to the NDIS. I know the member for Everton has had trouble with his memory in the past. He could not remember jaywalking. He could not remember receiving a confidential briefing from police and education officials and—this is my favourite—he could not remember in an interjection calling the minister a nitwit and swore on a stack of Bibles. He could not remember his own role in the failed leadership coup last month and now he cannot remember being part of a cabinet that decided to axe

ECDPs. The LNP did this with no idea of what the new services would look like under the NDIS. They made no plans to support families through the transition. This is one of the greatest examples of political hypocrisy I have witnessed in my short time in this House. They have come in here and criticised their own policy.

The federal government will assume full responsibility for disability services following the rollout of the NDIS. Queensland families are crying out for certainty from the federal government through the National Disability Insurance Agency, but no information has been given to staff, to principals or to parents. This is simply not good enough. With such a major change to the way disability services are provided in this country, the NDIA is failing Queensland families. We have to provide certainty for these families to ensure children with disabilities continue to receive support from ECDPs until they transition to school or to a new provider under the NDIS. As an additional safeguard, the education minister has committed to keep ECDPs open until at least 2020. At this time we will be better positioned to know whether the NDIS is providing families with the support they need.

If the member for Everton and the LNP were serious about supporting children with disabilities, they would lobby their federal LNP members in an election year to ensure that the NDIS provides families with the information and the services they need. I support the amendment to the motion before the House.



**Ms DAVIS** (Aspley—LNP) (6.21 pm): I rise in support of the motion moved by the member for Everton. Like the member for Everton and the member for Mount Ommaney, I have been contacted by many parents concerned about their children with disabilities accessing ECDPs and about whether, under the NDIS, their children will have the choice to be part of this educational program. As we know, choice and control are the guiding principles of the NDIS.

On hearing from parents about their concerns, I immediately contacted the National Disability Insurance Agency to confirm my understanding of the agency's position on whether a program like the ECDP would attract funding for participants. It was made very clear to me during that conversation that the NDIS will provide early intervention supports, including therapy support, but will not provide funding for education, for example learning to read; that would be the responsibility of the state. Tonight's debate is to ensure that Queensland children with a diagnosed disability or a suspected disability can continue to have access to an ECDP, should they choose, beyond 2020.

There is an explicit right set out in article 23 of the charter of the rights of the child, to which we are a signatory—

**Ms Jones:** Did you say that at cabinet?

**Ms DAVIS:** I repeat for the minister: we are a signatory to that. Perhaps she might like to refer to it. Children who have any disability should receive—

**Honourable members** interjected.

**Mr DEPUTY SPEAKER** (Mr Hart): Order! Member for Aspley, take your seat for a second. We will not have conversations across the chamber. Please direct all your conversations through the chair. I say that to both sides of the House.

**Ms DAVIS:** Children who have any kind of disability should receive special care and support so that they can live a full and independent life. Further, articles 3, 4, 6 and 28 support the rights of the child to live a full life and for government to ensure these rights are available to children. I am a bit concerned that the Labor government are not too familiar with the charter of the rights of the child because history shows us that they left a very fine mess in the area of child protection services. They ought to get across it pretty quickly because they will be eroding the fundamental rights of children with a disability when they axe ECDPs in 2020.

The ECDPs across the state—and there are around a hundred of those programs operating—provide support to children up to five years of age who have significant support needs arising from a diagnosed or suspected disability. Parents right around the state have reached out to say that our ECDPs cannot be closed down. They have told us that, whilst the minister has indicated they will operate until 2020, they are unsure whether or not their children will be supported through ECDPs should the child receive an individualised package through the NDIS. They are very concerned that this could have devastating consequences for their child's development and future wellbeing.

The Palaszczuk government's decision is distressing so many parents across Queensland who value the education program that is assisting their child to develop the necessary skills for a full life. This government should stand up for children with disabilities and do the right thing: give certainty to parents—

**Honourable members** interjected.

**Ms Jones** interjected.

**Mr SPEAKER:** Order, members. Minister, you will have a chance shortly.

**Ms DAVIS:**—that ECDPs will remain untouched beyond 2020 and restore the fundamental rights of the child in doing so. If ECDPs are axed then this government and its department of education will fail all of those children with disability, who deserve a fair start to their education and who have rights to a full, rewarding and connected life.


On the weekend the member for Everton and I did meet with very distressed parents regarding the future of the ECDPs in Townsville. Also present was a speech therapist—

**Ms Jones** interjected.

**Mr SPEAKER:** Pause the clock. Minister for Education, I warn you under standing order 253A. Please desist from your interjections.

**Ms DAVIS:** Also present was a speech therapist and a representative from the early childhood sector who worked in collaboration with ECDPs. One of the most distressing parts of the meeting that we had was hearing a story from one of the parents who has two children with ASD—two boys. What she was very concerned about was that her youngest son would not be able to continue his education through the ECDPs. Her son had been captured under the trial in Townsville and she was so concerned that her son would not be able to access the ECDP she was considering not progressing to the planning stage for her child to be eligible under the NDIS. This is absolutely incredible!

These are real families; these are real children. This is a program that supports them and helps them. Those opposite need to get with the program to ensure that those families can continue to have access now and many more can have access into the future.

 **Hon. CJ O'ROURKE** (Mundingburra—ALP) (Minister for Disability Services, Minister for Seniors and Minister Assisting the Premier on North Queensland) (6.27 pm): I rise to speak to the amendment moved by the education minister. As the Minister for Disability Services and in my work as an early childhood educator, I have seen the value of early childhood support and giving children the best possible start in life. I understand the importance of the department of education's early childhood development programs in supporting young children with disability or developmental delay in the years before they attend prep. I have met with local schools and families in my electorate who have spoken to me about just how important these programs are. In fact, they are the only programs of their kind in Australia. I have heard the concerns of local parents, principals and P&Cs, and they are seeking certainty following an unfounded scare campaign by the LNP.

The reality is that in May 2013 the former Newman government signed up to an NDIS transition agreement to close the ECDPs from 2017. That is less than a year away. The LNP showed little interest in people with disability which was proven when it took an entire sector to rally for what they knew was the biggest reform in disability before the LNP would even sign up to the NDIS. Again we saw this when the former LNP government ensured Queensland was the only state or territory not to have an NDIS trial.

Thankfully, the Palaszczuk government have allowed Queensland families to breathe a sigh of relief, because we listen and we care. I have been working closely with my colleague the education minister, Kate Jones, to ensure that no child will be left behind in the transition to the NDIS. Unlike the LNP, we have listened to communities and we have heard the concerns of parents and school communities. The Palaszczuk Labor government has overturned the LNP's decision to close ECDPs next year. We have committed to funding ECDPs until at least 2020. That is a whole year after the full transition to the NDIS in 2019 and three years after the LNP planned to close them. Importantly, during this time ECDPs will continue to take new enrolments and operate as they do now. This is the certainty that Queensland families have been looking for, and they have not had that from the LNP. Keeping the ECDPs open until 2020 will allow us to test how they will work as we transition to the NDIS.

Once we have had the opportunity to review this process, we can make a properly informed decision about how these early support services will be best delivered beyond 2020. I want to ensure that all children across Queensland receive the same level or even better under the NDIS because that is the true purpose of the NDIS: creating a brighter future for people with disability, giving them choice and control about how to live their lives and allowing them goals and aspirations just like everyone else. We know that the NDIS is big shift in thinking for people with disability, but we are committed to ensuring

that the transition to the NDIS is as smooth as possible. I will continue to work with the Minister for Education to ensure that we are doing everything we can to give young Queenslanders with disability the best start in life.

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

**AYES, 45:**

**ALP, 41**—Bailey, Boyd, Brown, Butcher, Byrne, Crawford, D'Ath, de Brenni, Dick, Donaldson, Enoch, Farmer, Fentiman, Furner, Gilbert, Grace, Harper, Hinchliffe, Howard, Jones, Kelly, King, Lauga, Linard, Lynham, Madden, Miles, Miller, O'Rourke, Palaszczuk, Pearce, Pease, Pegg, Pitt, Power, Russo, Ryan, Saunders, Trad, Whiting, Williams.

**KAP, 2**—Katter, Knuth.

**INDEPENDENT, 2**—Gordon, Pyne.

**NOES, 41:**

**LNP, 41**—Barton, Bates, Bennett, Bleijie, Boothman, Costigan, Cramp, Crandon, Cripps, Davis, Dickson, Elmes, Emerson, Frecklington, Hart, Krause, Langbroek, Last, Leahy, Mander, McArdle, McEachan, Millar, Minnikin, Molhoek, Nicholls, Perrett, Powell, Rickuss, Robinson, Rowan, Seeney, Simpson, Smith, Sorensen, Springborg, Stevens, Stuckey, Walker, Watts, Weir.

Pair: Stewart, McVeigh.

Resolved in the affirmative.

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

**AYES, 45:**

**ALP, 41**—Bailey, Boyd, Brown, Butcher, Byrne, Crawford, D'Ath, de Brenni, Dick, Donaldson, Enoch, Farmer, Fentiman, Furner, Gilbert, Grace, Harper, Hinchliffe, Howard, Jones, Kelly, King, Lauga, Linard, Lynham, Madden, Miles, Miller, O'Rourke, Palaszczuk, Pearce, Pease, Pegg, Pitt, Power, Russo, Ryan, Saunders, Trad, Whiting, Williams.

**KAP, 2**—Katter, Knuth.

**INDEPENDENT, 2**—Gordon, Pyne.

**NOES, 41:**

**LNP, 41**—Barton, Bates, Bennett, Bleijie, Boothman, Costigan, Cramp, Crandon, Cripps, Davis, Dickson, Elmes, Emerson, Frecklington, Hart, Krause, Langbroek, Last, Leahy, Mander, McArdle, McEachan, Millar, Minnikin, Molhoek, Nicholls, Perrett, Powell, Rickuss, Robinson, Rowan, Seeney, Simpson, Smith, Sorensen, Springborg, Stevens, Stuckey, Walker, Watts, Weir.

Pair: Stewart, McVeigh.

Resolved in the affirmative.

Motion, as agreed—

That this House notes the importance of early childhood development programs for children with a diagnosed or suspected disability in the years before prep; and calls on the Commonwealth government, which is responsible for the National Disability Insurance Agency, to guarantee no child in ECDPs is disadvantaged through the transition to NDIS and urgently provide Queensland families with the information they need about the services available through NDIS.

Sitting suspended from 6.40 pm to 7.40 pm.

## COMMITTEE OF THE LEGISLATIVE ASSEMBLY

### Portfolio Committees, Referral of Auditor-General's Reports and Reporting Dates




**Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Leader of the House) (7.40 pm): I advise the House of determinations made by the Committee of the Legislative Assembly at its meeting today. The committee has resolved, pursuant to standing order 194B, that the Auditor-General report to parliament No. 14 of 2015-16, *Financial risk management practices at Energex*, be referred to the Transportation and Utilities Committee; the Auditor-General report to parliament No. 15 of 2015-16, *Queensland public hospital operating theatre efficiency*, be referred to the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee; and the Auditor-General report to parliament No. 16 of 2015-16, *Flood resilience of river catchments*, be referred to the Agriculture and Environment Committee.



The committee has also resolved, pursuant to standing order 136, that the Legal Affairs and Community Safety Committee report on the Counter-Terrorism and Other Legislation Amendment Bill by 12 July 2016. The committee has also resolved, pursuant to standing order 136, to vary the committee responsible for the National Injury Insurance Scheme (Queensland) Bill from the Finance and Administration Committee to the Education, Tourism, Innovation and Small Business Committee, to report by 19 May 2016.

## PRIVILEGE

### Alleged Contempt of Parliament

 **Mr PYNE** (Cairns—Ind) (7.42 pm): I rise on a matter of privilege suddenly arising. Despite taking advice to ensure process was followed, I made a mistake in seeking to table documents that contained material about the Deputy Premier and matters that may have been referred to the Ethics Committee. I made a mistake which the Speaker rightfully brought to my attention in his ruling earlier this afternoon. I unreservedly apologise to the House for this mistake in potentially breaching section 271 by seeking to table documents that contained information previously provided in this place.

**Mr SPEAKER:** Members, as a result of the member for Cairns' prompt and unreserved apology, I will now vacate my earlier referral of the member to the Ethics Committee.


## QUEEN'S WHARF BRISBANE BILL

### BRISBANE CASINO AGREEMENT AMENDMENT BILL

#### Second Reading (Cognate Debate)

Resumed from p. 1058, on motion of Mrs D'Ath—

That the bills be now read a second time.


 **Mr WALKER** (Mansfield—LNP) (7.43 pm), continuing: Before the dinner break I was talking about the issue of the government's failure to capitalise on the work done by the former government, in particular the former deputy premier and the former treasurer, in ensuring that Queensland got a social dividend out of this project that was worth the effort. I know that both the former deputy premier and former treasurer squeezed every ounce of blood out of that deal in order to ensure in particular, as I was interested in being shadow arts minister, a constructed theatre on South Bank paid for by the developer—an extraordinary outcome given the cost of those theatres and given the need that Brisbane had for that.

As I pointed out, this government moved away from that commitment. Echo had already made it clear in a statement to the Stock Exchange and in media releases that it had committed to build that theatre, but instead the government said, 'We'll have the money,' and the money has gone and no theatre is there. All that is there is yet another government inquiry—a business plan which may or may not produce a concept for a theatre, and if it does there ain't any money for it.

The other thing about not having that theatre in that proposal is that, as I mentioned, we are missing out on shows as they are not coming to Queensland. The other point is that our own homegrown talent does not have a stage to perform on. The Lyric Theatre, the Playhouse and the Cremorne Theatre are so jam-packed that our own bodies cannot get there. If preference is going to be given, it will obviously be given to a fee-paying—perhaps the best fee paying; that is understandable from a business point of view—show to come into that space. It means that some of our own companies cannot get stage space in their own town. That is an absolute disgrace.

In the absence of the second theatre there should have been a quarantined dividend of the money that was taken in lieu, a portion of the additional money taken for poker machine licences, to be set aside to deliver that critical arts infrastructure which this city so badly needs. Instead of that, as I said, the government has turned its back on the arts community and has said, 'No thanks. We will take the money.'

As I mentioned previously, it is hardly a surprise that we are supporting these bills. They find their genesis in the government of which I was part, prior to this one, and in the great work of the former deputy premier, former treasurer and others from that government who were instrumental in delivering this wonderful project to Queensland. It creates jobs, it enhances our tourism opportunities in an international and a domestic setting and we strongly support the bills.

 **Mr PEARCE** (Mirani—ALP) (7.46 pm): I rise to speak to the Queen's Wharf Brisbane Bill. I begin by saying just how exciting this development is. As a country lad coming to the parliament down here for over 20-odd years, I think this is one of the most exciting things that has happened to Brisbane since Expo 88. It will put Brisbane and Queensland on the map. It will create enormous numbers of jobs for people living in the area. It will be a major boost to the economy. It is just like we are trying to do in Central Queensland, with all those jobs up there. I suppose we have to put up with it when a few come down to this region! Good luck to them. As chairman of the Infrastructure, Planning and Natural Resources committee, I am of the opinion that the Queensland development will prove to be an outstanding project for Brisbane. When completed, the project will launch Brisbane into a new era of excitement for tourism to this beautiful city.

On 16 November 2015 the Queensland government confirmed that it had reached a contractual agreement on the \$3 billion Queen's Wharf Brisbane integrated resort development. The Destination Brisbane Consortium—the Star Entertainment Group, formerly Echo Entertainment, Far East Consortium (Australia) and Chow Tai Fook Enterprises—is now the contractor responsible for delivering this world-class tourism, leisure and entertainment project in the heart of Brisbane.

My understanding is that as many as 2,000 jobs will be created during the construction stage. That will lead on to around 8,000 jobs around the development itself when it is operating and across the city, with increases in opportunities for jobs in coffee shops, cafes and all those sorts of things. It is a great boost for this city.

I always say that Brisbane is the best city in Australia. It is a place that I feel very close to. This precinct will be magic for somebody like myself, if I am still here, in that I will be able to walk outside and be in the precinct itself, and that is a good thing if I am still here because I will not have to walk so far! This project will create a lot of excitement for the city of Brisbane. The precinct will deliver improved facilities for everyday and public events, showcasing Brisbane to locals and interstate and international visitors. Heritage listed facilities will get the protection and the respect they deserve. Jobs, public space and residential space are just some of the positive outcomes for Queensland.

The project has been given priority development status. The site location for the development includes land located between the Brisbane River and George Street and between Alice Street and Queen Street, so it is a really large development area. The only places I can think of that are anything like it are some of the gambling places in Las Vegas that cover two or three blocks. That is the only place I can think of to compare here with somewhere else, but when it is completed we will lead the world in terms of what we have developed. There are so many benefits for Brisbane. It will create jobs for people who live locally, small businesses will develop and we will see a buzz in this part of Brisbane that has never been seen before.

The Infrastructure, Planning and Natural Resources Committee was given the task to consider the policy outcomes to be achieved by the legislation now before the House. There was only one recommendation by the committee, and that recommendation was that we support the bill. The policy objectives of the bill are to facilitate the redevelopment of the Queen's Wharf Brisbane precinct by excluding the application of certain property and planning legislative provisions which are not intended to apply to a large-scale development; provide a process for the ratification of one proposed casino agreement; maintain the integrity of casino operations and those involved or associated with the conduct of the casino operations; and give effect to a range of casino regulatory matters. The committee was concerned about the impact of heritage listed buildings within the precinct, and I understand that other members of the committee will talk about that matter. The main objective for me in this regard is to ensure that these buildings are protected and made part of the development but left to be as we know them as they stand today.

The committee was also given the task of examining the Brisbane Casino Agreement Amendment Bill. The committee recommended that the bill be passed. The committee was satisfied that the policy objectives of the bill had been met. The casino agreement bill is to progress amendments to the Brisbane Casino Amendment Act 1992 and to replace the existing Brisbane Casino Agreement with a new agreement which introduces a new planning and development arrangement for the existing Brisbane casino-hotel complex.

Many people that we had the opportunity to talk to were just as excited as I was about this proposed development, but that is coming from a person who lives in the country and does not have a lot to do with the city. I usually get concerned when I have to go through one set of traffic lights, let alone come through the traffic in Brisbane. I hope that this development kicks off, and it will probably be attended by some of the young people in this place today as local members. I just hope that I am there to see it open because I want to be able to say to my grandkids that I played a role in that and not only was I on the committee that considered the bills but also I was part of a government that kicked it off. I hope it all goes really well.

**Opposition members** interjected.

**Mr PEARCE:** No, no.

**Mr Nicholls** interjected.

**Mr PEARCE:** I have been talking about it for weeks.

**Opposition members** interjected.

**Mr PEARCE:** I have.

**Mr Seeney:** Don't worry, Jim. I'm happy to have you onside, mate!


**Mr PEARCE:** Of course you would be, Jeff.

**Mr Seeney:** Absolutely.

**Mr PEARCE:** Jeff and I are old mates, as you can probably tell. If members recall I am the chairman of the committee, so we have been talking about this for weeks, and that is the truth.

**Honourable members** interjected.

**Mr PEARCE:** If people keep having a go at me, I will probably get offended and I do not want to see you guys get too worked up and cause heart failure or anything like that. I support the bills.

 **Mr HART** (Burleigh—LNP) (7.56 pm): I rise to talk about the Queen's Wharf Brisbane Bill 2015 and the Brisbane Casino Agreement Amendment Bill 2016. I want to start by thanking my fellow members of the committee for their investigation of this issue. These two bills came to the committee at a time when we were pretty well snowed under with a whole group of bills, especially around the planning area, water legislation and the taxi bill. This was plonked on us at a time when we were very busy. We also had a reasonably new research director, and I want to congratulate her on the work that she did on this bill and all of the other bills that she has been working on. She has come to us from the federal parliament. She has been thrown in the deep end at the last minute and she has done a wonderful job, as have Margaret, Mary, Marion, Dianne and Sue, who are also part of the secretariat. Without the secretariat it is very hard for members of parliament to fully utilise their positions to look at these bills thoroughly to give a reasonable report back to the parliament.

This was quite a straightforward bill. I must say that I am a little bit annoyed maybe or upset that so far we have heard from two members of the Labor Party and no-one has given credit where credit is due. In fact, the last speaker—the chair of the committee—said that he was proud to be a member of a government that 'kicked this off'. The Labor Party did not kick this off. It was the LNP that kicked this off. In the future the Queen's Wharf redevelopment project will live to be a legacy left behind by the Newman government—just like the M1 delivered by the Borbidge government, where it looked at the planning of the M1 and funded it and built it all within a couple of years. That is exactly what has happened with the Queen's Wharf redevelopment process.

This process was started under an LNP government. It was signed up by the new government, but it was started under the LNP government. Members opposite really need to be cognisant of the great work of the former deputy premier, the member for Callide; the member for Clayfield, who was the treasurer at the time; and the premier at the time and their foresight to build 1 William Street, because without 1 William Street this project, this development, could not go ahead.

This is going to be a fantastic development for Brisbane. It is going to turn Brisbane into a cosmopolitan city. It is going to bring Brisbane into the realms of London, Macau and Hong Kong. We are going to see an explosion in tourism and an explosion in jobs. We knew that straightaway when we heard the introductory speech of the Attorney-General. She said the following about this project—

... among other things, this project will deliver five new premium hotels including Brisbane's first six-star hotel; three residential towers; 50 new bars, restaurants and retail outlets; a riverfront moonlight cinema; a new pedestrian bridge to South Bank; revitalised heritage buildings and spaces; and 12 football fields of public space. It will create 2,000 construction jobs and 8,000 operational jobs, a \$272 million-plus payment to the state and a guarantee of \$880 million in casino taxes for the first 10 years of operation.

If that is not a legacy, I do not know what is and that legacy needs to be sheeted back to the LNP government, which was us for three years. The LNP government started this process and it is going to be a major benefit for Brisbane.

I am looking forward to the contributions of the other members of the Labor Party who are going to speak to this very straightforward bill. I would like to hear some of those speakers give credit where credit is due. I am not going to hold my breath for that, because we all know how the Labor Party treats us on this side. I will not be holding my breath, but I will talk about a couple of other issues that the committee looked at during the process of considering this bill.

Although it is a very straightforward bill, the committee had some concerns about the heritage areas around this new development and how they were going to be dealt with under this bill. We also had some concerns about changes that were made to the PDA areas and the power that the minister might be given. The committee had received eight submissions on the bill. We did not hold any public hearings, because most of the submissions came from either the project operator or from local governments. The local government complaints were around that PDA area and the extra power that was being given to the minister.

We stepped through that process. We talked to the departmental representatives about the concerns that we had with the heritage side of things and we were satisfied with the responses that they gave us. They put together a very comprehensive plan and we were given a copy of that to look at. That plan lists just about every heritage building in that area in detail—down to the doors, the windows and the roofs—their heritage value and how they will be protected.

As I said, one of the concerns that was raised by local governments was the changes to the way in which PDAs and their associated developments happen. We asked questions as to why that needed to happen and it came back mainly to the fact that the proponent—with the government's support—wants to build a bridge across the river that will land in South Bank. There is a need to make sure that planning is taken into account quickly and that that bridge can proceed without too much interference from other levels of government. The changes that are made in relation to PDAs give that necessary power to the minister. I am still a little bit concerned that the minister may be able to make these changes by regulation. We need to keep an eye on that.

I want to talk about the casino agreement. I am glad to hear from the minister that the new agreement will be attached to this legislation. During our discussions with the department the committee heard that the department anticipated that the agreement would be put in place and would be attached to the legislation. I am pleased to hear from the minister today that that agreement is now in place and will be added to this legislation. As I said before, we were a little bit concerned about changes being made to that area by regulation, but when this agreement is attached to this legislation we will be able to read it to see whether we are all entirely satisfied with it. None of this development comes to fruition until this bill passes the parliament—and rightly so. Until this bill passes the parliament, a casino licence cannot be issued.

Overall, I was very happy with both of the bills. They put in place the necessary legislation to see this project move ahead and to see a casino developed on the area just outside this place. I reiterate that this project is an LNP project. It cannot come about without the development of 1 William Street. Those opposite who stand in this place, as they continually do, and have a go at the previous government for putting together 1 William Street completely ignore the fact that, without 1 William Street, this project cannot happen.

One William Street is going to be a boon for this government. The members opposite do not seem to mind that they will be spending the \$60 million a year that will be saved in extra rental. Those opposite are quite happy to spend that money, but they want to complain and make a big point about 1 William Street being built when it was the foresight of the previous government—the previous deputy premier, the previous treasurer, the previous premier—to go ahead and build that building, which is really needed for Brisbane, to allow this entire project to go ahead. I urge those opposite to think that through. Without the previous government, we would not be seeing this proposal in place now.

I have to say that those opposite do not have a big infrastructure plan. They put out a piece of paper that contains mostly projects that were started by the previous government. In fact, some of them were already finished by the previous government. I have a fire station in my electorate that was finished—

**Mrs LAUGA:** I rise to a point of order. We are here to debate the Queen's Wharf Brisbane Bill and the Brisbane Casino Agreement Amendment Bill, not the Queensland Infrastructure Plan.

**Mr HART:** Mr Deputy Speaker, I am talking about infrastructure in the state and the history of what the Labor Party has done in this area. I think that is completely relevant to the conversation that we are having.

**Mr DEPUTY SPEAKER** (Mr Crawford): Order! Member for Burleigh, I just remind you to keep to the bill.

**Mr HART:** Absolutely. As I said before, this casino is a vital piece of infrastructure that will make Brisbane the major city that it should be and it is all to the credit of the former LNP government, the former deputy premier, who is sitting in front of me, the former treasurer, the member for Clayfield, and their foresight.

The foresight that the previous Labor government had was to build a desalination plant on the Gold Coast that we really did not need, the western corridor recycled water plant and a whole number of other pieces of infrastructure that have just been a complete and utter failure. The previous Labor government spent money left, right and centre—money that this state did not have and money that this state had to borrow—and we are building a casino and an integrated resort. We are going to make money for this state. That is what we started. That is what that lot over there failed to do and will continue to fail to do and—


**An opposition member:** One billion on Traveston.

**Mr HART:** We will hear about other pieces of infrastructure. I am sure that most of the members on this side of the chamber can spit out infrastructure—

**Mr Costigan:** Horror stories!

**Mr HART:** Horror stories—I take that interjection—from the previous Labor government. The previous LNP government is responsible for all the cranes that we see around Brisbane. As members opposite stand in their bedrooms or on the balcony of this place they will see cranes everywhere. Do they really think that has anything to do with them being in government for 12 months? At the end of the day it has nothing to do with that. It is a hangover from the LNP government. Because of what we started we will continue to see cranes on the skyline for the next 10 years while this development is built and turns Brisbane into the type of city that it needs to be.

I fully support both of these bills. I fully support the work that the previous government did on this. I congratulate the former deputy premier, the member for Callide, I congratulate the member for Clayfield, the former treasurer, and I congratulate the former premier for the foresight that they had.

 **Mrs LAUGA** (Keppel—ALP) (8.11 pm): I rise this evening to talk about the two bills that give effect to the Queen's Wharf development in the CBD of Brisbane. The member for Burleigh talked about foresight. I think it is quite interesting that we are here tonight talking about a development in a priority development area that is proposed and overseen by Economic Development Queensland, an organisation that was established by the former Labor government. Former premier Bligh established the Urban Land Development Authority that has, through various iterations, become Economic Development Queensland. We are talking this evening about a development that is proposed and will go through the process of that same agency. When the member for Burleigh talks about foresight, it was the foresight of the former Labor government that actually created the agency that is overseeing this development.

I would like to start by thanking the Infrastructure, Planning and Natural Resources Committee. It is a pleasure to be a member of that committee, especially when we get to discuss, debate and hear about projects across the state and bills and legislation that will have impacts in terms of planning. Planning is my passion and the sector in which I have experience. I would also like to thank the staff from the Department of Justice and Attorney-General, the Department of State Development and the Department of Infrastructure, Local Government and Planning who answered our at times very lengthy and detailed questions.

These two bills are both mechanisms to facilitate the delivery of the Queen's Wharf Brisbane project. I have to agree with both the member for Burleigh and the member for Mirani that the project will activate the southern part of the Brisbane CBD. It will create jobs and tourism and a buzz around Brisbane. I live in Central Queensland now, but when I was a student studying at QUT I would often walk around this southern part of the Brisbane CBD.

**Mr Rickuss** interjected.

**Mrs LAUGA:** I certainly thought that it needed activation and this project will do that. I think it will be great for Brisbane. The Queen's Wharf Brisbane Bill aims to facilitate the development of the precinct by excluding the application of certain property and planning legislative provisions, provide a process to ratify the proposed casino agreement and maintain the integrity of casino operations. The Brisbane Casino Agreement Amendment Bill is a bill that proposes to amend the act to replace the current Brisbane Casino Agreement with a replacement agreement so that the current operation can continue and so to cater for the redevelopment of the Queen's Wharf site. They are essentially two bills that will pave the way and be a mechanism for the Queen's Wharf development in the CBD of Brisbane.


There were a couple of issues that were identified through the committee inquiry process. They related mostly around the integrity of casino operations, around heritage, around the rationale for declaring the Queen's Wharf site a PDA-associated development and also there were a few concerns raised by councils about the scope of the PDA-associated development. It was interesting to hear from the department about the process in which casino operators are determined to have the integrity to operate casinos. The department provided some information about the criteria that is used for suitability in terms of an applicant's personal history, their criminal history, their background, their business acumen, their ability and previous history of being involved in a casino, their financial background and financial position and also how they are going to fund the development. They are all criteria which the department investigates in terms of suitability of casino operators. The department also specified that it would look at not only the applicant but also the people around them, the applicant's friends and family. There is certainly a very strict process for determining the integrity and suitability of applicants. That is as it should be, might I add, because operating a casino is a very serious business. It is good to see that the department does take it very seriously and that there are very strict rules around the suitability of casino operators.

In terms of heritage protection, concerns were raised by a number of members of the committee around preserving iconic landmarks and heritage buildings in the CBD around which the Queen's Wharf development will be developed. We were assured by the various departments that iconic landmarks will continue to be protected and that heritage management plans are in place and that heritage places are subject to special care and attention in considering proposals for variation work. Many people with an interest in Brisbane CBD heritage can rest assured knowing that these bills will still protect the heritage in this part of the CBD.

In terms of the rationale for declaring the Queen's Wharf site a PDA-associated development—PDA meaning priority development area—the PDA-associated development provisions arrive from the proposed inclusion in the Queen's Wharf development of a bridge over the Brisbane River from the development to the South Bank Parklands. I think that that bridge will really help with connectivity between the South Bank Parklands, the CBD and the Queen's Wharf site. It is an important element of the project in terms of connectivity. We know from the department's briefing that the proposed bridge has a series of very complex layers of assessment involving a variety of authorities. The provisions to streamline the assessment process into a single assessment layer under the priority development area process will make it a lot easier to facilitate that bridge as part of the development.

Certain councils did raise concerns about the scope of a PDA-associated development. The Queen's Wharf Brisbane Bill allows for PDA-associated development. There was a submission made by the Brisbane City Council and also by the Local Government Association of Queensland. I raised those concerns in the committee's hearing and Economic Development Queensland advised that the proposed PDA-associated development is reflecting what the existing PDA scenario is; it is allowing for other development that might be associated with the PDA and streamlining that process. I feel that the concerns raised by the submitters were adequately addressed by Economic Development Queensland.

That summarises the concerns and issues raised through the committee process. Regardless of those concerns, the committee voted unanimously, I believe on both occasions, to support the bill. I commend the bills to the House.

 **Mr MILLAR** (Gregory—LNP) (8.19 pm): I rise to speak on the Queen's Wharf Brisbane Bill 2015 and the Brisbane Casino Agreement Amendment Bill 2016. I support the passage of both bills as they bring into effect the Queen's Wharf Brisbane development, which commenced under the LNP in 2013. These bills are about growing the economy and providing jobs for Queenslanders, and not only here in Brisbane. From the construction, flow-on effects will be felt across the whole state, stretching into my region of Western Queensland and the seat of Gregory. I will speak about that later. The Queen's Wharf project will provide between 2,000 and 3,000 construction jobs and 8,000 ongoing jobs for Queenslanders. Those jobs are desperately needed. This is the only major project on the drawing board

and it is needed to boost the economy of the Brisbane CBD. Let us remember that without the 1 William Street development, which those opposite continue to criticise, and the relocation of the government precinct, the Queen's Wharf redevelopment will not happen.

This debate provides me with an opportunity to pay tribute to and acknowledge the member for Callide and former deputy premier, who I know spent hours, weeks and months working on this project, bringing together people and departments and making sure that it happened. He will look back at this project as a legacy that he can be very proud of. As Queenslanders, we should all be very proud of this project. He started the economic development and renewal of the George Street government precinct within the CBD, which is something that we will all benefit from for not only years to come but also decades to come. This is a significant project and he has played a significant role in putting it together. As I said, it is something that he should be very proud of. Certainly we are proud of the project that he has spent a lot of time on. It should be acknowledged that the former deputy premier, Jeff Seeney, played a significant role in making this happen. The former treasurer, the member Clayfield, also played a critical role. I pay tribute to the former treasurer and member for Clayfield, Tim Nicholls, who played a significant role in putting together this project, along with the former deputy premier and member for Callide, Jeff Seeney.

Previously, Labor said that they oppose 1 William Street, but they have embraced the Queen's Wharf development with open arms. The government cannot have it both ways. Are they trying to walk both sides of the street on this issue? One project does not happen without the other. Of course, the LNP supports the bills and this process, because we instigated them. It was the LNP plan to redevelop and rejuvenate a tired end of the Brisbane CBD.

Turning to the Queen's Wharf Brisbane Bill, as part of the arrangements made between the state and Destination Brisbane Consortium, which included Echo Entertainment, a casino licence was offered. One of the main purposes of the bill is to ratify the QWB Casino Agreement, which is required by the Casino Control Act 1982 before a casino licence can be granted. The proposed agreement deals with a broad range of matters, including the area within the QWB development where the casino will be located, the grant of a casino licence and the condition of terms and grants. It provides an exclusivity clause for the Queen's Wharf casino by providing that the state will not authorise or grant a new casino licence or otherwise permit gambling within 60 kilometres of the GPO for a specific time, with some exceptions. The proposed agreement also deals with other matters that include casino tax, GST, inspections, facilities for gaming regulators and police, and a range of reporting and other obligations, termination of the agreement, finance, confidentiality and probity arrangements, including preventing certain people from involvement in the consortium.

This was all done under the previous LNP government. This is the level of detail that the former deputy premier and the former treasurer went into to put together a landmark consortium project that will be an economic generator for the Brisbane CBD, which we desperately need. As I said, this project will provide 3,000 jobs in construction and 8,000 ongoing jobs. It is a significant project that we should be proud of. Again, I commend the former deputy premier, the former treasurer and the LNP for putting together this project.

The department advised that the proposed agreement had been negotiated during discussions with Destination Brisbane Consortium. The final QWB Casino Agreement must be ratified by the parliament for it to come into effect. I note that four local councils—the Gold Coast, Brisbane, Logan and Bundaberg—and the Local Government Association raised concerns about the extension of ministerial powers through the declaration of the PDA-associated development, which may have unintended consequences for planning large-scale developments in the future. The CCIQ and the Tourism Industry Council supported the amendments to the Economic Development Act around PDAs. On balance, the committee, of which I am a part, considered that the PDA-associated development is a reasonable policy response to the need to have a streamlined planning approval process. The committee suggested further clarification for a defined criteria of the declaration of PDA-associated developments.

The department clarified that the amendments do not change existing trading hours or lockout exemptions for casinos. As we know, there is one set of rules for this precinct and another set of rules for the rest of Queensland.

The Brisbane casino, known locally as the Treasury Casino, is located in the heart of Brisbane. Importantly, it is the custodian of the state owned Treasury and Land Administration buildings. The casino opened in 1985 and includes a five-star heritage hotel, six restaurants, five bars and a casino. The bill proposes to amend the act to replace the current BCA with a replacement BCA to amend the

casino hotel site. Also there will be a heritage management plan agreed to between the developer and the government regarding the Treasury building, the Land Administration building, the Queen's Park and the former library, which is very important.

Not only will this project have an economic impact on Brisbane and the south-east but also it will help drive overseas tourism right across the state, including in my seat of Gregory, which is at the heart of outback tourism. We rely heavily on the grey nomads and families who start travelling as the west cools down for the winter. However, we need to attract the growing and emerging Chinese and South-East Asian market. The Chinese tourism market is attracted to Queensland. We offer the ideal holiday and a unique experience for a Chinese middle-class that is growing extremely fast. The other day, I found these very interesting figures: in 2009, the middle-class population for the Asia-Pacific region, which includes China, was 525 million people or 28 per cent of the middle-class population of the world. By 2020, it is expected that the middle-class population of South-East Asia will be 1.74 billion people or 54 per cent of the middle-class population of the world. By 2030, which is not that far away, it is predicted that the middle-class population of South-East Asia will be 3.2 billion people or 66 per cent of the world's middle-class population.

Therefore, into the future more Chinese will be able to afford a trip to Queensland and we need to make sure that we have the right infrastructure, including world-class six-star accommodation and casinos, to cater for them. This will have an impact on my seat of Gregory and the outback tourism market if we take advantage of what is happening here in Brisbane. When people visit Brisbane or Cairns, we want to encourage them to also have an authentic outback experience. When people see the Brisbane project they will say, 'This is something that I want to see. I enjoy six-star accommodation and I would like the casino. I can also jump on a plane and spend a couple of days in the outback.' That will have a huge impact on the outback tourism industry.


As this House knows, Gregory is home to the premier tourist destinations in the state: the Stockman's Hall of Fame, the Qantas Museum, the Tree of Knowledge, the Diamantina, Barcoo and Thomson rivers and a fantastic outback experience. We can attract the visitors to the Brisbane project. We can tap into that market by offering those people a true outback experience in Western Queensland and dollars will flow into our community.

**Mr Costigan:** Much needed, too.

**Mr MILLAR:** Absolutely. I take the interjection from the member for Whitsunday; it is much needed. This is why I think that the project is fantastic. Again, I congratulate the former deputy premier and the former treasurer for the project, because not only does it have an impact on the Brisbane CBD as it will rejuvenate a tired end of town but also it will have an impact on my seat of Gregory and towns such as Longreach, Yaraka, Ilfracombe, Isisford, Quilpie and Eromanga, because people will travel to Brisbane and then travel to the outback, which means dollars for communities right around the state.

With the House's indulgence for a minute can I call on everybody in this House and their family and friends who are looking to take a holiday this year to come to the outback. If members know anybody who is having a holiday, whether it is their family, their friends or a constituent, tell them to spend some time in the outback because, as members know, we are going through a drought at the moment. It has had a major impact on our local economy. The best way to help us is to come out and spend money in our accommodation places, in our restaurants and at our tourist attractions. People can play a part in trying to keep the communities in the outback alive by spending dollars there if they are going on a holiday.

One dollar spent in the outback in our tourism industry goes around seven times in our local community. That helps our butcher, our baker, our newsagent. It helps everybody out there. If members could implore people to come to the outback to spend their dollars as we go into the cooler months, I would really appreciate it.

 **Hon. AJ LYNHAM** (Stafford—ALP) (Minister for State Development and Minister for Natural Resources and Mines) (8.30 pm): I rise to speak in support of the Queen's Wharf Brisbane Bill 2015 and the Brisbane Casino Agreement Amendment Bill 2016. I have just come from dinner. I had the privilege of having dinner with Mr Albert 'Tiny' Bonner, the son of Neville Bonner, his wife, Susan, and his niece, Narelle. I heard stories of his great father and his upbringing and career and also heard Tiny's personal story about his difficult upbringing and career. I think it is appropriate that we continue our recognition of the Bonner family. I know the Neville Bonner Building will disappear with the Queen's Wharf casino development. It is important that we engage with the family and look at appropriate recognition and well-deserved recognition of one of the true icons and true heroes of Australian politics, former senator Neville Bonner.



These bills will facilitate a project that will lead to wider ranging projects for not just Brisbane but all of Queensland. As the member for Gregory said so impressively in his speech, they will extend to the outback as well. The maths are impressive. The project will deliver more than \$1 billion to the state coffers and an estimated \$4 billion to gross state product. It is envisaged that the project will support up to 3,000 jobs during construction and 8,000 ongoing jobs. These construction jobs will include jobs for planning, design and engineering professionals; property and project managers; and form workers, plumbers, electricians. The operational jobs will obviously be for tourism, entertainment and hospitality employees.

My colleague the Attorney-General already has initiatives in place to ensure that we have Queenslanders job ready with the next generation of skills demanded by this world-class project and similar high-end tourism opportunities across the state. TAFE Queensland and the Echo Entertainment Group last year entered into a partnership to create the new Queensland Hotel and Hospitality School, delivering the state's first six-star hospitality training course. With top-flight industry partners, these courses will deliver the skilled employees that Queensland needs to prosper in the ultracompetitive global tourism industry.

It is not just those direct jobs that the Queen's Wharf project will generate. There are also flow-on jobs. The Queensland Investment Corporation estimates these jobs to be a staggering 11,500. That is jobs with local suppliers, jobs with food and beverage producers and jobs for tradespeople and other professionals maintaining and managing facilities in the precinct. Imagine the flow-on effect from an estimated 1.4 million additional tourists that the Queen's Wharf Brisbane consortium is planning to attract to the region from 2022.

Imagine how many extra coffees will be sold daily in this city. Imagine how much more work there will be for laundry services having to turn over thousands of sheets and towels. Imagine how many extra loaves of bread will be baked. Imagine how many additional airport transfers there will be. It is not just the tourists' daily provisions or the massive construction program but also ongoing jobs and opportunities on offer. It is the other opportunities, especially for our regions, that this government wants to optimise.

Among those 1.4 million additional tourists, some of them no doubt will like our Moreton Bay bugs, our gulf prawns, barramundi from Innisfail, Granite Belt stone fruit, lamb from the Darling Downs, ginger beer from the Sunshine coast, pawpaw ice-cream from the Daintree. The opportunities for Queensland produce will be many indeed.

**A government member:** And rum from Bundaberg.

**Dr LYNHAM:** And rum from Bundaberg. Imagine the opportunities also for things like Indigenous artworks, sapphires from Anakie or pearls from Thursday Island. The additional opportunities are a once in a lifetime.


The Department of State Development, along with the Star Entertainment Group, is already gearing up to inform, encourage and support business in Brisbane and in the regions on how best to get this tourist influx. My department is already developing a plan to roll out a statewide program of industry engagement to ensure that all possible supply chain opportunities are captured here in Queensland for this \$3 billion project. All of this dovetails perfectly with the opening of Brisbane Airport Corporation's second parallel runway planned for 2020. The aim for Brisbane is to be a leading inbound or exit point for Australia's international travel.

The Queen's Wharf project is for all Queenslanders. It will transform and rejuvenate the under-utilised south-western edge of the Brisbane CBD. It will deliver the iconic signature Arc, with the Sky Deck; five new hotels; Brisbane's first six-star hotel; three residential towers; 50 food and beverage outlets; a riverfront moonlight cinema that will be open to all; the Queensland Hotel and Hospitality School partnership with TAFE Queensland; and the head office of Star Entertainment Group with 300 staff relocating to Brisbane.

Yes, there will be changes as we develop this iconic destination. The Destination Brisbane Consortium will be responsible for maintaining and improving the heritage buildings. Star already has a track record of preserving and enhancing some of Brisbane's most prestigious buildings, namely the Treasury Hotel, the Treasury Casino and the old State Library. We will be relocating the Queen Elizabeth statue from 80 George Street. We are working to find new homes for the police and Dutch memorials.

As I said before, the Neville Bonner Building will be demolished, along with other government office buildings in the precinct. As I said, I have engaged with the Bonner family seeking to find a suitable way to recognise the contribution of former senator Bonner as a famous Indigenous Australian and parliamentarian.

This government is committed to supporting the tourism industry in Queensland. This bill will facilitate a vital initiative that will create economic opportunities and jobs for the entire state. I commend the bill to the House.

 **Mr SEENEY** (Callide—LNP) (8.37 pm): I rise to make a contribution to the consideration in this cognate debate of the bills that enable the Queen's Wharf Brisbane development. At the outset, I want to thank the members on this side of the House who have made some very flattering comments about my role in delivering this when I was the minister for state development and deputy premier. I note of course that those on the other side of the House could not bring themselves to acknowledge that a project like this had its genesis under our government and has not suddenly happened over the last 12 months. That is not surprising.

Perhaps the most gratifying thing for me is that the current Labor government has changed very little of the plan that the former treasurer, the member for Clayfield, and I put in place and the project that we worked on over a period of two years to make happen. The government has changed very little. That in itself is gratifying. They would have loved to have found fault. They would have loved to have constructed some sort of criticism in the same way they did with the Royalties for the Regions program, but they were not able to in this particular instance. They were not able to find any fault at all.

The only significant change is the one that the member for Mansfield referred to in relation to the theatre proposition that the government traded off, if you like, for additional dollars from poker machines. The member for Mansfield's summary of that particular part of the project is exactly right: the proposition for a theatre was always part of the Queen's Wharf project. It was originally suggested as part of the precinct here on this side of the river but, because there was no room, because we wanted to maximise the public space on this side of the river, the proposition then morphed, if you like, to one that was an expansion of the existing entertainment precinct on the south side of the river. An important part of that was the connectivity—the bridge that needed to ensure that connectivity between the south side and the north side of the river, between the entertainment precinct and the new theatre on the south side and what we would build on this side.

I sometimes sit here, member for Clayfield, and smile when members on that side of the House criticise us for rejecting the advice of the bureaucrats. If there was one issue where I rejected the advice of the bureaucrats on numerous occasions it was about the bridge to South Bank. Nobody wanted that. Nobody wanted to have a bridge to South Bank. We insisted. This was a project that the member for Clayfield and I took a very personal interest in, a hands-on interest. We used to have a meeting every Thursday afternoon when the bureaucrats would come along and more often than not their advice was rejected. When I sit here and listen to the Premier and the Deputy Premier criticise me for rejecting bureaucrats' advice and at the same time talk about how wonderful the Queen's Wharf proposal is, there is something of a contradiction there which gives me a degree of gratification.

The Queen's Wharf project required a number of very courageous decisions to make happen. It did not just happen without a lot of soul searching on the part of those of us who made those decisions. It required, first of all, a commitment to the Queensland tourism industry and an embracing of the integrated resort development concept. That was a new concept for Queensland. It meant embracing the proposition to include additional casino licences in those international resort developments that we proposed for Queensland. We proposed three of them for Queensland. It was obvious from our discussions with the tourism industry that that is what the Queensland tourism industry needed to be internationally competitive, to add to the attractions of the reef, the outback, the Gold Coast and Fraser Island.

It also became obvious that we needed to do what we could to make Brisbane an international city, to ensure that Brisbane ranked up there with Sydney and Melbourne as an attraction to international tourists, for Brisbane to become a destination in itself. For one of those IRDs to be built in Brisbane was certainly a desirable outcome, but it was a challenge to find a site. To find a site that was big enough in the centre of the city that would complement the already existing attractions of the mall, South Bank and the entertainment precinct was indeed a challenge.

At the same time we were dealing with the horrific legacy of years of Labor government that had not maintained the accommodation that was available to Queensland's public servants. The idea was hatched to use an abandoned piece of land at 1 William Street—a piece of land that had sat vacant for


nearly 30 years—as a catalyst to make the Queen's Wharf proposal a reality. It was the height of absurdity and eye-wateringly hypocritical to sit here and listen to the Treasurer this morning describe 1 William Street as a debacle and then a parade of people in here tonight tell us about how wonderful Queen's Wharf is. 1 William Street was the catalyst. It was the enabler of Queen's Wharf. You cannot have one without the other. It was not possible. It just shows the horrific, peabrain decision-making skills of the government that sits in this House at the moment. We were determined to make those decisions one after the other in a logical, sensible way, and many of them were very courageous indeed.

The whole concept of priority development areas was an important part of enabling Queen's Wharf—a whole new concept that we put together as part of the planning reform process. It was never about taking away the planning rights of local governments. I understand the concern that has been expressed by local governments. It was about involving local governments in the planning process. It was about giving back to local governments the opportunity to be involved, an opportunity that had been taken away by the previous Labor government with their urban development areas, their UDAs. The PDAs were about involving local governments. We involved the local government. We involved the Brisbane City Council in the decisions that we took over that two-year period.

We were also determined to look after the heritage buildings. That in itself was a challenge. To suggest that we were going to demolish the Neville Bonner Building was in itself a courageous decision. We had to handle the issues around the Bonner building and the Bonner family in a way that respected the legacy of Neville Bonner. All of these things were difficult. All of these things were complicated and they were made possible I believe because we had two ministers—the member for Clayfield and I—who were prepared to take the responsibility, who were prepared to make the decisions, who took a hands-on approach with a weekly meeting every Thursday afternoon when we sent the bureaucrats away more often than not with a flea in their ear. It was made possible because we had the Property and Infrastructure Cabinet Committee, where we sat around the cabinet table with the ministers who were involved and the directors-general and the bureaucrats—and didn't they hate that because they had to go there and be subject to the scrutiny of their peers and the questioning of us as ministers. It was those mechanisms, those decision-making mechanisms, which made it possible to take those decisions that made the Queen's Wharf proposal a reality.

I can share with the parliament that the Labor government can take no great credit for signing off the deal. The deal was ready to sign off in December before the election. It was ready to sign off. We made a decision to delay it into the New Year, not knowing that the then premier would call an early election. It is interesting to see that the actual decision was delayed six months. It was delayed six months unnecessarily because we were ready to sign off on a preferred tenderer before Christmas in 2015.

*(Time expired)*

 **Ms PEASE** (Lytton—ALP) (8.47 pm): I rise to speak in support of the Brisbane Casino Agreement Amendment Bill and the Queen's Wharf Brisbane Bill 2015. These two bills form part of an important revitalisation of a currently under-utilised area of state owned land in the heart of the Brisbane CBD. I would like to take the opportunity to thank my fellow committee members, the chair, Mr Jim Pearce, and the secretariat for their hard work and consideration of these important bills.

I have lived in Brisbane for most of my life and have been fortunate to travel through Queensland, Australia and the world. However, I am proud to call Brisbane home because I think that it is the best place on earth to live. My electorate of Lytton is in the Brisbane City Council and I am excited to see this redevelopment in the city. Most importantly, I am excited that this project will create jobs—jobs during the construction phase and long-term operational jobs once Queen's Wharf Brisbane is built. There will be 2,000 jobs during construction and in excess of 8,000 jobs in ongoing operations and flow-on employment. This is great news for Queenslanders and in particular for members of my electorate, with the opportunity for employment in construction, tourism, hospitality and retail. It is certainly an exciting time for all of Queensland, which the members for Stafford and Gregory have outlined very well. I appreciate their passion.

There will be a \$272 million-plus payment to the state and a guarantee of \$880 million in casino taxes for the first 10 years. The development will include five new premium hotels, including Brisbane's first six-star hotel; three residential towers; 50 new bars, restaurants and retail outlets; a riverfront moonlit cinema; a new pedestrian bridge to South Bank; revitalised heritage buildings and spaces; and 12 football fields of public space.

Like many locals and visitors to Brisbane, I love to walk through the city and admire some of the lovely old buildings that make up this wonderful city of ours. I know that there are a number of significant heritage listed buildings and local heritage places in the precinct and sections of Albert, George and William streets, North Quay and Queen's Wharf are all recognised as an archaeological place under the Queensland Heritage Act 1992. I am happy today to table a document from the Department of Justice and Attorney-General's Office of Liquor and Gaming Regulation which provides an overview of the current heritage protections and how these protections will be preserved and extended under the Queen's Wharf Brisbane development.

*Tabled paper:* Letter, dated 24 March 2016, from the Deputy Director-General, Department of Justice and Attorney-General, Mr David Ford, to the Infrastructure, Planning and Natural Resources Committee regarding the Brisbane Casino Agreement Amendment Bill 2016 [530].

Sadly, I remember a time in Queensland when heritage or culturally significant buildings were not considered important, particularly when they stood in the way of development. There would be a few in the House who are familiar with the Bellevue Hotel, a painting of which hangs in this precinct. I recall the demolition in the dead of night of this lovely old landmark. Likewise, I still miss the pop and rock concerts and dances that were held at Cloudland, another casualty of progress. Cloudland was immortalised by Midnight Oil, who were regular performers at Cloudland, in their song *Dreamworld*—

Cloudland into dreamland turns

The sun comes up and we all learn


Those wheels must turn

Thankfully, we now have a sensible government and protections in place which acknowledge these heritage and culturally significant places.

The conservation and heritage management is one of the fundamental elements of the development scheme which includes conservation and reuse of all heritage buildings. This means that all heritage buildings must remain. However, they can be adapted for new purposes and any development, major or minor, that includes a heritage place is an assessable development and requires a development application to the minister for economic development.

These bills will facilitate the delivery of the Queen's Wharf Brisbane, which is a priority development area. The Brisbane Casino Agreement Amendment Bill 2016 will replace the existing Brisbane Casino Agreement, which is a schedule to the Brisbane Casino Agreement Act 1992, with a new agreement that no longer exempts the Brisbane casino-hotel complex and site from development or heritage development or heritage legislation. The Queen's Wharf Brisbane Bill 2015 will ratify the QWB Casino Agreement and will make amendments to other legislation to establish the necessary legislative environment to support the QWB redevelopment.

I look forward to the Queen's Wharf Brisbane with excitement, the jobs that it will create, the injection into the Queensland economy, the revitalisation of this area of Brisbane and, importantly, that our culturally significant and heritage places are to be protected and recognised that they are special and require special care and attention. I commend these bills to the House.

 **Mr LAST** (Burdekin—LNP) (8.52 pm): I rise to support the Queen's Wharf Brisbane Bill 2015 and the Brisbane Casino Agreement Amendment Bill 2016. This is a good example of the difference between the former LNP government and the current government, a difference that revolves around vision. If we are to take our capital city forward, we need visionary projects like this that will make Queensland a destination of choice. There is no question that we need development in this state. We need projects that are going to create jobs and we need them now. This is a once-in-a-lifetime project that will redefine Brisbane, a project which has been several years in the making and will ultimately cross all political divides.


The redevelopment of the Queen's Wharf Brisbane precinct by excluding the application of certain property and planning legislative provisions which are not intended to apply to large-scale developments will provide a process for the ratification of a proposed Queen's Wharf Brisbane Casino Agreement, maintain the integrity of casino operations and those involved or associated with the conduct of casino operations, and give effect to a range of casino regulatory matters. This is a signature project not only for Brisbane but also for Queensland. We cannot afford to have this project bogged down in bureaucratic red tape or held up any longer than is absolutely necessary. The importance of ensuring this project is approved and delivered on time cannot be underestimated.

The Brisbane Casino Agreement Amendment Bill, if passed, will replace the existing Brisbane Casino Agreement with a new agreement. This new agreement will introduce a new planning and development arrangement for the existing Brisbane casino-hotel complex and reflect the intention of the parties to require any future development or repurposing applications for the casino-hotel complex and the site to be assessed and approved by the minister for economic development.

The process for the redevelopment of Queen's Wharf as part of the integrated resort development process was announced by the former LNP government, by the then deputy premier in December 2013. I want to pay tribute to the members for Callide and Clayfield for their foresight and vision for this great city. I note the redevelopment is proposed to commence in 2017, which cannot come soon enough for Queenslanders. Of course, this project was part of the greater plan by the previous LNP government to create jobs in Queensland, a project that will provide 3,000 construction jobs and 8,000 ongoing jobs in this state. It is also worth noting that this development is contingent on the 1 William Street development and the relocation of the government precinct. This is an area in need of a makeover, an area that is tired and reflects poorly on our city. If we are to see this great city continue to grow and be held up as an example of innovation and progressiveness, it is vitally important that we continue to offer entertainment venues and lifestyle options that meet the needs of not only our residents but also overseas visitors.

One of the main purposes of the bill is to ratify the Queen's Wharf Brisbane Casino Agreement, which is required by the Casino Control Act 1982 before a casino licence is granted. The proposed agreement deals with a broad range of matters including inter alia the area within the Queen's Wharf Brisbane development within which the casino will be located, the granting of a casino licence and the conditions and terms of the grant. It provides for exclusivity for the Queen's Wharf casino by providing that the state will not authorise or grant a new casino licence or otherwise permit gambling within 60 kilometres of the GPO for a specified time with some exceptions. The proposed agreement also deals with other matters that include casino tax and GST, inspection, facilities for gaming regulators and police, a range of reporting and other obligations, termination of the agreement, finance, confidentiality and probity arrangements including preventing certain people from involvement in the consortium. This is a project that has the potential to set a new benchmark in terms of casino development. Given the size of the investment, it is imperative that we get this right.

These bills will ensure a streamlined planning approval process which preserves the heritage of the Treasury Building. The potential financial windfall to Queensland is significant at a time when our reliance on the mineral resource sector is under extreme pressure. We need to look outside the square, and this project ticks all the boxes at a time when Queenslanders need an injection of confidence. I commend the bills to the House.

 **Mr RYAN** (Morayfield—ALP) (8.57 pm): I rise to contribute to the cognate debate on the Brisbane Casino Agreement Amendment Bill and the Queen's Wharf Brisbane Bill. I am very pleased to rise and speak to this cognate debate because it is all about getting Brisbane going and creating job opportunities and economic activity for our city and our state.

I note that the policy objectives of the Brisbane Casino Agreement Amendment Bill are to progress amendments to the act to replace the current casino agreement with a replacement casino agreement which introduces a new planning and development arrangement for the existing Brisbane casino-hotel complex; to reflect the intention of the parties to require any future redevelopment or repurposing applications for the casino-hotel complex and the site to be assessed and approved by the minister for EDQ; to provide that the Brisbane casino-hotel complex site is no longer exempt from development or heritage legislation in force in the Brisbane local government area; and to ratify the replacement casino agreement. I note that the purposes of the Queen's Wharf Brisbane Bill are to provide for the entering into and ratification of an agreement for a casino to be located within the Queen's Wharf PDA; to enact the Queen's Wharf Brisbane Casino Agreement as law; to provide for the way in which an entity may become, or stop being, a party to the agreement; to state the requirements for holding interests in relation to an entity that is a party to, or referred to, in the new agreement; and to provide for interaction between this act and other laws.

This project is an exciting project for Brisbane, South-East Queensland and Queensland generally. Not only will it stimulate our economy but it will put Brisbane on the map. It will truly make Brisbane a world city. We are already seeing interest from other proponents about investment and the opportunities that they see for Brisbane. We have seen market-led proposals made in respect of an aquarium and an entertainment precinct. We have already seen significant interest from international art and cultural exhibitions, and we can see world science fairs coming to Brisbane. All of these things are putting Brisbane on the map. This Queen's Wharf redevelopment will not only continue to put

Brisbane on the map so that we can continue to sell our story of how Queensland and Brisbane are some of the best places in the world to be but also create jobs and sustainable economic growth in our region and throughout Queensland.

I was not going to mention this, but because of the hubris that I have been hearing from the other side, the backslapping, the high-fiving, the whooping and hollering—

**A government member:** Self-indulgence.

**Mr RYAN:** I take the interjection from the minister—the self-indulgence and hubris we have been hearing from the other side while trying to score political points about who is the genius behind this project. We have heard them trying to rewrite history. We have heard allegations about how our side of the House criticised 1 William Street, but without 1 William Street we could not have done Queen's Wharf. It is always up to Labor to fix up the mess of the other side, but hubris has got in the way of history. Let me go to an article written on 10 December 2013 which refers to the Auditor-General asking questions. The Auditor-General asked—

**Mr Seeney:** What did the Auditor-General say about your budget?

**Mr RYAN:** This is a direct reflection on the member for Callide, because the Auditor-General questioned whether the government got value for money in respect of 1 William Street. No business case was developed for 1 William Street, government policy was not followed, and alternatives for sale were not investigated such as direct public sector ownership or leasing at other locations. The Auditor-General goes on to say that the seven properties which were sold in the precinct were sold at a loss, \$237 million below the independent valuation, and the market was not tested to determine if a higher or lower sale price could have been achieved. The transaction—

**Mr Seeney** interjected.

**Madam DEPUTY SPEAKER** (Ms Farmer): Order! I remind members that if they are going to interject they will need to do it from their own seats.

**Mr RYAN:** I will point it out for you if you would like, Jeff. It is not in Canberra. Some analyses that the Labor Party did while in opposition said that Queensland taxpayers would be out of pocket by \$2.26 billion as a result of the 1 William Street shemozzle that the member for Callide presided over, but there is an update. With all of those things that the Auditor-General had a look at and questioned and queried back in 2013, let us fast-forward to June last year when we had to try to sort out the shemozzle which the opposition left us. These are some of the floors that they put aside in 1 William Street for commercial use—

**Mr HART:** I rise to a point of order. Can the member explain how this is relevant to this bill? This is about Queen's Wharf. I would like the member to explain how it is relevant, because if it is relevant he has just proved our point.

**Madam DEPUTY SPEAKER** (Ms Farmer): Order! There is no point of order, but I would remind all members to keep to the bill. I think there has been a previous reference to this matter in the debate.

**Mr RYAN:** In relation to the point of order, in the words of the member for Callide, 1 William Street was an integral part of the Queen's Wharf development. I am talking about an integral part of the Queen's Wharf development. Seven floors of premium office space in 1 William Street had failed to attract any interest from the private sector. It will cost taxpayers \$10.5 million per year for the next 15 years, and if those floors had been left vacant it would have cost \$200 million over 15 years. In the words of our Treasurer, this is the biggest financial debacle in Queensland history. What a shame. It is up to Labor to fix the mess.

Not only are we fixing the mess but we are enhancing the investment. We are enhancing the project and making sure that this is a project which is delivered and continues to enhance Brisbane's reputation as a world city. As I said, we are already seeing other market-led proposals in respect of aquariums at South Brisbane and entertainment precincts at South Brisbane which will be complemented by the Queen's Wharf development. We will see a revolution throughout Brisbane as a result of this project, but only because Labor is here to make sure that it is delivered properly and in line with proper government processes, unlike the debacle of 1 William Street which the member for Callide presided over. To facilitate the Queen's Wharf development the Queen's Wharf Brisbane Bill and the Brisbane Casino Agreement Amendment Bill should be supported by the House, and I encourage all members to do so.



**Mr EMERSON** (Indooroopilly—LNP) (9.06 pm): It is always wonderful to follow the mastermind from Morayfield, because we saw his logic tonight. There he was bagging William Street, but then he admitted that it was integral to Queen's Wharf. He bags 1 William Street but says how wonderful Queen's Wharf is and then claims it for himself. The member for Mirani claimed that this project was started under the ALP. What an extraordinary situation. The reality is that this project was an LNP project. It was the hard work of the then deputy premier, the member for Callide, and his colleague the then treasurer, the member for Clayfield. The mastermind for Morayfield wants to claim the good bits for the ALP. He claims that 1 William Street is bad, but of course it could not have happened without Queen's Wharf. This is extraordinary.

I do remember that the member for Morayfield was here previously—this is his second stint in the parliament after he lost his seat after one turn—during the Health payroll debacle. He seems to have forgotten about the more than \$1 billion which was described as the greatest public administration bungle in Australian history. Who was part of the government and who was clapping the government while they were doing that? The member for Morayfield.

As many of my colleagues have indicated today, including the member for Gregory, the reality is that Queen's Wharf will produce immense benefits for Queensland. The benefits will stretch well beyond the Brisbane CBD and across Queensland. This is a wonderful project, and that is why tonight we will see both sides of the House support these bills. It is interesting to see what the benefits will be, and some extraordinary decisions have already been made by this Labor government. We did hear various members talk about economic benefits in terms of how many people will be attracted to this project. I thought that I should check the numbers, and I did notice that on the Queen's Wharf information site it says '1.39 million additional tourist visitors per annum'. This is a great magnet for people coming to Queensland, and of course that is where they are going to go: Queen's Wharf.

Then I wondered, 'Why is the Labor government moving the LNP's train station away from Queen's Wharf? What possible reason could there be, when they are talking about how many people are going to be attracted to Queen's Wharf?' Of course, QUT is just up the road. I looked up the numbers of people associated with QUT. There are more than 40,000 students and more than 10,000 staff. Why would they want to move a train station that the LNP proposed away from Queen's Wharf?

I then looked to see what the minister had to say about this. He acknowledged that he was moving the train station away from George Street to Albert Street, which flooded in 2011. The government is moving the station away from this massive generator of tourists, a location to which everyone will be going, to an area that floods. I thought, 'Surely the minister must be missing something. Surely he has to understand this.' He is quoted as saying—

The issue that had been raised in relation to an Albert Street station and the fear and the concern around flooding in that region of the city ...

He goes on—

... the reality is parts of our city flood.

Genius! I then asked, 'What parts of the city flood?' I looked at the flood maps and saw that in Brisbane city they indicate Albert Street. The minister wants to move the train station away from Queen's Wharf, where it does not flood, to an area that flooded in 2011. I table the photo.

*Tabled paper:* Photograph, undated, depicting Albert Street, Brisbane [\[531\]](#).


I thought, 'It is extraordinary to see the minister doing that,' so I looked up the maps again. The circle on this map indicates the area that floods, and that is where they want to move the station to—away from where our station was, on George Street, which did not flood. This is the reality.

The government keeps talking about how wonderful this project will be—it was started by the LNP—and about how it will attract people to Brisbane. More than one million people per annum are expected to come to Queensland. What do those opposite want to do? They want to move a train station, which was proposed by the LNP to be next to Queen's Wharf, away and into an area that floods.

**Ms Grace** interjected.

**Mr EMERSON:** I take the interjection from the minister, who should know what does and does not flood. What does the ALP want to do? It wants to move a station away from Queen's Wharf to an area that floods, that was underwater. Do those opposite want to build it underground or do they want to build something underwater? Do they want to give people go cards and snorkels due to where they want to put that station?

The reality is that this is a great project but we see bizarre decisions by the ALP, bizarre comments from members about how it was an ALP project and about how it did not stack up, and we see bizarre decisions about moving a station away from where people will be coming as part of the Queen's Wharf project.

 **Mr WILLIAMS** (Pumicestone—ALP) (9.12 pm): I rise tonight to speak to the Queen's Wharf Brisbane Bill 2015 and the Brisbane Casino Agreement Amendment Bill 2016, debated cognately. The objective of these bills is to facilitate the redevelopment of the Queen's Wharf precinct and the repurposing of certain buildings in the precinct, succinct with certain property and legislative provisions including the protection of heritage buildings. The bills ratify the Queen's Wharf Casino Agreement, maintaining integrity for the casino operations and those involved in or associated with the conduct of the casino, and give effect to a range of casino regulatory matters.

The significance of this \$3 billion development is the five premium hotels, 50 new restaurants and bars, a moonlight cinema as well as over 80,000 square metres of public space. This development is the facelift that Brisbane has been calling out for. Besides the thousands of jobs created in the construction stage, the ongoing employment will be a massive benefit to the Brisbane metropolis. Tourists will come to holiday in this world-class precinct, within our new-world inner city, where the focus is on tourism and construction, bringing economic benefits in the millions of dollars per year to the Queensland economy. The residents of South-East Queensland will also avail themselves of the leisure and entertainment precinct.


Recently the Premier went on a trade delegation to China. The finding was that six per cent of Chinese have a current passport. The three locations they list high on their agenda to visit throughout the entirety of Australia are Cairns, with the reef; the Gold Coast, with all that it has to offer; and Brisbane.

**Mr Rickuss:** Like Bribie Island.

**Mr WILLIAMS:** Yes, I was disappointed to see that Bribie Island was not on that list! Brisbane, however, is different from the other locations. It is a world-class city that needs to stay ahead of the world's tourism trails. This development will deliver, drawing people to visit Brisbane.

The formulation of these bills resulted from a whole-of-government approach encompassing the Property Law Act 1974, the Land Act 1994, the Land Title Act 1994 and the Transport Infrastructure Act 1994. It is a commendable effort by the Palaszczuk government to make this a reality. Unlike those opposite, we are not selling assets. This development will be on state owned land. I encourage those opposite to take note that big developments can go ahead without the sale of assets.

The casino licence will have a geographical exclusion for 25 years and will run for 99 years. The reasonable costs of investigation associated with government implementation under the liquor and gaming regulation as part of Justice and Attorney-General will be recovered from the ownership, management or operations of Queen's Wharf, the casino and the complex. I commend the bills to the House.

 **Mr NICHOLLS** (Clayfield—LNP) (9.17 pm): After that scintillating contribution, what can one say? I have been blown out of the water by that ringing endorsement of the government's policy! I have to say that the member is right on top of his subject matter. There was at least a good two minutes in that five-minute speech!

Of course we will be supporting this legislation, implementing as it does a plan that was put in place by an LNP government that had a vision for the future—a vision for a prosperous Queensland, a vision for Brisbane as a world-class city that would be attractive to international tourists coming from throughout the world but predominantly from Asia. Tourism was one of the four pillars of the economy that we identified needed support and strengthening after years of neglect under Labor. Where the spend by international tourists had dropped, the economic benefit of tourism was well recognised by the LNP. The legislation we are debating today, whilst not the culmination of everything to do with the Queen's Wharf casino development, is certainly a significant step along the way—a program that, as the Deputy Premier said, started back in 2013.

In terms of the choices that Brisbane and Queensland faced in relation to how we could enliven our tourism industry, how we could put a spark under it after it had been let to go out under the Labor Party, there were a number of options. We could have followed the Las Vegas, Nevada type of operation when it comes to operating casinos. That is, anyone who turns up pays the fee, goes through probity and gets a licence to operate. We could have followed the Macau method: six prime or head contractors are all given casino operating licences and are able to subcontract out to others—



hole-in-the-wall casinos. If you go to Macau you can see that happening. I went to Macau, visited the Cotai Strip and looked at the casinos there to see how they operated. Lastly, we could have followed the Singapore model. In looking at the Singapore model we asked ourselves, 'What is it we are trying to achieve?' We are trying to achieve more international tourists coming to Queensland, spending more time here and spending, most importantly, more money here—one of our big export markets.

After consultation we decided to follow the Singapore model. Marina Bay Sands is the prime example for anyone who has been to Singapore and had the opportunity to visit that magnificent development. That was the basis upon which we put in place the structure for the development of the Queen's Wharf project. Officers of the departments travelled to Singapore and to other locations to assess the best way of proceeding with the development, and here we are today putting a very significant milestone along the path to the development of the Queen's Wharf casino project.

Many others here have parroted all of the numbers, and we knew those numbers two years ago. Let me say this: this was part of a complete policy for developing integrated resorts in Queensland. This was not about handing out casinos to someone who could not make a cruise ship terminal work on the Gold Coast because they did not have any other idea. This was not just about creating gaming rooms and glorified RSL halls. This was about driving tourism to the state of Queensland in three distinct areas—in the north, in Brisbane and on the Gold Coast. It was a complete policy. It had a complete set of parameters set around it—unlike anything that has been put up by those opposite somewhere that has had thought gone into it—and we wanted these integrated resort developments. This is not about casinos or gambling. It never was. It was about enlivening a dead, dusty, musty old part of town. It involved, as the former deputy premier and member for Callide said, turning that dusty car park that is now 1 William Street into something valuable for the people of Queensland.

This morning I heard the Treasurer pop up, as is his wont, and have his usual crack at 1 William Street. I also heard the genius from Morayfield stand up and talk about it. If we are going to talk about one of Australia's worst financial disasters, this was someone who was a member of a government that lost Queensland's AAA credit rating. That government lost Queensland's AAA credit rating and saw us go towards \$80 billion worth of debt and presided over the biggest public administration failure in Australian political history, and that is the Health payroll system. It saw the unemployment rate go from 3½ per cent to over 5½ per cent when it left office and saw five years of operating deficits, not to mention fiscal surpluses. When it comes to talking about financial failures, perhaps we should listen to the member for Morayfield. He has been involved in more of them than anything else and he stands over there and pretends to know something about 1 William Street—a site he probably would not have even known about had it not been for the project going on there.

This morning I heard the Treasurer talk about 1 William Street as the only infrastructure project from the previous LNP government. Let us go through some of them: there is the Queensland Schools Project, and those opposite are happy to adopt that; the Queensland Government Wireless Network, and we hear ad infinitum from the minister about that; the Gateway upgrade north project, and the member for Yeerongpilly could not wait to get out there to talk about that one; the \$8.5 billion into the Bruce Highway together with our colleagues at the federal level; the New Generation Rollingstock, and the member for Sandgate cannot wait to get out to the yards and the member for Ipswich West is talking about the stabling yards at Wulkuraka that were put in place by us; and the Toowoomba second range crossing, and there was the sod turning by the member for Yeerongpilly last week. He cannot wait to get up there more times. I think the biggest toll payer on the Toowoomba second range crossing will be the member for Yeerongpilly, although he does not know how to drive because, as I saw in the paper, he has a driverless car.

When it comes to 1 William Street and Queen's Wharf let us also understand the hypocrisy of the member for Mulgrave, the Treasurer, because he had a crack at it this morning. I thought, 'That's interesting. I wonder what the member for Mulgrave has actually said outside of this place.' I looked up the *Financial Review* from Friday, 4 December and, lo and behold, there is a picture of the member for Mulgrave—the Treasurer—with former Victorian premier Steve Bracks and Adrian Pozzo, the CEO of Cbus Property. The article states—

The 75,000-square-metre ... building, which is owned by Cbus Property—

obviously we are doing the workers out of dollars given that Cbus is the property construction industry's superannuation fund owned by its members—we deliver—

has involved more than 1.4 million hours of work so far.

I bet you those thousand people working on it reckon it was not such a bad deal. It is worth more than \$650 million. I bet you the architects and the engineers and all of the suppliers who are still working on that site do not reckon it was a bad deal. Who was there at the topping out ceremony? The article continues—

Mr Pitt, who was controversially against the project when in opposition ...

He seems to still be against it now but went so far as to say—

'If Labor had been in office, 1 William Street wouldn't have been built' ...

There are no surprises there. Nothing is being built while Labor is in office. Of course it would not have been built because he would not have had the gumption or the courage or the capacity to be able to deliver. This is what he now says—

'Anyone who has driven past on the freeway knows that it is a very impressive building,' he said. 'The project has been a very valuable contributor.'

Who was he joined by? CFMEU Construction and General National Secretary Dave Noonan, who is the director of Cbus. It seems the CFMEU is not too opposed to privatisation when it is in on it and picking up a directors fee on the way through. Let us have a look at the numbers in relation to 1 William Street, and I wish I had more time because there is a lot more I want to say about the Queen's Wharf precinct.

**Ms Grace** interjected.

**Mr NICHOLLS:** I hear the dulcet tones of the member for Brisbane Central. The last time the member for Brisbane Central had an idea about this site, do members know what they were going to do? Build it 150 metres into the river! What a genius effort that was. They spent \$25 million on a planning charrette to work out that you should not put three buildings 150 metres into the river. That is what the member for Brisbane Central was supporting last time she was in this place. It would have gone well in 2011 when the floods came through!

The facts of this are 1 William Street is being developed at a cost of \$652 million funded entirely by Cbus. The rent payable for the lease on 1 William Street is \$1.14 billion which equates to a cost per work station of \$9,000 as opposed to the current \$15,000 being paid in the Executive Building. If 1 William Street did not proceed, the cost of housing public servants in the existing run-down accommodation would be in the order of \$1.2 billion—already more than we are going to be paying in the new building. The Executive Building would also need another \$100 million over the next 15 years to keep it up to standard. We will be getting revenue from the leasing of the building which will exceed that that was expected to be spent on it. It will save \$60 million a year by reducing the government's work space. Queen's Wharf will be a game-changer for the city of Brisbane. Together with the then deputy premier, Jeff Seeney, the member for Callide, and the whole LNP team at that time, we will have delivered and this government will have finished delivering—and I commend it for doing that—one of the transformational projects for the city of Brisbane that will make Queensland a tourism destination for decades to come.



**Hon. MC BAILEY** (Yeerongpilly—ALP) (Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply) (9.27 pm): I rise to support the bill. It will be a significant bill for job creation and tourism in this state. The important thing about this bill that I think needs to be highlighted is this: this government made the right choice when it comes to the successful bidder on a whole range of fronts.

**Mr Seeney:** That choice was made before you ever got there. That choice was made. The process was in place. The process was complete.

**Mr BAILEY:** That is one of the great hypotheticals. I take that interjection from the member for Callide. It is one of the great hypotheticals, isn't it, that if the LNP had clung on to power what kind of choice it would ultimately have made? We will never know the answer to that, but I dread to think given its record over three years what kind of a choice it might have made. The fact is the Palaszczuk government made the right choice for this city. In terms of urban design and a whole range of areas that I have a great interest in as a former councillor in this city, the choice of this government is the right one, and let me go through a few of those. With regard to the heritage protection involved, I think we will see more people being exposed to and enjoying the heritage of an early part of the European part of Brisbane than ever before. I am not quite the heritage purist as some people are, but there are a number of significant buildings within the site that have been integrated into the design that I think are

meritorious and will be an asset to the city as well as to the project. I think we will see more people understand parts of their European history here perhaps a little more than they have in the past where those building have been tucked away.

The urban design of this project is absolutely world class and first rate. It has a quality about it that takes the principle of the democratisation of public space very well. In this design there is a very strong concentration on maximising public space in terms of volume and quality and I think that is very important. It shows that the design has taken up the issue of integrating this development into the city. It has not just plonked somebody's template into Brisbane and hoped for the best. It really understands this city. That is why this design is the right choice for Brisbane and for this state.

The pedestrian bridge is of a very light design that is in keeping with the other pedestrian bridges. I might add that it is a good time in this state when finally we have people scrambling over themselves to claim credit for pedestrian bridges. I remember when the Goodwill Bridge and the Kurilpa Bridge were built. The world was going to fall in, because the Labor government was investing in active transport in this city. It is a good stage when we see the LNP members finally trying to claim credit for pedestrian initiatives in Brisbane.

The bar and restaurant area with platforms is a stand-out feature. It takes advantage of the sight of Mount Coot-tha and gives the patrons the benefit of that view. The design de-emphasises the South East Freeway, which I think is a good thing. It creates more public space in the city and it is a deft design in that it integrates with South Bank. It sews together public space on both sides of our great river. I think that is another important feature of the design. When it comes to its quality as a piece of urban design and architecture, this government has made the right choice.

I want to rebut a few comments that have been made. The member for Mansfield was concerned about theatres. I know that the member for Mansfield is a theatregoer. I have seen him at the occasional play. That is terrific. On the theatre front, we in this city are fairly well blessed. We have not just QPAC with the Cremorne Theatre and the Playhouse but we also have the La Boite Theatre and the Powerhouse.


I also want to rebut comments made by the member for Callide about the bureaucrats, the bureaucrats, the bureaucrats. I have great respect for the public servants in this state and their contribution to the quality of this city. I thought it was extraordinarily unrepentant and arrogant for the member for Callide to blame public servants and set himself up as the hero against these great enemies, the bureaucrats. If there was an example that the LNP members have learned nothing about why they are on that side of the chamber, it is that contribution by the member for Callide. His disdain for our 200,000 public servants and their contribution to this state continues to this day. The member should feel ashamed about that.

We also had the wonderful, the extraordinary contribution from the member for Indooroopilly, who veered into the relationship that the site has with Cross River Rail. Of course, under the LNP, Cross River Rail did not happen, because it refused the best deal that this state has ever received. The members opposite could have got Cross River Rail for \$715 million—it is a \$4.4 billion project—and they refused that offer because they did not want to embarrass Tony Abbott. They sold out Queensland to look after their LNP mates in Canberra. Now, we are left to pick up the pieces. The member for Indooroopilly and the former deputy premier sold out this state for party-political reasons. We still have a rail-capacity problem. They did not deal with the issue because the second Rudd Labor government offered them the best deal.

Now, the members opposite are lecturing us about Cross River Rail being in the wrong place in terms of this project. Throughout the world there are hundreds and hundreds of underground stations located in flood zones that operate perfectly well. Apparently, we are not capable of doing that here. The truth is that, after the 2011 flood event, there was a review of the design. The design of the station was amended to include flood barriers and mechanical floodgates lower in the station to deal with that particular issue. Throughout the world other underground stations have similar features in various circumstances. It is bizarre and ridiculous to skirt the CBD with a new rail network, with basically half of the catchment in the Brisbane River, as opposed to having a route that goes right through the middle of the CBD. Is the member for Indooroopilly seriously telling us that people would not walk one block to go to the Queen's Wharf development? That is the level of contribution that we have from the opposition. It is lightweight.

The new cut of Cross River Rail is in the right place. It maximises the coverage for commuters in the whole city day in, day out. It is one block away from this very significant project. It is the right decision. It is a balanced decision. There is no point spending billions of dollars on a new railway line if you are going to get only half the coverage. That is another reason those opposite should be condemned for their very poor record on public transport.

I endorse this bill. It is the right choice by a government that is in touch with the strong public values of the democratisation of public space and integrating a significant long-term project into the nature of the site and the city. A number of people have said, 'Brisbane is already a world city.' Let us be very clear: we punch well above our weight. We are a quality city. Anyone who has travelled a fair bit would know that. This right choice by the Palaszczuk government augments another side to this city. It enlivens what is a fairly dormant part of the CBD after dark. It is a very vibrant part of the city during the day but, after dark, it is a pretty quiet part of town. Yet it has tremendous opportunities in terms of integrating with South Bank and this project does that. It will bring out this side of this city. It will create effectively another night-time precinct in the city. I think that is to the benefit of not just Brisbane but the state. Importantly, it is going to happen because this government made the right choice in terms of urban design for Brisbane and because it understands this city very well. I commend the bill to the House.


 **Ms FARMER** (Bulimba—ALP) (9.36 pm): I rise to speak briefly to the Queen's Wharf Brisbane Bill 2015 and the Brisbane Casino Agreement Amendment Bill 2016. I have to say that it has been a little bit tedious sitting through some of this debate because a lot of it from the other side seems to be about proving who did what the best and beating their chests rather than talking about this really significant development that is going to do so much for Brisbane. There was more bruised ego from those opposite than there was about what this development is going to bring to Brisbane. This is a \$3 billion development that is going to strengthen Queensland's economy. It is totally in line with what this government is doing to address Queensland's unemployment rate.

We really cannot talk about a development such as this that is going to generate 8,000 operational jobs and 2,000 to 3,000 jobs during construction without referring to the amazing figures in Queensland in terms of our consumer confidence, our business confidence and our unemployment rate. When the Palaszczuk government took over after the 2015 election, unemployment was at an 11-year high. Although those figures sound scary, for people who have not had jobs for 18 months to two years, projects such as this one are a sign of what this government is about and it is really encouraging for them. In April, in Queensland consumer sentiment increased by 7.4 per cent despite a national fall of four per cent. That is a stand-out record—an increase in consumer sentiment of 7.4 per cent.

The only other state to produce an increase was Victoria at 0.7 per cent. The National Australia Bank's business confidence survey again showed Queensland leading the nation in business confidence. For the ninth consecutive month Queensland has been on top. Despite the fact that the *Courier-Mail* seems to take it on itself to downplay everything that is happening in Queensland, these are the figures. People are taking heart from the agenda of this government. The unemployment rate has remained steady at a two-year low, with the trend unemployment rate for March at six per cent. These figures show that we are on the right track in Queensland. That is what this project is all about. The member for Stafford talked about TAFE students in hospitality, apprentices and trainees, and university graduates. He talked about a range of different sectors where students and employees in those sectors can expect to get work and see hope in this project.

It was also interesting to see the submissions from the Chamber of Commerce and Industry Queensland and the Queensland Tourism Industry Council about the Queen's Wharf Brisbane precinct. Many members have talked about the potential in the Asian market. That clearly was a target for this development. It is worthwhile reading out some of the figures that they quote. They say in the year ending June 2015 tourism in Queensland contributed \$23 billion or 7.6 per cent to the total GDP and generated \$5.8 billion in exports making it the state's second largest export earner behind coal. In that same year Brisbane hosted over 40 million visitor nights, a daily average of 17,800 visitors. As a key economic driver in Brisbane, tourism supports 65,000 jobs directly and indirectly. We have heard some interesting figures already in this House but the Premier coming back from her China trip has really flagged tourism from the Chinese market as having the most potential for Queensland. This sort of project makes it so easy to sell to those markets.

I do not wish to say any more than that I am delighted to be supporting the bill, delighted to be promoting this to people who will be seeking work—people from the Bulimba electorate—and all the other benefits that will come from this project. I commend the bill to the House.

 **Hon. G GRACE** (Brisbane Central—ALP) (Minister for Employment and Industrial Relations, Minister for Racing and Minister for Multicultural Affairs) (9.42 pm): I rise to support the Queen's Wharf Brisbane Bill 2015. As the member for Brisbane Central where Queen's Wharf is located, my wonderful electorate—it is not quite so dusty and old I might add—I have always been a very strong advocate for a world-class development on this site. I believe and agree with many of the sentiments expressed this evening that Queen's Wharf will put Brisbane on the international map in the biggest way since Expo 88. It will be a transformative project that will change the face of Brisbane forever.

I acknowledge that both sides of the House have worked to deliver this project, but what I do reject is the hubris and self-indulgence when it comes to patting oneself on the back in relation to exactly who was responsible or not responsible for delivering this project. The real issue is that this project is going ahead. We are dealing with a great project, as many people have said, that will improve tourism for the area of Brisbane. At the end of the day Brisbane and Queensland will be the winner. I agree with the member for Gregory that there will be people who will come to Brisbane to see this wonderful world-class city who will also venture out into the regions and that can only be a benefit for tourism and Queenslanders as a whole.


Queen's Wharf will see the creation of a spectacular—there is no other word to use—entertainment and leisure destination. I am particularly happy that the winner of the bidding process, the consortium that is going ahead with this project, still ensures one casino licence in Brisbane. I believe that that is sustainable. I did not necessarily support the fact that we could possibly have had two casino licences. I am pleased with the one casino licence for the city of Brisbane. I believe this project will have something for everyone. We will see some spectacular designs, six-star hotels and a number of other wonderful things that will be added to the site.

I found the contribution by the member for Indooroopilly to be somewhat bizarre. He was talking about a train station that was part of a BaT tunnel but not part of a BaT tunnel that was going to be somewhere but now moved somewhere else. Those opposite turned their back on the Cross River Rail. It would have been built by now had they taken the money from the federal government and we would have known exactly where the rail station was, but instead we are talking about something that had not yet been solidified by a minister who turned his back on the project and the finances that were to be given for it. Let us hope Brisbane does not have to put up with that kind of procrastinating and that we get on with the job of attracting thousands of international and interstate visitors each year delivering a \$3 billion boost to the Queensland economy.

As the member for the area I am very conscious of the residents who live in the inner city. I have already had an information session for those residents. This will be fairly disruptive for a lot of residents who live in the Brisbane city and we cannot forget them. I commit that I will keep them briefed on the project to keep them up to date on the building. I hope that the construction work, that will go for many, many years, will be minimally disruptive to those residents. I know that they are a patient lot. They love living in the inner city of Brisbane and they understand that in order to create 8,000 operational jobs and close to 3,000 jobs during construction there will be some disruption. I will ensure that they will be kept up to date and informed about how the project is progressing.

As employment minister I love the job numbers. The young unemployed in particular in this state will benefit greatly from this project. There will be 8,000 operational jobs in areas such as hospitality. Apprentices, trainees and university graduates are among the many Queenslanders who will benefit from the jobs created by this development for years to come. Both sides of the House can pat themselves on the back for the jobs that will come to fruition.

The bill will bring the development one step closer by ratifying the Brisbane Casino Agreement. I know how important probity and integrity is. Furthermore, the bill provides that under the agreement we can be assured that Brisbane's beautiful iconic landmark buildings will remain protected and enhanced and also be part of this wonderful development. I think members will find that those iconic buildings will actually be the anchor for the Queen's Wharf development. We will have spectacular new buildings but the beautiful historic heritage will be the anchor of a wonderful site that will enhance Brisbane. We are talking about culturally and heritage appropriate development. Queen's Wharf will be the game-changer that Brisbane needs. It is all systems go thanks to a bidding process that has now been finalised and a balanced approach to development ensuring that we get value for the dollar. Not only does Brisbane win but also the whole of Queensland wins with this project. I am pleased to commend this bill to the House.

 **Hon. MC de BRENNI** (Springwood—ALP) (Minister for Housing and Public Works) (9.48 pm): I share the excitement of other members around this project and wholeheartedly support its development both as the member for Springwood and the minister responsible for construction industry policy. I look forward to seeing further detailed plans as the project becomes a focal point of economic activity in Brisbane city and, of course, the opportunity it offers for the construction industry. We all know that it will complement South Bank and cement Queensland as a major tourist destination, particularly catering for the Asian market, as has been mentioned by other members tonight. It will also increase our capacity to host major conferences and events. We have talked about the ongoing jobs.


The Queen's Wharf project will add 3,000 jobs to the state's construction pipeline. Members will be familiar with me speaking about the contribution that the construction industry makes in Queensland. Annually, it provides \$52 billion worth of economic activity and employs around 220,000 Queenslanders, including 3,000 trades men and women from my electorate of Springwood, many of whom will help build the project. Quality construction projects such as this are very important for the Queensland economy, which is why I support this project and the measures in the bills that facilitate its development.

It is important that projects such as this are supported by a strong construction industry policy framework that gives confidence to that sector. Queenslanders expect the government to ensure that the community can have confidence in our building industry, which is what we are doing. I will take a few minutes to reflect on those actions. We are making sure that in Queensland construction operates under the highest standards, which is particularly important when it comes to managing issues around building products. Nonconforming building products pose a risk to community safety, particularly in terms of fire. Internationally, new building products are being developed every day.

These bills facilitate the development of what we expect to see as world-class building projects. Such world-class buildings require innovative design. We have all seen the master plan that calls for such innovation. Innovation in the construction sector is leading to better products and better ways to build things faster, safer and more economically. I expect to see Queensland projects such as Queen's Wharf continue to deliver world-leading buildings. However, often the products that are being considered for use in such buildings are not up to the standards expected by engineers, architects and regulators. Once those buildings are constructed, rectifying the use of nonconforming products can cost investors, developers and builders millions of dollars. Building industry representatives at the highest levels have spoken with me about this risk.

We see nonconforming products shipped across state lines. Therefore, action requires a national response. In February, I hosted a building ministers forum at which we made an historic agreement to take action on nonconforming products. We did that with projects such as Queen's Wharf in mind. We decided that we must lift industry and consumer awareness about the issue and improve the regulatory framework so that regulators such as the Queensland Building and Construction Commission are better able to respond. These measures and others that we are discussing with the building industry currently will ensure that the Queen's Wharf project is constructed with those risks being mitigated.

In conclusion, Queenslanders should rest assured that the government is doing everything we can to continue to build a prosperous economy and this bill enables that to happen. I commend the bill to the House.

 **Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (9.52 pm), in reply: I thank honourable members for their contributions to this debate. Once again, I thank the members of the Infrastructure, Planning and Natural Resources Committee, which considered the two bills. I am pleased that in his opening statement the member for Mansfield advised that the opposition would support the bills, because one would not know that from the tone of the speeches that followed. It was good to have that clarification early. It is pleasing that across this chamber all members of parliament support the passage of these bills and the development of Queen's Wharf.

I wish to clarify some of the points that have been raised. The hour is late and everybody is keen to finish, but I want to correct the record. The member for Mansfield stated that he is disappointed that the project does not have a theatre attached to it. I believe that he said that they had secured a theatre as part of the Queen's Wharf development. The problem is that when we came into government negotiations were continuing. A successful proponent had not yet been announced. Therefore, to say that they had secured a theatre is not accurate. They could not have done that, because negotiations about what would form the successful bid were ongoing at that stage. I am very pleased that through Labor's negotiations we ensured that the successful bid would generate more revenue out of the proposal and fewer poker machines. I think we did a very good job.

However, the scope, scale and location of the theatre was not properly resolved and it was becoming a distraction to the delivery of the Queen's Wharf Brisbane development. At the time of contract close, there was no guarantee that the state's need for a theatre could be adequately delivered. What did the Palaszczuk government do? In November last year, the Premier announced that the state government would commission a \$1.3 billion business case for a 1,500-seat theatre to report back in 12 months.

**An opposition member:** Another inquiry.

**Mrs D'ATH:** I take that interjection. It was another review, because we believe in getting things right—and I will come to 1 William Street in a minute.

The Premier has said that the government is committed to delivering a second theatre, but first a thorough study into the best location, size and management model is needed. We have made that commitment, which is more than those opposite had secured under this proposal. To put that into starker contrast, we cannot forget that the LNP scrapped the Queensland Literary Awards. By rallying around the awards, sponsors and the community managed to keep them going. After taking office in 2015, one of the first and most pleasing announcements by the Premier and Minister for the Arts was the restoration of funding to the Queensland Literary Awards. In its first budget, the Newman government cut \$12.4 million from Arts Queensland. The bulk of that razoring slashed the funding of arts organisations, particularly youth arts group such as Contact Inc. and Youth Arts Queensland. Last year, the Palaszczuk government began a process of restoring arts funding with an extra \$5.1 million in the budget to go towards the Queensland Arts Showcase Program. This government cares about the future of the arts in this state, and that includes the emerging and small to medium sectors.

I have to touch on 1 William Street because many members on the other side spoke about it, as did some of my colleagues on this side of the House who pointed out the obvious flaws in their arguments. I can understand why those on the other side spent much of their time beating their chests about Queen's Wharf and 1 William Street—1 William Street in particular, as it was the only project that they started in three years in government. Everything else was a Labor initiative that they claimed over and over again, for three years. They did start one project: 1 William Street. However, the Queensland Audit Office made it very clear that there were significant losses as a consequence of the way that the LNP went about procurement. They can crow about 1 William Street. We will let them have that, because it is all theirs and the Queensland Audit Office says that it is all theirs. They can claim it. For as long as they like, they can talk about their legacy of 1 William Street and how many state government dollars they blew. We will support them in that.

These bills are all about supporting jobs, supporting our economy and creating great hospitality and tourism hubs, for not only domestic but also international guests. The project will support jobs in the construction phase and, importantly, 8,000 operational jobs, as well as projected estimates of an additional 1.4 million annual tourists, which means 1.4 million opportunities for not just for South-East Queensland but also the entire state. The entire state will benefit from the flow-on effects as no doubt those additional tourists will take the opportunity to travel to other Queensland destinations and sample all that the state has to offer. The project will generate substantial returns to government by way of multimillion dollar payments to the state and a guaranteed \$880 million in casino taxes for the first 10 years of the Queen's Wharf casino operation. That money will add vital revenue to the state's budget for the benefit of Queensland. The Queen's Wharf Brisbane project is also a realisation of industry confidence in our state, which will attract further investment from those seeking to invest in an innovative and thriving economy.

The fact of the matter is that the Palaszczuk government is delivering this development and jobs for Queensland. In conclusion, once again I thank the members for their contributions during the debate and I commend the bills to the House.

Question put—That the Queen's Wharf Brisbane Bill be now read a second time.

Motion agreed to.

Bill read a second time.

Question put—That the Brisbane Casino Agreement Amendment Bill be now read a second time.

Motion agreed to.

Bill read a second time.

**Consideration in Detail (Cognate Debate)****Queen's Wharf Brisbane Bill**

Clauses 1 to 124—



**Mrs D'ATH** (10.00 pm): I seek leave to move the following amendments en bloc.

Leave granted.

**Mrs D'ATH:** I move the following amendments—

**1 Clause 3 (Purposes)**

Page 8, line 11, 'entering into and'—

*omit.*

**2 Clause 9 (Meaning of *casino agreement*)**

Page 10, lines 9 and 10, 'made and approved by regulation'—

*omit, insert—*

ratified

**3 Clause 10 (Making and ratifying agreement)**

Page 10, lines 14 to 22—

*omit, insert—*

**10 Ratification of agreement**

The agreement set out in schedule 1, made by the Minister on behalf of the State—

(a) is ratified by the Legislative Assembly for the purposes of the Control Act, section 19;  
and

(b) has effect as if it were a law of the State.

**4 Clause 11 (Amendment of agreement)**

Page 10, line 24, 'casino agreement'—

*omit, insert—*

agreement ratified under section 10 (the *original agreement*)

**5 Clause 11 (Amendment of agreement)**

Page 11, line 3, 'casino'—

*omit, insert—*

original

**6 Clause 12 (Publication of consolidated agreement)**

Page 11, lines 8 and 9, from 'entered into'—

*omit, insert—*

ratified under section 10 and any further agreements made and ratified under section 11.

**7 Clause 93 (Insertion of new ch 3, pt 2, div 2A)**

Page 61, after line 2—

*insert—*

*Example of development for paragraph (a)—*

A bridge is proposed to be constructed, extending from a landing point within the priority development area to a landing point outside the area. This division applies to development to be carried out for the part of the bridge that extends from the boundary of the priority development area to the landing point outside the area.

**8 Clause 93 (Insertion of new ch 3, pt 2, div 2A)**

Page 62, lines 3 to 15—

*omit, insert—*

(b) 1 of the following applies—

(i) the proposed development provides development infrastructure for the priority development area to address the impacts of any development within the area, whether or not the development infrastructure also has another function or purpose;



- (ii) the proposed development—
  - (A) promotes the proper and orderly planning, development and management of the priority development area in accordance with the relevant development instrument for the area; and
  - (B) has an economic or community benefit for the State or region in which the priority development area is located; and
  - (C) cannot reasonably be located or accommodated entirely within the priority development area;
- (iii) the proposed development satisfies another requirement prescribed by regulation.

**9 Clause 93 (Insertion of new ch 3, pt 2, div 2A)**

Page 62, after line 31—

*insert—*

- (5) In this section—  
**development infrastructure** see the Sustainable Planning Act, section 627.

**10 After clause 93**

Page 63, after line 26—

*insert—*

**93A Amendment of s 41 (Cessation of provisional priority development area)**

Section 41(2)(a) and (b), after 'area'—

*insert—*

or any PDA-associated land for the provisional priority development area

**11 Clause 98 (Insertion of new s 51A)**

Page 66, line 4, 'any other Act'—

*omit, insert—*

the Sustainable Planning Act

**12 Clause 108 (Amendment of s 87 (Matters to be considered in making decision))**

Page 70, line 2, 'relevant'—

*omit.*

**13 After clause 108**

Page 70, after line 20—

*insert—*

**108A Amendment of s 99 (Application to change PDA development approval)**

Section 99(4), '84(1)(a)'—

*omit, insert—*

84

**14 After clause 109**

Page 70, after line 26—

*insert—*

**109A Amendment of s 114 (Planning and Environment Court may make declarations)**

Section 114(3) and (4), after 'to be in'—

*insert—*

, or to be PDA-associated land for,

**109B Amendment of s 115 (Levying special rates or charges)**

Section 115(1), after 'area'—

*insert—*

, or rateable land that is PDA-associated land for a priority development area,

**109C Amendment of s 116A (Definitions for div 2)**

Section 116A, definition *charge area*—

*insert—*

- (d) PDA-associated land for a priority development area.

**109D Amendment of s 116E (Making and levying of charge by superseding public sector entity)**

(1) Section 116E(1)(a), after 'development area'—

*insert—*

, or PDA-associated land for a priority development area

(2) Section 116E(1)(b), after 'to be in'—

*insert—*

, or to be PDA-associated land for,

**109E Amendment of ch 3, pt 7, hdg (Infrastructure agreements relating to land that is or was in a priority development area)**

Chapter 3, part 7, heading, from 'land'—

*omit, insert—***priority development areas****109F Amendment of s 118 (Application of pt 7)**

Section 118, from 'was'—

*omit, insert—*

was—

(a) in a priority development area; or

(b) PDA-associated land for a priority development area.

**109G Amendment of s 121 (Infrastructure agreement continues beyond cessation of priority development area)**

Section 121(1)(a) and (b), after 'to be in'—

*insert—*

, or to be PDA-associated land for,

**109H Amendment of s 122 (Consultation with public sector entities before entering into particular infrastructure agreements)**

Section 122(1), after 'to be in'—

*insert—*

, or to be PDA-associated land for,

**15 After clause 113**

Page 71, after line 25—

*insert—***113A Amendment of s 127 (Direction to government entity or local government to accept transfer)**

Section 127(1)(a) and (b), after 'area'—

*insert—*

, or stated PDA-associated land for a priority development area,

**16 Clause 116 (Insertion of new ch 7)**

Page 73, line 15, after 'development'—

*insert—*

, or PDA-associated land,

**17 Clause 117 (Amendment of sch 1 (Dictionary))**

Page 73, line 26 and page 74, lines 1 to 10—

*omit, insert—*

(1) Schedule 1—

*insert—***PDA-associated development**, for a priority development area, means development that is—(a) declared to be PDA-associated development for the area under section 40C(1);  
or

- (b) identified as PDA-associated development for the area in the relevant development instrument for the area.

**PDA-associated land**, for a priority development area, means land—

- (a) on which PDA-associated development for the area is located or proposed to be located; and
  - (b) as described in the declaration, or identified in the relevant development instrument, for the PDA-associated development.
- (2) Schedule 1, definition *superseding public sector entity*, after 'to be in'—  
*insert—*

, or to be PDA-associated land for,

**18 Clause 122 (Amendment of s 4 (Meaning of assessable development))**

Page 75, line 15, 'carried out'—

*omit.*

**19 Clause 124 (Amendment of s 99BRAT (Assessment of connections, water approvals and works))**

Page 76, line 15, 'that is PDA-associated development'—

*omit, insert—*

on PDA-associated land

**20 After clause 124**

Page 76, after line 17—

*insert—*

**124A Amendment of s 99BRCF (Power to adopt charges by board decision)**

Section 99BRCF(2)(c)(ii), after 'in'—

*insert—*

, or on PDA-associated land for,

I table the explanatory notes to my amendments.

*Tabled paper:* Queen's Wharf Brisbane Bill 2015, explanatory notes to Hon. Yvette D'Ath's amendments [\[532\]](#).

These amendments are technical in nature but also seek to address and provide clarification of the issues raised by the Local Government Association during the parliamentary committee's consideration of the bill. These amendments include new schedule 1 which is the executed Queen's Wharf Brisbane Casino Agreement.

Amendments agreed to.

Clauses 1 to 124, as amended, agreed to.

Schedules 1 and 2—

**Mrs D'ATH** (10.01 pm): I seek leave to move the following amendments en bloc.

Leave granted.

**Mrs D'ATH:** I move the following amendments—

**21 Schedule 1 (Proposed agreement for casino)**

Page 77, line 1 to page 174, line 1—

*omit, insert—*

**Schedule 1 Agreement for casino**

---

The State of Queensland

---

Destination Brisbane Consortium Integrated Resort  
Operations Pty Ltd in its capacity as trustee for the  
Destination Brisbane Consortium Integrated Resort  
Operating Trust

---

Destination Brisbane Consortium Integrated Resort  
Holdings Pty Ltd in its capacity as trustee for the  
Destination Brisbane Consortium Integrated Resort  
Holding Trust

---

The Star Entertainment Group Limited

---

Chow Tai Fook Capital Limited

---

Far East Consortium International Limited

---

## Queen's Wharf Brisbane Casino Agreement

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Date 6 April 2016.

## Parties

**The State of Queensland** through the Attorney-General and Minister for Justice of State Law Building, 50 Ann Street, Brisbane, Queensland (**State**)

**Destination Brisbane Consortium Integrated Resort Operations Pty Ltd ACN 608 538 638** in its capacity as trustee for the Destination Brisbane Consortium Integrated Resort Operating Trust of c/- DLA Piper Australia, Level 28, Waterfront Place, 1 Eagle Street, Brisbane, Queensland (**Licensee**)

**Destination Brisbane Consortium Integrated Resort Holdings Pty Ltd ACN 608 538 610** in its capacity as trustee for the Destination Brisbane Consortium Integrated Resort Holding Trust of c/- DLA Piper Australia, Level 28, Waterfront Place, 1 Eagle Street, Brisbane, Queensland (**IR HoldCo**)

**The Star Entertainment Group Limited ACN 149 629 023** of Level 3, 159 William Street, Brisbane Qld 4000 (**Star**)

**Chow Tai Fook Capital Limited** of 32/F., New World Tower, 16-18 Queen's Road Central, Hong Kong (**CTF**)

**Far East Consortium International Limited** of 16/F., Far East Consortium Building, 121 Des Voeux Road Central, Hong Kong (**FEC**)

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## Background

- A In a request for detailed proposals, the State set out its objectives for the development of an integrated resort in the Precinct, to be known as 'Queen's Wharf Brisbane'.
- B Subject to compliance with the terms of this agreement, the Minister will recommend to the Governor in Council that it grant a casino licence to the Licensee to permit the conduct and playing in the Casino of games approved by the Minister under the Control Act.

- C The Casino Licence will initially be granted on the basis that further conditions must be satisfied before the Licensee may conduct Games under the Casino Licence.
- D This agreement is made in accordance with the Control Act as a condition precedent to the grant of the Casino Licence to the Licensee.
- E It is anticipated that this agreement will be ratified under the Agreement Act. When the Agreement Act is enacted, this agreement will have effect as if it were an enactment of the Agreement Act.
- 

## Agreed terms

### 1 Definitions and Interpretation

#### 1.1 Definitions

In this agreement these terms have the following meanings:

<b>Accession Deed</b>	The meaning given to that term in the Agreement Act.
<b>Accounting Standards</b>	The meaning given to that term in the Corporations Act.
<b>Accounts</b>	<p>In respect of a Relevant Entity as at each Accounts Date, if the Relevant Entity is incorporated or formed:</p> <p>(a) in Australia, the audited or reviewed (as applicable) general purpose stand alone or consolidated (as applicable) financial statements of the Relevant Entity (and if the Relevant Entity is a trust, the trust) as at the Accounts Date prepared in accordance with</p>

Accounting Standards; or

- (b) outside Australia, the audited or reviewed (as applicable) stand alone or consolidated (as applicable) financial statements of the Relevant Entity (and if the Relevant Entity is a trust, the trust) as at the Accounts Date which comply with one of:
  - (i) the International Financial Reporting Standards adopted by the International Accounting Standards Board; or
  - (ii) generally accepted accounting principles of the United States of America; or
  - (iii) Hong Kong Financial Reporting Standards and Auditing and Assurance Standards issued by the Hong Kong Institute of Certified Public Accountants,
 as they apply to the Relevant Entity.

<b>Accounts Date</b>	In relation to a Relevant Entity (and if the Relevant Entity is a trust, the trust): <ul style="list-style-type: none"> <li>(a) the date of the most recent year end or half-yearly end prior to the date of this agreement (if any); and</li> <li>(b) if the first half-year end of a Relevant Entity (and any such trust) has not occurred at the date of this agreement, the date of the first half-year end; and</li> <li>(c) each date on which each subsequent period of six months ends.</li> </ul>
<b>Administrator</b>	An administrator appointed by the Governor in

	Council under section 31 of the Control Act or <b>clause 8.5</b> of this agreement.
<b>Agreement Act</b>	The <i>Queen's Wharf Brisbane Act 2015</i> (Qld) under which this agreement is ratified.
<b>Approved Auditor</b>	In relation to a Relevant Entity, an accounting firm which is permitted under the law of a relevant jurisdiction to act as the auditor of the Relevant Entity and which is approved in writing by the Minister as an Approved Auditor for the relevant jurisdiction from time to time.
<b>Associated Entity</b>	The meaning given in the Corporations Act.
<b>Authority</b>	The Crown, a Minister, a government, a government department, a government owned or controlled corporation or authority (acting in a regulatory role), a local authority, a court, tribunal or board or any officer or agent of any of them acting in their capacity as officer or agent.
<b>Business Day</b>	A day which is not: <ul style="list-style-type: none"> <li>(a) a Saturday, Sunday or bank or public holiday in Brisbane; or</li> <li>(b) any day on and from 24 December to the next 31 December.</li> </ul>
<b>Casino</b>	The part of the Integrated Resort that is: <ul style="list-style-type: none"> <li>(a) within the area shown as the "Casino Area" on the plan in <b>schedule 4</b>; and</li> <li>(b) initially as agreed in writing between the State and the Licensee to be the casino, or as subsequently varied under <b>clause 3.2(d)(ii)(B)</b>; and</li> <li>(c) identified as the casino in the Casino</li> </ul>

## Licence.

<b>Casino Accounts</b>	In respect of the Licensee at each Accounts Date, the audited or reviewed (as applicable) general purpose stand alone financial statements for the Gaming operations of the Licensee (and if the Licensee is acting in its capacity as a trustee, the trust for which the trustee is acting) as at the Accounts Date prepared in accordance with Accounting Standards.
<b>Casino Environs</b>	The part of the Integrated Resort which is agreed in writing between the State and the Licensee to be the Casino Environs prior to the grant of the Commercial Special Facility Licence, and thereafter as amended by the Licensee with the prior written approval of the Commissioner for Liquor and Gaming from time to time.
<b>Casino Finance Documents</b>	(a) The Initial Casino Finance Documents; and (b) The Permitted Refinancing Documents.
<b>Casino Gross Revenue</b>	The meaning given to that term in the Control Act.
<b>Casino Licence</b>	A casino licence to be granted under the Control Act in relation to the Casino (as varied or amended from time to time in accordance with the Control Act, the Agreement Act and this agreement).
<b>Casino Licence Conditions</b>	Each condition specified in the Casino Licence as a condition precedent to the conduct of Casino Operations.
<b>Casino Operations</b>	The meaning given in the Control Act.
<b>Chief Executive</b>	The chief executive of the department

<b>(Gaming Regulation)</b>	responsible for the Control Act.
<b>Claim</b>	Includes a claim, demand, remedy, suit, injury, damage, liability, action, proceeding or right of action.
<b>Commercial Special Facility Licence</b>	A commercial special facility licence granted under the Liquor Act pursuant to <b>clause 3.7</b> .
<b>Conditions</b>	<ul style="list-style-type: none"> <li>(a) The conditions set out in <b>clause 2.1</b>; and</li> <li>(b) the conditions described in <b>clause 2.2(b)</b>.</li> </ul>
<b>Confidential Information</b>	<p>All:</p> <ul style="list-style-type: none"> <li>(a) information of or used by the parties relating to the transactions contemplated by this agreement including information relating to any discussions or negotiations in relation to such transactions;</li> <li>(b) other information relating to the transactions contemplated by this agreement, including information relating to any discussions or negotiations in relation to such transactions, which is treated by the parties as confidential;</li> <li>(c) notes, data, reports and other records (whether or not in a tangible form based on, incorporating or derived from information referred to in paragraph (a) or (b); and</li> <li>(d) copies (whether or not in a tangible form) of the information, notes, reports and records referred to in paragraphs</li> </ul>

- (a), (b) or (c),  
that is not public knowledge (otherwise than  
as a result of a breach of a confidentiality  
obligation of a party).
- Consequential  
Loss** Any one or more of the following:
- (a) loss of profit or anticipated profit;
  - (b) loss of revenue or anticipated revenue;
  - (c) loss of anticipated savings;
  - (d) loss of production;
  - (e) loss of contract or opportunity;
  - (f) loss of or damage to goodwill,  
reputation or credit rating;
  - (g) indirect or consequential loss  
(irrespective of its nature or  
occurrence); or
  - (h) any loss or damage arising from special  
circumstances or that are outside the  
ordinary course of things.
- Consortium  
Parties** Each of:
- (a) the Licensee;
  - (b) IR Operating Trust;
  - (c) IR HoldCo;
  - (d) IR Holding Trust;
  - (e) Star;
  - (f) CTF;
  - (g) FEC; and
  - (h) any other entity which becomes a  
Consortium Party by signing an  
Accession Deed as required by the

	<p>Agreement Act from time to time,</p> <p>but does not include an entity which ceases to be a Consortium Party by signing a Deed of Cessation in accordance with the Agreement Act from time to time, and <b>Consortium Party</b> means any of the Consortium Parties as the context requires.</p>
<b>Consortium SPV</b>	<p>In relation to a Relevant Entity, another Relevant Entity which:</p> <ul style="list-style-type: none"> <li>(a) has the same Relevant Entity's Ultimate Parent; and</li> <li>(b) holds Interests or Securities which are convertible into Interests in IR Holding Trust, IR Operating Trust, IR HoldCo, the Licensee, or any other trustee of IR Holding Trust or IR Operating Trust (as applicable).</li> </ul>
<b>Constitution</b>	The constituent document of an entity, including a trust deed in the case of an entity which is a trust.
<b>Control Act</b>	<i>Casino Control Act 1982</i> (Qld), and includes any regulations and rules made under it.
<b>Controller</b>	The meaning given to that term in the Corporations Act.
<b>Corporations Act</b>	<i>Corporations Act 2001</i> (Cth).
<b>Deed of Cessation</b>	The meaning given to that term in the Agreement Act.
<b>Designated Person</b>	The meaning given in <b>clause 5.1(a)</b> .
<b>Designated Person Associate</b>	<p>In relation to a Designated Person, each of the following entities:</p> <ul style="list-style-type: none"> <li>(a) any entity in which the Designated</li> </ul>



	<p>Person has Voting Power of greater than 5%;</p> <p>(b) any entity in which the Designated Person holds a Relevant Position;</p> <p>(c) any other entity controlled by the Designated Person, of which a Consortium Party is or becomes aware; and</p> <p>(d) any additional entities or identified individuals who, from time to time, the Minister may notify the Consortium Parties are to be considered associates of the Designated Person.</p>
<b>Designated Person Notice</b>	The meaning given in <b>clause 5.1(a)</b> .
<b>Expert</b>	The meaning given in <b>clause 12.5(a)</b> .
<b>Expert Determination Notice</b>	The meaning given in <b>clause 12.5(a)</b> .
<b>Finance Event</b>	The meaning given to that term in <b>clause 4.2(v)(i)</b> .
<b>Financial and Commitment Agreement</b>	The Financial and Commitment Agreement between the State and the Licensee dated 16 November 2015.
<b>Financial Indebtedness</b>	<p>Any indebtedness or other liability (present or future, actual or contingent) relating to any financial accommodation, including indebtedness or other liability for money borrowed or raised:</p> <p>(a) relating to the sale or negotiation of any negotiable instrument;</p> <p>(b) as lessee under any finance lease, as hirer under any hire purchase</p>

	agreement or as purchaser under any title retention agreement;
(c)	relating to any preference share or unit categorised as debt under the applicable accounting standards;
(d)	under any commodity, currency or interest rate swap agreement, forward exchange rate agreement or futures contract (as defined in any statute);
(e)	under any guarantee or guarantee and indemnity relating to any financial accommodation; or
(f)	for any deferred purchase price (other than in the nature of warranty retention amounts) for any asset or service.
<b>Fully-Automated Table Game Machine</b>	The meaning given to that term in the <i>Casino Control Regulation 1999 (Qld)</i> .
<b>Fully-Automated Table Game Revenue</b>	The meaning given to that term in the <i>Casino Control Regulation 1999 (Qld)</i> .
<b>Game</b>	The meaning given to that term in the Control Act.
<b>Gaming</b>	The meaning given to that term in the Control Act.
<b>Gaming Machine</b>	The meaning given to that term in the Control Act.
<b>Gaming Machine Revenue</b>	The meaning given to that term in the <i>Casino Control Regulation 1999 (Qld)</i> .
<b>Gaming Regulator</b>	The office or department responsible for the Control Act from time to time.
<b>Government</b>	Any government, whether federal, state,

<b>Agency</b>	territorial, local or foreign, including any administrative or judicial body, department, commission, authority, instrumentality, tribunal, regulator, agency or entity of such government.
<b>Governor in Council</b>	The meaning given to that term in the <i>Constitution of Queensland 2001</i> (Qld).
<b>GST Dispute</b>	The meaning given in <b>clause 12.1</b> .
<b>Initial Casino Facility</b>	Any initial construction, project or similar facility and ancillary facilities provided by a Lender, approved by the Minister for the purposes of funding the development of the Integrated Resort.
<b>Initial Casino Finance Documents</b>	<ul style="list-style-type: none"> <li>(a) Each facility agreement and/or other document setting out the terms of the Initial Casino Facility; and</li> <li>(b) each Security Interest, guarantee or other document or agreement created or entered into (or proposed to be created or entered into) as security or other credit support for the Initial Casino Facility.</li> </ul>
<b>Insolvency Event</b>	<p>In relation to a person:</p> <ul style="list-style-type: none"> <li>(a) the person is or states that the person is unable to pay all his or her or its debts as and when they become due and payable;</li> <li>(b) the person is taken or must be presumed to be insolvent or unable to pay his or her or its debts under any applicable legislation;</li> <li>(c) the person stops or suspends or threatens to stop or suspend payment of any class of its debts or its debts</li> </ul>

generally;

- (d) an application or order is made for the winding up or dissolution of the person or a resolution is passed or any steps are taken to pass a resolution for its winding up or dissolution;
- (e) an administrator, provisional liquidator, liquidator or person having a similar or analogous function under the laws of any relevant jurisdiction is appointed in respect of the person or any action is taken to appoint any such person and the action is not stayed, withdrawn or dismissed within seven days;
- (f) a Controller is appointed in respect of any property of the person;
- (g) a distress, attachment or execution is levied or becomes enforceable against any property of the person;
- (h) the person enters into or takes any action to enter into an arrangement, composition or compromise with, or assignment for the benefit of, all or any class of his or her or its creditors or a moratorium involving any of them;
- (i) the person seeks or obtains protection from its creditors under any statute or law;
- (j) a petition for the making of a sequestration order against the estate of the person is presented and the petition is not stayed, withdrawn or dismissed within seven days or the person presents a petition against itself;

	<ul style="list-style-type: none"> <li>(k) the person presents a declaration of intention under section 54A of the <i>Bankruptcy Act 1966</i>; or</li> <li>(l) any event occurs which under the laws of Australia would constitute an event of insolvency.</li> </ul>
<b>Integrated Resort</b>	<p>The integrated resort (within which is situated a hotel-casino complex as defined under the Control Act) comprising the land, buildings and other works to be constructed within the area shown as the "Casino Area" on the plan in <b>schedule 4</b>, other than:</p> <ul style="list-style-type: none"> <li>(a) land which is not owned by the State; or</li> <li>(b) any road.</li> </ul>
<b>Interest</b>	The meaning given to that term in section 16 of the Agreement Act.
<b>Interestholder</b>	In relation to a Relevant Entity, a person registered as the holder or joint holder of an Interest in the register of members or interestholders maintained by the Relevant Entity under the Corporations Act, its Constitution or an equivalent applicable law or document.
<b>Interestholder Documents</b>	<p>Each of the following documents:</p> <ul style="list-style-type: none"> <li>(a) the Security Holders' Agreement between The Star Entertainment DBC Holdings Pty Ltd ACN 608 160 265, CTFE Queens Wharf Integrated Resort Limited (BVI Company Number 1884561), FEC Queens Wharf Integrated Resort Limited (BVI Company Number 1889233) and IR HoldCo (in its own capacity and in its capacity as trustee for the IR Holding</li> </ul>

Trust) dated on or about 16 November 2015;

- (b) the Queen's Wharf Brisbane Integrated Resort Subscription Agreement between The Star Entertainment DBC Holdings Pty Ltd ACN 608 160 265, CTFE Queens Wharf Integrated Resort Limited (BVI Company Number 1884561), FEC Queens Wharf Integrated Resort Limited (BVI Company Number 1889233), Star, Chow Tai Fook Enterprises Limited, FEC and IR HoldCo (in its own capacity and in its capacity as trustee for the IR Holding Trust) dated on or about 16 November 2015;
- (c) the Queen's Wharf Brisbane Integrated Resort Project Funding Subscription Agreement between IR HoldCo (in its capacity as trustee for the IR Holding Trust) and the Licensee; and
- (d) any other agreement between any or all of IR HoldCo, the Licensee, any other trustee of IR Holding Trust or IR Operating Trust, and the Interestholders of IR HoldCo or the Licensee from time to time which relates to or affects the ownership, management or control of IR Holding Trust, IR Operating Trust, IR HoldCo, the Licensee or any other trustee of IR Holding Trust or IR Operating Trust.

**IPA Act**

The *Information Privacy Act 2009* (Qld).

**IR Holding Trust**

Destination Brisbane Consortium Integrated Resort Holding Trust constituted by a unit trust

	deed dated 30 October 2015.
<b>IR Operating Trust</b>	Destination Brisbane Consortium Integrated Resort Operating Trust constituted by a unit trust deed dated 30 October 2015.
<b>IRD Development Agreement</b>	The Development Agreement – Queen's Wharf Brisbane between the State (represented by the Department of State Development), the Licensee, Star and Chow Tai Fook Enterprises Limited (Hong Kong Company Number 13116) dated 16 November 2015.
<b>IRD Development Leases</b>	The development leases in relation to the Integrated Resort entered into, or to be entered into, under the IRD Development Agreement.
<b>IRD Long Term Lease</b>	The meaning given in paragraph (a) of the definition of 'Long Term Leases' in the IRD Development Agreement.
<b>Lender</b>	Each financier, financial institution, other person or any syndicate or group of financiers, financial institutions or other persons as approved by the Minister who has provided, or will or proposes to provide, funding for or in connection with the development of the Integrated Resort including entering into hedging transactions.
<b>Liquor Act</b>	<i>Liquor Act 1992 (Qld).</i>
<b>Long Stop Date</b>	The Long Stop Date as defined in the IRD Development Agreement.
<b>Long Term Leases</b>	The meaning given in the IRD Development Agreement.
<b>Long Term Leases Start</b>	The meaning given in the IRD Development Agreement.

**Date****Loss**

Any direct loss, cost, charge, expense, outgoing, payment, damages, diminution in value or deficiency of any kind or character which a party pays, suffers or incurs or is liable for (whether as a result of a Claim or otherwise) including:

- (a) liabilities on account of taxes;
- (b) interest, penalties and other amounts payable to third parties;
- (c) legal (on a full indemnity basis) and other expenses reasonably incurred in connection with investigating or defending any Claim or action, whether or not resulting in any liability; and
- (d) amounts paid in settlement of any Claim or action,

but excluding in each case any Consequential Loss.

**Managed  
Investment  
Scheme**

The meaning given in the Corporations Act.

**Management  
Agreement**

An agreement between the Licensee and The Star Entertainment Brisbane Operations Pty Ltd (ACN 608 159 173) in relation to the management of the Integrated Resort.

**Minister**

The Minister charged with the administration of the Control Act.

**Non-voting  
Interest**

The meaning given to that term in the Agreement Act.

**Obligation**

Any legal, equitable, contractual, statutory or other obligation, commitment, duty,



	undertaking or liability.
<b>Other Revenue</b>	The meaning given to that term in the <i>Casino Control Regulation 1999</i> (Qld).
<b>Permitted Financial Indebtedness</b>	<p>(a) Financial Indebtedness incurred under the Initial Casino Finance Documents and any financial indebtedness specifically permitted under (and in accordance with) the Initial Casino Finance Documents;</p> <p>(b) Financial Indebtedness incurred under the Permitted Refinancing Documents and any financial indebtedness specifically permitted under (and in accordance with) the Permitted Refinancing Documents; and</p> <p>(c) any other Financial Indebtedness specified in writing by the Minister from time to time to be Permitted Financial Indebtedness.</p>
<b>Permitted Refinancing Facility</b>	Any ongoing core debt facility provided by any Lender approved by the Minister to any Relevant Entity under, and in accordance with, <b>clause 6</b> .
<b>Permitted Refinancing Documents</b>	<p>Each:</p> <p>(a) facility agreement and/or other document setting out the terms of a Permitted Refinancing Facility; and</p> <p>(b) Security Interest, guarantee or other document or agreement created or entered into (or proposed to be created or entered into) as security or other credit support for a Permitted Refinancing Facility.</p>
<b>Personal</b>	The meaning given to that term in the PPS

<b>Property</b>	Act.
<b>PPS Act</b>	The <i>Personal Property Securities Act 2009</i> (Cth).
<b>Precinct</b>	The site comprising the land shown on the plan and described as the 'Queen's Wharf Brisbane PDA' in <b>schedule 5</b> , which site may be amended by the Licensee with the Minister's prior written approval from time to time.
<b>Precinct Deed</b>	The Precinct Deed – Queen's Wharf Brisbane between the State (represented by the Department of State Development) and the Licensee in relation to the activation, maintenance and renewal of certain areas within the Precinct.
<b>Premium Junket Revenue</b>	The meaning given to that term in the Control Act.
<b>Probity and Process Deed Poll</b>	The Probity and Process Deed Poll dated on or about 27 June 2014 made by Chow Tai Fook Enterprises Limited, The Star Entertainment Group Limited and Far East Consortium (Australia) Pty Ltd in favour of the State of Queensland through the Department of State Development, Infrastructure and Planning.
<b>Project Documents</b>	<ul style="list-style-type: none"> <li>(a) This agreement;</li> <li>(b) the IRD Development Agreement;</li> <li>(c) any IRD Development Leases;</li> <li>(d) the Precinct Deed;</li> <li>(e) any agreement between the State, the Licensee and one or more financier (or an agent or security trustee acting on behalf of the financiers) who provide</li> </ul>

finance for the development or operation of the Integrated Resort requiring, amongst other things, the State to give such financier a copy of any notice of default given by the State to the Licensee under a Project Document or any other Long Term Lease and to afford the financier reasonable rights to remedy such defaults;

- (f) the IRD Long Term Lease;
- (g) the Financial and Commitment Agreement; and
- (h) any document or agreement amending or novating any of the above documents.

**Refinancing or  
Refinance**

Any:

- (a) amendment to, or replacement or restatement of, any Casino Finance Document and the exercise of any right under such documents, however they may occur which would have the direct or indirect effect of changing the type, amount, pricing, tenor, terms for payment or repayment, hedging, financial covenants of the Financial Indebtedness or the identity of any Lender under the Casino Finance Documents; and
- (b) new contractual or financing arrangement which has the effect (in any way) of restructuring:
  - (i) the Financial Indebtedness; or
  - (ii) the obligations of the Relevant

Entities (including but not limited  
to under any financial covenant  
(however described)),

in each case, under the Casino Finance  
Documents.

**'Refinancing'** or **'Refinance'** does not  
include:

- (a) any refinancing which was specifically  
contemplated by:
  - (i) the Casino Finance Documents  
delivered initially in accordance  
with this agreement; and
  - (ii) any financial model delivered to  
the Minister as a condition  
precedent to the Minister's  
consent in relation to the Casino  
Finance Documents;
- (b) the syndication or subscription of any  
Financial Indebtedness under the  
Casino Finance Documents delivered  
initially in accordance with this  
agreement;
- (c) a refinancing or conversion of an  
existing:
  - (i) Initial Casino Facility using  
proceeds of an advance under  
another Initial Casino Facility as  
contemplated in the Initial Casino  
Finance Documents; or
  - (ii) Permitted Refinancing Facility  
using proceeds of an advance  
under another Permitted  
Refinancing Facility as  
contemplated in the Permitted

	Refinancing Documents; or
	(d) waivers and consents and similar actions which relate to day to day administrative matters.
<b>Relevant Entity</b>	The meaning given in the Agreement Act.
<b>Relevant Entity's Associate</b>	The employees, agents and contractors of a Relevant Entity, any Associated Entity of a Relevant Entity or trust associated with a Relevant Entity in connection with the Integrated Resort and the employees, agents and contractors of such entities.
<b>Relevant Entity's Ultimate Parent</b>	In relation to a Relevant Entity, the Ultimate Parent which is (as applicable): <ul style="list-style-type: none"> <li>(a) listed in <b>column 3 of schedule 3</b> against the name of the Relevant Entity; or</li> <li>(b) specified in an Accession Deed as the Ultimate Parent of the Relevant Entity; or</li> <li>(c) determined by the Minister to be the Ultimate Parent of the Relevant Entity as part of a determination that the entity is a Relevant Entity.</li> </ul>
<b>Relevant Position</b>	Any of the following positions: <ul style="list-style-type: none"> <li>(a) director;</li> <li>(b) secretary;</li> <li>(c) manager; or</li> <li>(d) any other executive position,</li> </ul> by whatever name called.
<b>Relevant Power</b>	Any power, whether exercisable by voting or otherwise and whether exercisable alone or in

	association with others:
	(a) to participate in any directorial, managerial or executive decision; or
	(b) to elect or appoint any person to any Relevant Position.
<b>RTI Act</b>	The <i>Right to Information Act 2009</i> (Qld).
<b>Security</b>	The meaning given to that term in the Agreement Act.
<b>Security Interest</b>	A security interest under the PPS Act and any interest or right which secures the payment of a debt or other monetary obligation or the compliance with any other obligation. It includes any retention of title to any property and any right to set off or withhold payment of any deposit or other money.
<b>Senior Executive Resolution Notice</b>	The meaning given in <b>clause 12.4</b> .
<b>State's Associates</b>	The State's employees, agents and consultants.
<b>Table Game</b>	A Game played at a table in a casino under a casino licence.
<b>Termination Trigger Event</b>	Occurs if the State takes any action that has the effect of cancelling the Casino Licence other than: <ul style="list-style-type: none"> <li>(a) under the grounds for cancellation of the Casino Licence under the Control Act from time to time;</li> <li>(b) pursuant to <b>clause 8.3(c)</b> as a result of the termination of the Casino Agreement under:               <ul style="list-style-type: none"> <li>(i) <b>clause 8.1(a), (c), (d), (e) or (f)</b> of</li> </ul> </li> </ul>

- the Casino Agreement; or
- (ii) **clause 8.1(b)** of the Casino Agreement because of:
- (A) the default of a party to the relevant agreement referred to in that clause other than the State; or
  - (B) any other termination of the relevant agreement referred to in that clause in circumstances which do not involve the default of the State;
- (c) for any other material default of the Licensee or other Relevant Entity under the Casino Agreement, the Agreement Act or the Control Act which is not capable of remedy or, if capable of remedy, is not remedied to the reasonable satisfaction of the Minister within three months (or such longer period as the Minister (in their absolute discretion) determines by written notice to the Licensee) of the Licensee or other Relevant Entity being notified of the default by the Minister; or
- (d) at the request of the Licensee or upon surrender of the Casino Licence by the Licensee.

However, no Termination Trigger Event occurs merely because of any action or any thing done by or on behalf of the State as a result of, or in respect of, a breach, or facts, matters or circumstances which, in the reasonable opinion of the State, are likely to

	have constituted a breach, by the Licensee of the Control Act, the Agreement Act or other applicable legislation (including any regulations or rules made under any such acts) - provided that the action or thing done is reasonably proportionate to the breach.
<b>Ultimate Parent</b>	Each of Star, CTF and FEC, together with any other entity which signs an Accession Deed as an Ultimate Parent as required by the Agreement Act, but does not include an entity which ceases to be a Consortium Party by signing a Deed of Cessation in accordance with the Agreement Act from time to time.
<b>Unconditional Licence Date</b>	The date on which all of the Casino Licence Conditions are satisfied.
<b>Voting Interest</b>	The meaning given to that term in the Agreement Act.
<b>Voting Power</b>	The meaning given to that term in the Agreement Act.
<b>Warranties</b>	The warranties set out in <b>schedule 1</b> .
<b>Wilful Default</b>	An intentional, deliberate or reckless act or omission of a party: <ul style="list-style-type: none"> <li>(a) having had regard to, or with reckless indifference to, the foreseeable harmful consequences arising from the act or omission; or</li> <li>(b) in circumstances where that person knows that it is committing, and intends to commit, a breach of this agreement.</li> </ul>



## 2 Conditions precedent

### 2.1 Conditions to grant of Casino Licence

Clause 3.1 is conditional on the satisfaction of the following conditions precedent:

- (a) the execution of the IRD Development Agreement by the parties to it;
  - (b) the execution of the Financial and Commitment Agreement by the parties to it;
  - (c) the Minister approving the form of the Constitution of each of IR Holding Trust, IR Operating Trust, the Licensee, IR Hold Co and any other trustee of IR Holding Trust or IR Operating Trust, and of each Interestholder Document under **clause 4.2(o)**, and each such Constitution and Interestholder Document being amended (to the extent necessary) to comply with the form so approved;
  - (d) the:
    - (i) Minister being satisfied that each Relevant Entity has complied in all material respects with:
      - (A) its Obligations under:
        - (1) this agreement;
        - (2) the IRD Development Agreement; and
        - (3) the Financial and Commitment Agreement;
      - (B) the relevant provisions of the Control Act; and
      - (C) any relevant provisions of the Agreement Act, which are required to be complied with; and
    - (ii) the Minister and the Governor in Council being satisfied with the outcome of any investigations undertaken under sections 20, 26 and 30 of the Control Act or any other investigation or consideration in relation to any or all of the matters outlined in that section,
- as at the time of satisfaction or waiver of all of the Conditions

in **clauses 2.1(a) to (c)**.

## **2.2 Termination if conditions not Satisfied**

The State may terminate this agreement under **clause 8.1(f)** if:

- (a) without limiting **clause 8.1(b)(i)**, the IRD Development Agreement is terminated under clause 3.11 of that agreement because any condition in clause 3.2 of that agreement is not satisfied by the date 12 months after the date of that agreement; or
- (b) all of the Casino Licence Conditions are not satisfied on or before the Long Stop Date.

## **2.3 Satisfaction of Conditions**

Each Consortium Party must use, and procure that each Relevant Entity uses, its reasonable endeavours to:

- (a) satisfy each of the Conditions in **clauses 2.1(a) to (b)**; and
- (b) ensure it provides prompt and timely assistance in relation to satisfaction of each of the Conditions referred to in **clauses 2.1(c) and (d)**,

as soon as practicable after the date of this document and, in any event, by the Long Stop Date.

## **2.4 Notice of satisfaction**

Each party must promptly notify the other parties if it becomes aware that a Condition has been satisfied.

## **2.5 No waiver of Conditions**

The Conditions may not be waived other than by the Minister giving notice in writing of the waiver to the other parties.

# **3 Licences**

## **3.1 Grant of Casino Licence**

Within a reasonable time after satisfaction or waiver of the Conditions in **clause 2.1**, the Minister must recommend to the Governor in Council that the Casino Licence be granted to the

Licensee.

### **3.2 Casino Licence**

- (a) Subject to its terms, the Casino Licence will remain in force from the date it is granted until it is cancelled or surrendered under the Control Act, the Agreement Act or this agreement.
- (b) Subject to **clause 3.2(c)**, the Licensee must not conduct Casino Operations unless and until all of the Casino Licence Conditions are satisfied.
- (c) Despite **clause 3.2(b)**, the Licensee may conduct Casino Operations following Practical Completion of Stage 2 (as defined in the IRD Development Agreement) and prior to the Unconditional Licence Date to the extent that such Casino Operations:
  - (i) are required for, or incidental to, the Commissioning of Stage 2 (as defined in the IRD Development Agreement) in respect of the Casino; and
  - (ii) do not involve the playing of Games for money or other consideration; and
  - (iii) are approved by the Minister.
- (d) The Licensee may:
  - (i) not assign or deal with the Casino Licence or any rights or obligations under it, unless such assignment or dealing is expressly permitted under the Control Act or this agreement; or
  - (ii) alter or vary any of the following matters specified in the Casino Licence with the prior written approval of the Minister:
    - (A) the real property or other accurate description or the address of the Integrated Resort;
    - (B) the boundaries of the Casino;
    - (C) the name of the Licensee;
    - (D) any conditions attaching to the licence; or

- (E) such other particulars as may be prescribed under the Control Act.
- (e) The Minister must endorse a variation of the Casino Licence to reflect any matters altered or varied under **clause 3.2(d)(ii)** from time to time.
- (f) If the Licensee at any time holds the Casino Licence as trustee of a trust and the Governor in Council approves the appointment of a new trustee of that trust under **clause 4.2(x)** and the other requirements of that clause are satisfied:
  - (i) the Minister must endorse the Casino Licence to show the new trustee of that trust as the Licensee; and
  - (ii) on such endorsement, the new trustee is taken to be the holder of the Casino Licence under the Control Act.
- (g) Any purported dealing, alteration or variation in breach of **clause 3.2(d)** or **(f)** is of no effect.

### **3.3 Terms of Casino Licence**

- (a) Following the Unconditional Licence Date, the Licensee must ensure that the Casino is open 24 hours a day, 365 days a year except during times:
  - (i) when Gaming is prohibited by law; or
  - (ii) approved by the Minister.
- (b) The Casino Licence will include a detailed description or the floor plan showing the Casino where Casino Operations may be conducted.
- (c) The Casino Licence will specify the types of games that may be operated in the Casino, namely:
  - (i) any of the Table Games listed below including these games played on Fully Automated Table Game Machines or any other electronic derivation (whether in whole or part) permitted under a 'gaming Act' (as defined in the Control Act):
    - (A) blackjack;

- (B) roulette;
- (C) baccarat;
- (D) craps;
- (E) two-up;
- (F) mini dice;
- (G) wheel of fortune; and
- (H) sic-bo;
- (ii) any other authorised Games which may be played under rules made under the Control Act; and
- (iii) other forms of lawful Gaming Machines or gaming products, whether provided directly or under agency or other arrangements.

### 3.4 Encumbrances

The Licensee must not grant a mortgage, charge or other Security Interest over all or any part of its interests in:

- (a) the Casino Licence;
- (b) the Integrated Resort;
- (c) the rights and benefits of the Licensee under this agreement;
- (d) the Commercial Special Facility Licence;
- (e) an IRD Development Lease;
- (f) the Precinct Deed; or
- (g) the IRD Long Term Lease,

except in accordance with the process in section 32 of the Control Act, and the Licensee must ensure that the State is noted as the registered owner (in respect of freehold land owned by the State) or lessee (in respect of land leased to the State under the *Land Act 1994 (Qld)*) of the relevant parts of the Precinct on any such mortgage, charge or other Security Interest.

**3.5 Exclusivity**

- (a) Subject to **clauses 3.5(g) and (h)** and **clause 8.5**, the State shall not authorise, grant, permit or approve a new casino licence or otherwise authorise, grant, permit or approve or do any other thing which would enable any person other than the Licensee to:
- (i) operate a casino; or
  - (ii) operate any of the Table Games listed below or any other Table Games for which the Minister makes rules under the Control Act from time to time and which are declared and notified by the Minister under **clause 3.5(b)** to be a Table Game to which this clause applies, including such games played on Fully Automated Table Game Machines or any other electronic derivation (whether in whole or part):
    - (A) blackjack;
    - (B) roulette;
    - (C) baccarat;
    - (D) craps;
    - (E) two-up;
    - (F) mini dice;
    - (G) wheel of fortune;
    - (H) sic-bo,
- in those parts of the State within a radius of 60 kilometres from the Brisbane General Post Office from the date of the IRD Development Agreement (being 16 November 2015) until the earlier of the date of termination of this agreement and the date which is 25 years from the Unconditional Licence Date. This **clause 3.5(a)** is deemed to have taken effect, and be effective, from the date of the IRD Development Agreement (being 16 November 2015).
- (b) The parties hereto agree that the following provisions shall

apply with respect to the declaration and notification of Table Games as Table Games to which **clause 3.5(a)(ii)** applies:

- (i) the Minister may at any time in the Minister's discretion or upon receipt of an application by the Licensee make a declaration and notification in respect of any such Table Game;
  - (ii) the Minister shall within 90 days of the receipt thereof or such extended period as the Minister may require consider and determine every application made to the Minister in respect of a Table Game and the Minister may make or refuse to make a declaration and notification in respect of any Table Game in the Minister's absolute discretion and is not required to give reasons;
  - (iii) no such declaration and notification shall be revoked, amended or varied without the prior consent in writing of the Licensee.
- (c) The State shall not, except in a casino licensed pursuant to the Control Act, whether before, during or after the period of exclusivity set out in **clause 3.5(a)** and notwithstanding the provisions of any other Act from time to time in force in the State of Queensland authorise, permit or approve in any manner whatsoever and whether pursuant to the Control Act or otherwise the conduct or playing of the games to which **clause 3.5(a)(ii)** applies or any variation or derivative of such games by the use of any Gaming Machine.
- (d) Nothing in this agreement shall be construed so as to limit or affect the power of the State to authorise, permit or approve in any manner whatsoever pursuant to any Act for the time being in force in the State the conduct or playing of games by the use of Gaming Machines other than:
- (i) those referred to in **clause 3.5(a)(ii)**; and
  - (ii) Gaming Machines that are declared by the Minister by notification on the Gaming Regulator's website to be casino Gaming Machines as provided for in **clause**

**3.5(e).**

- (e) The parties hereto agree that the following provisions shall apply with respect to the declaration and notification of Gaming Machines as casino Gaming Machines:
- (i) the Minister may at any time in the Minister's discretion or upon receipt of an application by the Licensee make a declaration and notification in respect of any Gaming Machine including any Gaming Machine referred to in **clause 3.5(c)** but the non-existence of a notification shall not limit or affect the operation of **clause 3.5(c)**;
  - (ii) the Minister shall within 90 days of the receipt thereof or such extended period as the Minister may require consider and determine every application made to the Minister in respect of a Gaming Machine and, where the Minister refuses the application, the Minister shall notify the applicant in writing of the reasons for the refusal;
  - (iii) the Minister may in the Minister's absolute discretion refuse to make a declaration and notification in respect of any Gaming Machine commonly known as a "poker machine" or any variation or derivative thereof or any Gaming Machine of a like class or description;
  - (iv) where an application is made to the Minister in respect of any Gaming Machine other than a Gaming Machine referred to in **clause 3.5(e)(iii)**, the Minister shall consider the application and determine whether in all the circumstances of the application it is reasonable that it be granted. The Minister shall consider all material submitted to the Minister in writing by the applicant and the State and, in particular the Minister shall consider whether it has been established to the Minister's reasonable satisfaction that the Gaming Machine is of a class or description that should be reserved for use in a casino licensed pursuant to the Control Act;
  - (v) no such declaration and notification shall be revoked,



amended or varied without the prior consent in writing of the Licensee.

- (f) Subject always to the State giving due effect to the foregoing provisions of this clause, nothing in this agreement shall be construed so as to limit or affect the power of the State to authorise, permit or approve in any manner whatsoever and whether pursuant to the *Charitable and Non-Profit Gaming Act 1999* (Qld) or any other Act for the time being in force in the State of Queensland:
  - (i) any art union or lottery that is of a class or description commonly conducted or played in Australia or elsewhere at the date of execution of this agreement no matter how played; and
  - (ii) any art union or lottery that is a variation or derivative thereof or that is of a like class or description no matter how played.
- (g) Nothing in this **clause 3.5** affects the rights or obligations of the State or the holder of the casino licence issued pursuant to the *Brisbane Casino Agreement Act 1992* (Qld) and the agreement made under it and the Control Act, including the right of the State to amend, vary or replace that casino licence (including by changing the area or location of the casino to which that casino licence relates) and in respect of the issue of a new casino licence to an administrator as contemplated under *Brisbane Casino Agreement Act 1992* (Qld) and the agreement made under it.
- (h) **Clause 3.5(a)** does not apply in relation to the lawful conduct or playing of two-up which is lawful under the *Charitable and Non-Profit Gaming Act 1999* (Qld).

### **3.6 Casino Tax**

- (a) Subject to the Control Act, the amount of the casino tax to be paid by the Licensee in respect of any whole or part of a calendar month which ends while the Casino Licence is on issue is calculated in accordance with the following formula:

$$CGR\% + PJR\% - GST$$

where:

**CGR%** means the percentage determined for Casino Gross Revenue for the month, being the aggregate of:

- (i) 30 per cent of Gaming Machine Revenue;
- (ii) 20 per cent of Fully Automated Table Game Revenue; and
- (iii) 20 per cent of Other Revenue;

**PJR%** means 10 per cent of Premium Junket Revenue for the month; and

**GST** means the GST deduction (as defined in the Control Act) for the month.

- (b) Without limiting **clause 3.6(a)** the casino tax calculated in accordance with the rates in paragraph (a) shall be paid at the times required by the Control Act.

### **3.7 Commercial Special Facility Licence**

- (a) The State will take all steps necessary to ensure that:
  - (i) subject to the satisfaction of any necessary legislative or other requirements in respect of the application for the Commercial Special Facility Licence, the Licensee is granted the Commercial Special Facility Licence on the Unconditional Licence Date; and
  - (ii) the Commercial Special Facility Licence will relate to the whole of the Casino Environs and shall permit:
    - (A) the Licensee; and
    - (B) any person to whom the Licensee, with the commissioner's approval under section 153(3) of the Liquor Act:
      - (1) lets or sublets part of the Casino Environs; or
      - (2) lets or sublets the right to sell liquor in the

Casino Environs; or

- (3) enters into a franchise or management agreement for all or part of the licensed premises (including the operator under the Management Agreement),

to sell or supply liquor, subject to the Control Act, for:

- (C) consumption in the whole of the Casino Environs;
  - (D) removal from the Casino Environs; and
  - (E) consumption in the Casino Environs on the days and between the hours that the Casino is open for operation and use by the public.
- (b) The Licensee must provide all material and attend all meetings necessary to satisfy the requirements of any application for the Commercial Special Facility Licence.
  - (c) Subject to this agreement, the Commercial Special Facility Licence will be administered in accordance with the Liquor Act.
  - (d) Notwithstanding any provision of the Liquor Act, the permitted trading hours during which the Commercial Special Facility Licence permits the sale or consumption of liquor in the Casino Environs are the same hours specified in **clause 3.3(a)** for the operation of the Casino.
  - (e) The Commercial Special Facility Licence will remain in force in respect of the whole of the Casino Environs until it is cancelled, surrendered or amended (in which case it will continue in full force and effect as amended) under the Liquor Act.
  - (f) Licence fees will be payable for the Commercial Special Facility Licence in accordance with the Liquor Act.

### **3.8 Provision of facilities for inspectors**

- (a) The Licensee must at its expense:
  - (i) provide in the Casino all offices and facilities, and

monitoring stations which provide access to surveillance and other technology systems, reasonably required from time to time by the State for the use of inspectors appointed under the Control Act or any police officer accessing the Casino in accordance with the Control Act, which will initially be as set out in **schedule 2**;

- (ii) install and maintain, at locations within the Casino reasonably required by the Chief Executive (Gaming Regulation) from time to time, a reasonable number of dedicated cameras for the use and operation solely by inspectors appointed under the Control Act;
  - (iii) keep and maintain such offices, facilities and technology in accordance with the reasonable directions of the State; and
  - (iv) supply conditioned air, lighting, electricity, telecommunications, cleaning, maintenance and similar services.
- (b) The State will be responsible for all reasonable telecommunications usage costs.
  - (c) The Licensee must comply with the reasonable requirements and directions of the State from time to time in relation to access to and security in relation to such offices, facilities and technology.

### **3.9 Election to surrender the Casino Licence under the Financial and Commitment Agreement**

If the Licensee elects to make an application for surrender of the Casino Licence under an express term of the Financial and Commitment Agreement, for the purposes of section 33(4) of the Control Act there are taken to be circumstances existing in which the continued operation of the Casino is not in the best interest of the Casino Licensee or of the public.

## 4 Corporate organisation

### 4.1 Warranties

- (a) Subject to **clause 4.1(b)**, each Consortium Party represents and warrants to the State that each of the Warranties is true, accurate and complete as at the date of this agreement and on each day until the termination of this agreement.
- (b) The State acknowledges that where a Warranty references a 'Relevant Entity', if the Consortium Party which is giving the Warranty is:
  - (i) an Ultimate Parent, that Consortium Party only represents and warrants the matters in respect of:
    - (A) itself;
    - (B) each Relevant Entity of which it is the Relevant Entity's Ultimate Parent;
    - (C) IR HoldCo and any other trustee of IR Holding Trust;
    - (D) IR Holding Trust;
    - (E) the Licensee and any other trustee of IR Operating Trust;
    - (F) IR Operating Trust; and
  - (ii) the Licensee or IR HoldCo or another trustee of IR Holding Trust or IR Operating Trust, that Consortium Party only represents and warrants the matters in respect of each of those parties, IR Holding Trust and IR Operating Trust.
- (c) Each of the Warranties is to be treated as a separate representation and warranty and the interpretation of any statement made must not be restricted by reference to, or inference from any other statement or provision of this agreement.

### 4.2 Relevant Entity requirements

The following are conditions of this agreement:

***Reporting and inspection***

- (a) the Licensee must submit to the Minister its budget for itself and the IR Operating Trust for each financial year commencing after the date of this agreement within 10 Business Days after adoption by the Licensee's board (and in any event no less than 20 Business Days before the commencement of the relevant financial year);
- (b) the Licensee must submit to the Minister a copy of its:
  - (i) stand alone Accounts for itself and the IR Operating Trust; and
  - (ii) Casino Accounts,within three months after each Accounts Date of the Licensee or IR Operating Trust (as applicable);
- (c) IR HoldCo (for itself and IR Holding Trust) and each Ultimate Parent must submit to the Minister a copy of their consolidated Accounts for each Accounts Date of IR HoldCo, IR Holding Trust or Ultimate Parent (as applicable) within three months after each Accounts Date of IR HoldCo, IR Holding Trust or Ultimate Parent (as applicable);
- (d) if requested by the Minister, a Relevant Entity must give the Minister a copy of any register required to be kept by the Relevant Entity under the Corporations Act or equivalent or analogous laws or regulations of another jurisdiction, or under its Constitution, within 10 Business Days from receipt of the request;
- (e) each of IR Holding Trust, IR Operating Trust, the Licensee, IR HoldCo and any other trustee of IR Holding Trust or IR Operating Trust must provide to the Chief Executive (Gaming Regulation) a copy of each notice, filing or other material correspondence provided by them to, or received by them from:
  - (i) the Australian Securities and Investments Commission (or any entity which has an equivalent or analogous function in any other jurisdiction); or

- (ii) ASX Limited (or the stock exchange operated by it) or any other applicable stock exchange,

as soon as reasonably practicable, and in any event within 10 Business Days, after the notice, filing or other material correspondence is provided or received by them;

- (f) each Relevant Entity other than IR Holding Trust, IR Operating Trust, the Licensee, IR HoldCo, or any other trustee of IR Holding Trust or IR Operating Trust must provide to the Chief Executive (Gaming Regulation) a copy of each notice, filing or other material correspondence of the type referred to in **clause 4.2(e)** which is provided by them, or received by them, if it relates to:

- (i) the Casino;
- (ii) the control, financial stability or Financial Indebtedness of the Relevant Entity;
- (iii) material legal claims or proceedings by or against the Relevant Entity;
- (iv) actions, notices or investigations by a Government Agency which may have a material adverse impact on, or outcome for, the financial position or business reputation of the Relevant Entity; or
- (v) any other matters or categories of matters which may have a material adverse impact on, or outcome for, the financial position or business reputation of the Relevant Entity and which the Chief Executive (Gaming Regulation), after consultation with the Relevant Entity, requests in writing from time to time,

as soon as reasonably practicable, and in any event within 10 Business Days, after the notice, filing or other material correspondence is provided or received by the Relevant Entity;

- (g) each Relevant Entity must provide to the Chief Executive (Gaming Regulation) a copy of each:

- (i) notice received by the Relevant Entity under section 671B of the Corporations Act or an equivalent or analogous law or regulation of another jurisdiction;
  - (ii) notice provided by the Relevant Entity to a person under:
    - (A) section 672A of the Corporations Act;
    - (B) a provision of the Agreement Act which is similar to or analogous to section 672A of the Corporations Act; or
    - (C) **clause 4.3(a)(ii)**; and
  - (iii) notice provided to the Relevant Entity by a person under:
    - (A) section 672B of the Corporations Act;
    - (B) a provision of the Agreement Act which is similar to or analogous to section 672B of the Corporations Act; or
    - (C) **clause 4.3(a)(ii)**,
- as soon as reasonably practicable, and in any event within 10 Business Days, after the notice is provided or received by the Relevant Entity;
- (h) a Relevant Entity must make available for inspection by the Minister or the Minister's nominee all information held in respect of the ownership, shareholdings, interestholdings, directors or corporate or other structure of the Relevant Entity and all notices and minutes of meetings of Interestholders and directors of the Relevant Entity and other relevant records;
  - (i) a Relevant Entity must make available for inspection by the Minister or the Minister's nominee all books, records and documents relating to the financial transactions, bank accounts, source and application of funds, loans, borrowings, Financial Indebtedness and investments of the Relevant Entity;



- (j) the Licensee must provide to the Minister a copy of its internal audit program for itself and the IR Operating Trust as approved by the Licensee's board on or before the date of this agreement, a copy of any amendment made to the program within 10 Business Days following any amendment to the program and an annual report on the Licensee's internal audit program, as presented to the Licensee's audit committee, each year, as soon as available and in any event within 60 Business Days following the end of each financial year ending during the term of this agreement;

***Appointments***

- (k) no director or alternate director of the Licensee, IR HoldCo, any other trustee of IR Holding Trust or IR Operating Trust, or of Star may be appointed without the prior written approval of the Minister. The Minister must, by notice in writing to the applicable entity, give or refuse approval for the appointment of a director or alternate director within five Business Days after receiving a complete application by the person in the form and containing the information determined by the Chief Executive (Gaming Regulation) from time to time. Without limiting **clause 4.2(n)**, if the Minister does not give such notice within that time, the Minister is taken to have approved the appointment;
- (l) a director or alternate director of a Relevant Entity other than the Licensee, IR HoldCo, any other trustee of IR Holding Trust or IR Operating Trust, or Star may be appointed without the Minister's prior written approval on the condition that a complete application by the person in the form and containing the information determined by the Chief Executive (Gaming Regulation) from time to time must be submitted within 20 Business Days after the appointment of such person;
- (m) the appointment of auditors of a Relevant Entity must be made in accordance with the Corporations Act or, if the Corporations Act does not apply to the appointment, any equivalent or analogous provisions under an applicable law, and:

- (i) if the proposed auditor is not an Approved Auditor, with the prior written approval of the Minister; or
- (ii) otherwise, the Relevant Entity must provide to the Minister a copy of the appointment within 10 Business Days of the appointment;
- (n) a Relevant Entity must, if directed by the Governor in Council:
  - (i) procure the vacation from office of any director or alternate director of the Relevant Entity; or
  - (ii) procure the vacation of any Relevant Position or the cessation of exercise of any Relevant Power which the Governor in Council determines is held or exercised (as applicable) by a person in breach of **clause 5.2(b)**;

***Constitutions and Interestholder Documents***

- (o) the Constitution of each of the Licensee and IR HoldCo (including in the case of any of them that is the trustee of a trust, the Constitution of the trustee itself and of the trust) and (subject to **clause 4.2(q)**) each Interestholder Document must, before the grant of the Casino Licence, be in a form approved by the Minister in writing;
- (p) the Constitutions (including the Constitution of the trustee itself and of the trust) of the Licensee and IR HoldCo must not be altered without the prior written approval of the Minister;
- (q) no Interestholder Document (once approved by the Minister under this **clause 4.2(q)** or **clause 4.2(o)**) may be amended or terminated without the prior written approval of the Minister and, after the grant of the Casino Licence, no new Interestholder Document may be executed without the prior written approval of the Minister. However, an amendment of the Subscription Schedule in the Queen's Wharf Brisbane Integrated Resort Subscription Agreement (described in paragraph (b) of the definition of Interestholder Documents) in accordance with clause 12.20 or 12.21 of the IRD Development Agreement does not require the prior written approval of the Minister, but notice of the amendment must be

given to the Minister within 10 Business Days after the amendment is made;

- (r) a Relevant Entity other than IR Holding Trust, IR Operating Trust, the Licensee, IR HoldCo or any other trustee of IR Holding Trust or IR Operating Trust:
  - (i) must ensure that at all times on and from the grant of the Casino Licence its Constitution, to the maximum extent to which the Constitution is lawfully permitted to do so, provides it with the ability to comply with, and does not prevent or restrict its ability to comply with, any obligations which are expressed to be imposed on the Relevant Entity under this agreement, the Agreement Act or the Control Act; and
  - (ii) must notify the Minister of any alteration of their Constitutions within 10 Business Days after the alteration is made;
- (s) if requested by the Chief Executive (Gaming Regulation), a Relevant Entity must provide a copy of its Constitution within 10 Business Days from receipt of the request;

***Financial Indebtedness***

- (t) no Relevant Entity may, without the prior written approval of the Minister, enter into the Initial Casino Facility or Initial Casino Finance Documents;
- (u) neither IR Holding Trust, IR Operating Trust, the Licensee, IR HoldCo nor any other trustee of IR Holding Trust or IR Operating Trust may, without the prior written approval of the Minister incur or repay any Financial Indebtedness (other than any Permitted Financial Indebtedness) in excess of \$200 million in aggregate over a rolling three year period; or
- (v) IR Holding Trust, IR Operating Trust, the Licensee, IR HoldCo and any other trustee of IR Holding Trust or IR Operating Trust each must:
  - (i) notify the State in writing immediately upon becoming aware that an event of default, potential event of default

or review event (however described) has occurred under any Casino Finance Document (**Finance Event**); and

- (ii) ensure that such notice:
  - (A) specifies the details of the Finance Event;
  - (B) specifies any steps which the Licensee and/or IR HoldCo has agreed with the relevant Lender under the Casino Finance Documents must be taken to cure or remedy the Finance Event (to the extent the Finance Event may be cured or remedied);
  - (C) attaches a copy of all documents or notices issued to or received by the Licensee and/or IR HoldCo under or in respect of the Casino Finance Documents in respect of the Finance Event; and
  - (D) contains such other information as the Minister requires in respect of the Finance Event;

#### **Meetings**

- (w) IR Holding Trust, IR Operating Trust, the Licensee, IR HoldCo and any other trustee of IR Holding Trust or IR Operating Trust must deliver to the Minister a copy of all notices advising of meetings or of proposed written resolutions that are forwarded to Interestholders in the same manner and time frame as if the Minister were an Interestholder; and

#### **Trustees**

- (x) the:
  - (i) prior approval of the Governor in Council; and
  - (ii) execution by the new trustee of an Accession Deed in accordance with the Agreement Act, if required by the Agreement Act,
 must occur before:
  - (iii) the Licensee or IR HoldCo declares a new trust or any

new trustee is appointed of a trust of which the Licensee or IR HoldCo is trustee; or

- (iv) any other Relevant Entity declares a new trust over any Interests they hold in another Relevant Entity, or any new trustee is appointed of a trust:
  - (A) of which the Relevant Entity is trustee; and
  - (B) which holds any Interests in another Relevant Entity.

#### **4.3 Interests and convertible Securities**

The following are conditions of this agreement:

- (a) if directed by the Minister, a Relevant Entity must:
  - (i) issue a notice under section 672A of the Corporations Act or under a provision of the Agreement Act which is similar to or analogous to section 672A of the Corporations Act to a person; or
  - (ii) require the production of a statutory declaration by any Interestholder or holder of Securities convertible into Interests of the Relevant Entity setting out the name and address of any person with a Relevant Interest in the Interests or convertible Securities held by that holder and full particulars of that interest;

##### ***Licensee and IR HoldCo***

- (b) no Voting Interests, Non-voting Interests or Securities convertible into Interests may be issued, or agreed to be issued (unless such agreement is conditional upon approval under this **clause 4.3(b)**), by IR Holding Trust, IR Operating Trust, the Licensee, IR HoldCo or any other trustee of IR Holding Trust or IR Operating Trust without the prior written approval of the Governor in Council except:
  - (i) Interests, or Securities convertible into Interests, of a class which is already on issue; or
  - (ii) Voting Interests issued pursuant to the terms of any Non-voting Interests or convertible Securities approved

in accordance with this **clause 4.3(b)**);

- (c) the terms of issue of Interests or Securities convertible into Interests of IR Holding Trust, IR Operating Trust, the Licensee, IR HoldCo, or any other trustee of IR Holding Trust or IR Operating Trust which relate to:
  - (i) repayment of capital;
  - (ii) participation in surplus assets and profits;
  - (iii) dividends;
  - (iv) voting;
  - (v) priority of payment of capital and dividends in relation to other Interests or Securities convertible into Interests of IR Holding Trust, IR Operating Trust, the Licensee, IR HoldCo or any other trustee of either of IR Holding Trust or IR Operating Trust; or
  - (vi) the underlying number of Interests which the holder of a Security convertible into Interests of IR Holding Trust, IR Operating Trust, the Licensee, IR HoldCo or any other trustee of either of IR Holding Trust or IR Operating Trust is entitled to receive on conversion;

may not be altered or varied or agreed to be altered or varied (unless such agreement is conditional upon approval under this **clause 4.3(c)**) without the prior written approval of the Minister;
- (d) IR Holding Trust, IR Operating Trust, the Licensee, IR HoldCo and any other trustee of IR Holding Trust or IR Operating Trust respectively must provide written notice to the Minister setting out details of any new issue of Interests or Securities convertible into Interests, and of any variation or alteration of the terms of any issued Interests or Securities convertible into Interests, within 10 Business Days after the issue, variation or alteration;

**Other Relevant Entities**

- (e) a Relevant Entity must provide written notice to the Minister

setting out details of:

- (i) any issue of Interests, or Securities convertible into Interests, of a class which is not already on issue; and
- (ii) any alteration or variation of the terms of issue of Interests or Securities convertible into Interests of the Relevant Entity,

within 10 Business Days after issue, alteration or variation.;  
and

- (f) each Relevant Entity must take all reasonable steps, having regard to the extent to which it is within their power, to ensure that a person does not contravene any of the restrictions contained in the Agreement Act relating to Voting Power or Relevant Interests in any class of Non-voting Interests or Securities which are convertible into Interests of or in the Relevant Entity.

#### **4.4 Disposal of Interests and convertible Securities**

- (a) It is a condition of this agreement that:
    - (i) if directed by the Governor in Council on the recommendation of the Minister:
      - (A) that a holder of Interests or Securities convertible into Interests in a Relevant Entity is not suitable, having regard to the matters set out in section 20 of the Control Act; or
      - (B) that there has been a contravention of **clause 5.2(a)** or **clause 5.2(b)(ii)(D)** which relates to or is connected in any way with Interests or Securities convertible into Interests of a holder in a Relevant Entity,
- the Relevant Entity must, to the maximum extent to which it is within their power to do so, ensure the disposal of that holder's Interests or convertible Securities as soon as practicable and, in any event, within three months (or such longer time determined by

the Minister in writing having regard to any reasonable circumstances which may give rise to the need for a longer period) after the date of the direction; or

- (ii) unless otherwise determined by the Minister in writing, if a Relevant Entity becomes aware that a person has contravened any of the restrictions contained in the Agreement Act relating to Voting Power or Relevant Interests in any class of Non-voting Interests or Securities which are convertible into Interests of or in the Relevant Entity, the Relevant Entity must, to the maximum extent to which it is within their power to do so, ensure the disposal of Interests or convertible Securities in the Relevant Entity so that the limitation is no longer exceeded as soon as practicable and, in any event, within three months (or such longer time determined by the Minister in writing having regard to any reasonable circumstances which may give rise to the need for a longer period) after the date of becoming so aware.

For the avoidance of doubt, no limitation on the power of a Relevant Entity at law to ensure the disposal of a holder's Interests or convertible Securities limits the power of the Governor in Council to issue a direction to the Relevant Entity under **clause 4.4(a)(i)** or to issue a direction directly to the holder of the Interests or convertible Securities.

- (b) It is a condition of this agreement that if:
  - (i) the Governor in Council gives a direction to a Relevant Entity (other than IR Holding Trust, IR Operating Trust, IR HoldCo, the Licensee, or any other trustee of IR Holding Trust or IR Operating Trust) under **clause 4.4(a)(i)**; or
  - (ii) a Relevant Entity (other than IR Holding Trust or IR Operating Trust, IR HoldCo, the Licensee, or any other trustee of IR Holding Trust or IR Operating Trust) is required to seek the disposal of a holder's Interests or



convertible Securities under **clause 4.4(a)(ii)**,  
and the relevant holder's Interests or convertible Securities  
have not been disposed of by the time required by  
**clause 4.4(a)**, the Governor in Council may, on the  
recommendation of the Minister, direct IR Holding Trust, IR  
Operating Trust, IR HoldCo, the Licensee, or any other  
trustee of IR Holding Trust or IR Operating Trust (as  
applicable) to ensure the disposal of Interests and convertible  
Securities in IR Holding Trust, IR Operating Trust, IR HoldCo,  
the Licensee, or any other trustee of IR Holding Trust or IR  
Operating Trust (as applicable) which are held by the  
Relevant Entity's Consortium SPV provided that, in  
exercising its rights under this clause (including setting a time  
frame for the disposal), the Minister shall take into reasonable  
account:

- (iii) the period necessary for the Relevant Entity to achieve  
the disposal on commercially reasonable terms; and
- (iv) any steps proposed or being undertaken by the  
Relevant Entity at the time to enable the contravention  
to be cured to the Minister's satisfaction.

## **5 Designated Persons**

### **5.1 Designated Persons**

- (a) The Minister may, by notice in writing to each Relevant Entity,  
specify a person to be a **Designated Person** for the purposes  
of this **clause 5 (Designated Person Notice)**.
- (b) A Designated Person Notice may specify the matters which  
this **clause 5** states may be specified in it.
- (c) The Minister may from time to time revoke or amend a  
Designated Person Notice.

### **5.2 Prevention of associations with Designated Persons**

It is a condition of this agreement that each Consortium Party must  
ensure, and must ensure that each other Relevant Entity ensures,

that, to the maximum extent to which it is within their respective powers to do so, they prevent:

- (a) the following entities from acquiring or holding any direct or indirect legal or beneficial interest in any Relevant Entity:
  - (i) the Designated Person; and
  - (ii) if specified in the Designated Person notice, a Designated Person Associate; and
- (b) the Designated Person from either, as specified in the Designated Person Notice:
  - (i) doing any of the following:
    - (A) holding a Relevant Position in any Relevant Entity; or
    - (B) exercising a Relevant Power over the business or affairs of any Relevant Entity; or
  - (ii) doing any of the following:
    - (A) exercising any rights or powers, or taking any action, in connection with any Relevant Position in any Relevant Entity which the Designated Person held at the date of this agreement, including attending board or management meetings or being involved in passing any resolutions or decisions;
    - (B) holding any Relevant Position in any Relevant Entity which the Designated Person did not hold at the date of this agreement;
    - (C) exercising a Relevant Power over the business or affairs of any Relevant Entity; or
    - (D) acquiring or holding any direct or indirect legal or beneficial interest in any Relevant Entity which the Designated Person did not hold at the date of this agreement.

**5.3 Approved Compliance Program**

Without limiting **clause 5.2**, at all times on and from the date of grant of the Casino Licence, each Consortium Party must have in place a compliance program, in a form approved by the Minister from time to time, which is designed to ensure:

- (a) compliance by the Consortium Party with its obligations under **clause 5.2**;
- (b) prompt identification of any non-compliance by the Consortium Party with those obligations.

**5.4 Notification**

Each Consortium Party must, and must ensure that any other Relevant Entity will, inform the Minister in writing of any non-compliance with **clause 5.2**, promptly following the Relevant Entity becoming aware of such non-compliance.

**6 Refinance****6.1 Consent**

A Relevant Entity must not enter into any binding arrangement to Refinance:

- (a) the Initial Casino Facility; or
- (b) any Permitted Refinancing Facility,

in each case, without the Minister's written prior consent.

**6.2 Notice and refinancing details**

The Licensee must deliver to the Minister:

- (a) each Permitted Refinancing Document proposed to be entered into in respect of the Refinancing; and
- (b) any other information that the Minister requires (including but not limited to an amended financial model) in connection with the proposed Refinancing,

not less than 20 Business Days prior to the date the proposed Refinancing is to occur.

## 7 Consequential Loss

- (a) Notwithstanding any other provision of this agreement, no Consortium Party will have any liability to the State, nor will the State be entitled to make any Claim, in relation to any Consequential Loss incurred or sustained by the State or the State's Associates under or in connection with this agreement, except to the extent that such Consequential Loss arises from:
  - (i) a criminal act or fraud of a Relevant Entity; or
  - (ii) a liability that cannot be limited or excluded by law.
- (b) Subject to **clauses 7(c) and 7(d)(ii)** (and, for clarity, the rights of a Relevant Entity under another Project Document), but notwithstanding any other provision of this document, neither the State nor the State's Associates have any liability to any Relevant Entity, nor will any Relevant Entity be entitled to make any Claim (and the Consortium Parties will procure that the Relevant Entities do not make any Claim), in relation to any Consequential Loss incurred or sustained by the Relevant Entity or the Relevant Entity's Associates under or in connection with this document, except to the extent that such Consequential Loss arises from a liability that cannot be limited or excluded by Law.
- (c) If the Licensee makes a Claim against the State for a breach of **clause 3.5(a) or 3.5(c)**, any Claim the Licensee has at law or in equity is not capped and may include any Consequential Loss incurred or sustained by the Licensee, as a result of the occurrence of that breach.
- (d) If a Termination Trigger Event occurs:
  - (i) before the Long Term Leases Start Date, the Licensee is not entitled to any damages or compensation under this agreement, but the Licensee (as the Developer under the IRD Development Agreement) may be entitled to compensation under clause 3.13(a) of the IRD Development Agreement; or

- (ii) on or after the Long Term Leases Start Date, that event will constitute a breach of this agreement that entitles the Licensee to terminate this agreement under **clause 8.2** and any Claim the Licensee has at law or in equity is not capped and may include any Consequential Loss incurred or sustained by the Licensee arising from or in connection with the occurrence of the Termination Trigger Event.
- (e) The Licensee must take all reasonable steps to mitigate its Loss in respect of any Claim which it is permitted to make under this agreement, including any Consequential Loss in relation to which a Claim may be made under **clause 7(c)** or **clause 7(d)(ii)**.

## 8 Termination

### 8.1 Grounds for Termination by the State

This agreement may be immediately terminated by the State by written notice to the Licensee if:

- (a) there is a substantial breach by a Consortium Party of its Obligations under this agreement which is not capable of remedy or, if capable of remedy, the breach is not remedied to the satisfaction of the Minister within three months (or such longer period as the Minister (in their absolute discretion) determines by written notice to the Licensee) of the Consortium Party being notified of the breach by the Minister;
- (b) any of the following agreements terminate:
  - (i) the IRD Development Agreement, other than because of the occurrence of the Expiry Date under that agreement;
  - (ii) an IRD Development Lease (other than where and to the extent that the IRD Development Lease is surrendered in accordance with its terms);
  - (iii) the Financial and Commitment Agreement;

- (iv) the IRD Long Term Lease, including upon the occurrence of the Expiry Date under the IRD Long Term Lease; or
- (v) the Precinct Deed;
- (c) an Insolvency Event occurs in relation to IR Holding Trust, IR Operating Trust, the Licensee, IR HoldCo or any other trustee of IR Holding Trust or IR Operating Trust and is subsisting 10 Business Days after the State has given notice to IR Holding Trust, IR Operating Trust, the Licensee, IR HoldCo, or other trustee of IR Holding Trust or IR Operating Trust (as applicable) that if it is not cured it will constitute grounds for termination of this agreement;
- (d) the Casino Licence, the Integrated Resort or any of the rights and benefits of this agreement, are in any way pledged, charged, encumbered, mortgaged or assigned without the prior written consent of the Minister under section 32 of the Control Act;
- (e) the Casino Licence is cancelled or surrendered under the Control Act (and, in such case, not immediately replaced with another casino licence in favour of the Licensee in respect of the Casino), or if an Administrator is appointed under the Control Act or **clause 8.5**; or
- (f) termination is permitted under **clause 2.2(b)**.

## **8.2 Termination by the Licensee**

This agreement may be immediately terminated by the Licensee by written notice to the State if a Termination Trigger Event occurs and the State does not otherwise terminate this agreement within five Business Days after the date of the Termination Trigger Event.

## **8.3 Effect of termination**

If this agreement is terminated under **clause 8.1** or **8.2**:

- (a) the parties are released from their obligations to further perform this agreement other than their Obligations under **clauses 1, 7, 8, 9, 11, 15, 16** and **17**;

- (b) each party retains the rights it has against any other party in respect of any past breach;
- (c) unless it has previously been cancelled under the Control Act, the Casino Licence is cancelled;
- (d) **clause 8.5** survives the termination; and
- (e) notwithstanding the termination, this agreement may subsequently be assigned to another person (and become binding on that person) as contemplated by **clause 8.5(e)** and section 32 of the Control Act.

#### **8.4 No other termination rights**

Despite any rule of law or equity to the contrary, no party may terminate, rescind or treat as repudiated this agreement other than as expressly provided for in this agreement, the Control Act or the Agreement Act.

#### **8.5 Appointment of Administrator**

- (a) Without limiting the Governor in Council's powers under the Control Act, if the Casino Licence is cancelled or suspended, the Governor in Council may appoint an Administrator.
- (b) Despite section 31(12)(d) of the Control Act, if a receiver and manager is approved or appointed, the Governor in Council may appoint that person as Administrator.
- (c) Notwithstanding the provisions of sections 19 and 21 of the Control Act or any provision of this agreement, the Governor in Council may grant a casino licence to an Administrator.
- (d) The Administrator must assume full responsibility for the conduct of the Casino in accordance with the Control Act as the agent, and at the cost, of the Licensee.
- (e) The Administrator may at any time, subject to the rights of any mortgagee under its security and the provisions of section 32 of the Control Act, introduce a proposed assignee to whom the provisions of section 32 of the Control Act will apply as if the assignee was proposed by a mortgagee wishing to enforce its security.

- (f) If an assignee proposed under **clause 8.5(e)** is acceptable to the Governor in Council, the Governor in Council may terminate the appointment of the Administrator and:
  - (i) if the Casino Licence has been cancelled, the Governor in Council may assign to the proposed assignee the casino licence granted to the Administrator; or
  - (ii) if the Casino Licence has not been cancelled, the Governor in Council may cancel the casino licence granted to the Administrator and assign the Licensee's Casino Licence to the proposed assignee,in accordance with section 32 of the Control Act.
- (g) If the term of any suspension of the Casino Licence ends after the appointment of an Administrator, the Governor in Council may terminate the appointment of the Administrator and:
  - (i) if the Casino Licence has been cancelled, the Governor in Council may assign to the Licensee the casino licence granted to the Administrator; or
  - (ii) if the Casino Licence has not been cancelled, the Governor in Council may cancel the casino licence granted to the Administrator.
- (h) An Administrator may be appointed on such terms, not inconsistent with this clause, as the Governor in Council thinks fit.

#### **8.6 Impact of Termination of Casino Licence on Commercial Special Facility Licence**

The State agrees that, once it is issued, the Commercial Special Facility Licence will, despite any termination of this agreement or any cancellation or suspension of the Casino Licence, not be cancelled or suspended but will remain in full force and effect in relation to all areas of the Casino Environs until it is cancelled, suspended or amended (in which case it will continue in full force and effect as amended) under the Liquor Act.



## 9 Confidentiality

### 9.1 Confidentiality

The parties (each a **Recipient**):

- (a) must keep confidential all Confidential Information disclosed by another party (**Supplier**) to the Recipient or of which the Recipient becomes aware (whether before or after the date of this agreement); and
- (b) may disclose any Confidential Information in respect of which the Recipient has an obligation of confidentiality under **clause 9.1(a)** only:
  - (i) to those of the Recipient's officers, employees, advisers, contractors or (with the prior consent of the Minister) prospective investors to the development or operation of Integrated Resort who:
    - (A) have a need to know; and
    - (B) undertake to the Recipient (and, where required by the Supplier, to the Supplier also) a corresponding obligation of confidentiality to that undertaken by the Recipient under **clause 9.1(a)**;
  - (ii) to any Lenders or investors to the development or operation of the Integrated Resort and their respective officers, employees, advisers or contractors who:
    - (A) have a need to know; and
    - (B) undertake to the Recipient (and, where required by the Supplier, to the Supplier also) a corresponding obligation of confidentiality to that undertaken by the Recipient under **clause 9.1(a)**;
  - (iii) to solicitors, barristers or other professional advisers under a duty of confidentiality;
  - (iv) subject to **clause 9.2**, if required to do so by:
    - (A) law;

- (B) an Authority;
- (C) the rules of any stock exchange;
- (D) any applicable accounting standards; or
- (E) an order by any court;
- (v) in the case of the State:
  - (A) to any Queensland government minister, provided that before any disclosure of, or grant of access to, confidential information, the relevant individual is informed of the obligations of confidentiality contained in this document;
  - (B) to any of the State's officers, employees, advisers and contractors who have a need to know and are subject to or otherwise contractually bound by the *Public Service Act 2008* (Qld) or any approved code of conduct and approved standard of practice under the *Public Sector Ethics Act 1994* (Qld);
  - (C) if considered by the State to be required or appropriate as part of:
    - (1) any probity or suitability investigations in relation to a Relevant Entity; or
    - (2) its duty and responsibilities to advise on its activities and developments, including any disclosure to the media or the public;
  - (D) to a State government department or government owned or controlled corporation;
  - (E) to comply with a direction by a Queensland government minister or Queensland government requirement or policy;
  - (F) to the Queensland Parliament; or
- (vi) with the prior written approval of the Supplier.

**9.2 Disclosure by a Consortium Party**

A Consortium Party may only disclose Confidential Information under **clause 9.1(b)(iv)** if it has to the extent practicable having regard to the legally binding legislative and regulatory obligations:

- (a) notified the State as soon as possible after it becomes aware that it may be required to disclose the Confidential Information;
- (b) consulted with the State with a view to agreeing in good faith the form, content, timing and manner of the disclosure, including taking into account any actual basis that the State may have to prevent or restrict disclosure; and
- (c) allowed the State to bring action to prevent disclosure, so as to ensure that, as far as possible, the extent of the disclosure is strictly limited to that required.

**9.3 Confidential Information**

**Clause 9.1** applies with respect to any Confidential Information of the Supplier, until the information is public knowledge (otherwise than as a result of a breach of confidentiality by the Recipient or any of its permitted disclosees) and notwithstanding expiration or termination of this agreement.

**9.4 Announcements**

If a Consortium Party is required to make an announcement in respect of any Confidential Information, it must (except to the extent required by law, an Authority, the rules of any stock exchange, any applicable accounting standards or order of any court, in which case it may only disclose the Confidential Information in accordance with **clause 9.2**):

- (a) consult with the State with a view to agreeing the form, content, timing and manner of the announcement; and
- (b) ensure that the announcement includes only information that is required and does not include any information other than that required.

### 9.5 Right to information

- (a) Each Consortium Party acknowledges that the RTI Act and the IPA Act may allow members of the public to be given access to documents relating to this document or the Project.
- (b) If:
  - (i) access to a document or information under the RTI Act or the IPA Act is of concern to a Consortium Party; and
  - (ii) the Consortium Party considers that the document or information is of a confidential nature or concerns the business, professional, commercial or financial affairs of the Consortium Party, the disclosure of which could reasonably be expected to have an adverse effect on those affairs,

the Consortium Party should clearly mark the specific document or information as follows:

*Confidential to [entity name]*

- (c) Each Consortium Party acknowledges that marking the document or information in the manner set out in **clause 9.5(b)** may not necessarily prevent disclosure of the document or information in accordance with the RTI Act or the IPA Act (as applicable) and any decision to grant access to the document or information will be determined by the requirements of the RTI Act or the IPA Act (as applicable).
- (d) A Consortium Party must not make any Claim against the State or any Authority in connection with any actions taken in relation to, or under, the RTI Act or the IPA Act.
- (e) **Clause 9.5(d)** does not limit any rights which a Consortium Party has at Law to seek an independent external review of decisions made to grant access to the relevant document or information.

## 10 Accession to this agreement

A person who signs an Accession Deed as required by the

Agreement Act becomes a party to this agreement as a Consortium Party at the time determined under the Agreement Act.

## **11 GST**

### **11.1 Construction**

In this clause 11:

- (a) unless there is a contrary indication, words and expressions which are not defined in this agreement but which have a defined meaning in the GST Law have the same meaning as in the GST Law;
- (b) **GST Law** has the same meaning given to that expression in the *A New Tax System (Goods and Services Tax) Act 1999* (Cth) or, if that Act does not exist for any reason, means any Act imposing or relating to the imposition or administration of a goods and services tax in Australia and any regulation made under that Act; and
- (c) references to GST payable and input tax credit entitlements include:
  - (i) notional GST payable by, and notional input tax credit entitlements of the Commonwealth, a State or a Territory (including a government, government body, authority, agency or instrumentality of the Commonwealth, a State or a Territory); and
  - (ii) GST payable by, and the input tax credit entitlements of, the representative member for a GST group (including a GST group referred to in section 149-25 of the *A New Tax System (Goods and Services Tax) Act 1999* (Cth)) of which the entity is a member.

### **11.2 Consideration GST exclusive**

Unless otherwise expressly stated, all consideration, whether monetary or non-monetary, payable or to be provided under or in connection with this agreement is exclusive of GST (**GST-exclusive consideration**).

**11.3 Non-monetary consideration**

- (a) To the extent that consideration for any supply to be provided under or in connection with this agreement includes non-monetary consideration the parties must engage in good faith discussions to agree on the value of the non-monetary consideration, the timing of the payment of any amount under **clause 11.4** and the form of the tax invoices to be exchanged between the parties.
- (b) In the Good Faith discussions referred to in **clause 11.3(a)**, the parties must take into account the application or potential application of the non-monetary consideration provisions of the GST clause in the IRD Development Agreement and the Residential Development Agreement.

**11.4 Payment of GST**

If GST is payable on any supply made by:

- (a) a party; or
- (b) an entity that is taken under the GST Law to make the supply by reason of the capacity in which a party acts,  
(Supplier) under or in connection with this agreement, the recipient of the supply, or the party providing the consideration for the supply, must pay to the Supplier an amount equal to the GST payable on the supply.

**11.5 Timing of GST payment**

The amount referred to in **clause 11.4** must be paid in addition to and at the same time and in the same manner (without any set-off or deduction) that the GST-exclusive consideration for the supply is payable or to be provided under this agreement.

**11.6 Tax invoice**

The Supplier must deliver a tax invoice or an adjustment note to the recipient of a taxable supply before the Supplier is entitled to payment of an amount under **clause 11.3**.

**11.7 Adjustment event**

If an adjustment event arises in respect of a supply made by a

Supplier under or in connection with this agreement, any amount that is payable under **clause 11.3** will be calculated or recalculated to reflect the adjustment event and a payment will be made by the recipient to the Supplier or by the Supplier to the recipient as the case requires.

#### **11.8 Reimbursements**

- (a) Where a party is required under or in connection with this agreement to pay for, reimburse or contribute to any expense, loss, liability or outgoing suffered or incurred by another party or indemnify another party in relation to such an expense, loss, liability or outgoing (**Reimbursable Expense**), the amount required to be paid, reimbursed or contributed by the first party will be reduced by the amount of any input tax credits to which the other party is entitled in respect of the Reimbursable Expense.
- (b) This **clause 11.8** does not limit the application of **clause 11.4** if appropriate, to the Reimbursable Expense as reduced in accordance with **clause 11.8(a)**.

#### **11.9 Calculations based on other amounts**

If an amount of consideration payable or to be provided under or in connection with this document is to be calculated by reference to:

- (a) any expense, loss, liability or outgoing suffered or incurred by another person (Cost), that reference will be to the amount of that Cost excluding the amount of any input tax credit entitlement of that person relating to the Cost suffered or incurred; and
- (b) any price, value, sales, proceeds, revenue or similar amount (Revenue), that reference will be to that Revenue determined by deducting from it an amount equal to the GST payable on the supply for which it is consideration.

#### **11.10 Private Ruling**

If a party considers that there is uncertainty regarding the application of the GST Law to the transactions under this document (including the extent to which any supply is a taxable supply or the

timing of the obligation to remit GST in relation to such transactions) then that party may require the other parties to meet and negotiate in good faith to consider jointly applying to the Australian Taxation Office for a private GST ruling. If the parties agree to apply for and obtain a private GST ruling then, unless they otherwise agree, the parties must account for GST in accordance with such private GST ruling.

#### **11.11 No Merger**

This **clause 11** does not merge on the completion, rescission or other termination of this agreement or on the transfer of any property supplied under this agreement.

## **12 GST Dispute resolution**

### **12.1 Disputes to be referred under this clause**

If there is any dispute or difference as to the GST-exclusive market value of the non-monetary consideration provided for any supply by, under or in connection with this agreement, the dispute is to be dealt with in this **clause 12 (GST Dispute)** and the GST Dispute must be referred by either the Licensee or the State for determination in accordance with the provisions of this clause.

### **12.2 Notice of Dispute**

If a party requires a GST Dispute to be resolved, the party must serve on the other party a written notice of GST Dispute which must be no more than five pages in length and shall provide:

- (a) a brief description of the GST Dispute;
- (b) an indication of any amount of money involved; and
- (c) the relief or remedy sought.

### **12.3 Parties to negotiate first**

If notice of a GST Dispute is given under **clause 12.2**, the parties undertake in good faith to use all reasonable endeavours to settle the GST Dispute quickly and by no later than 15 Business Days after the notice of Dispute is given.



**12.4 Senior executive negotiation**

If any party believes in good faith that the process contemplated by **clause 12.2** will not result in the GST Dispute being settled quickly, that party may give the other parties a notice to this effect stating that it wishes to avail itself of this **clause 12.4 (Senior Executive Resolution Notice)**. Upon receipt of a Senior Executive Resolution Notice, the GST Dispute must be referred by all parties promptly to:

- (a) in the case of the Licensee, the chief executive officer or another senior executive of the Licensee nominated by the Licensee; and
- (b) in the case of the State:
  - (i) the Under Treasurer;
  - (ii) if he or she is unavailable despite the best efforts by the State to obtain his or her services for the purposes of this **clause 12.4**, then the State must promptly obtain the services of another senior executive to take the place of the Under Treasurer; or
  - (iii) if the Dispute is referred to the Under Treasurer under **clause 12.4(b)(i)**, the Under Treasurer may delegate his or her powers to another senior executive of the State,

who must use all reasonable endeavours in good faith to settle the GST Dispute quickly and by no later than 20 Business Days after service of the Senior Executive Resolution Notice.

**12.5 Referral to an expert**

- (a) If at any time after 35 Business Days has elapsed from the date notice of the GST Dispute is given under **clause 12.2**, the applicable GST Dispute has not been settled, any party may then give the other parties a further notice (**Expert Determination Notice**) referring the GST Dispute for resolution by an expert (**Expert**) in accordance with this clause.
- (b) The Expert Determination Notice must set out in detail:

- (i) the basis of the GST Dispute;
- (ii) the relief sought (including if possible any amount claimed); and
- (iii) the names of at least three nominees for the role of the Expert and details of their qualifications.

#### **12.6 Expert qualifications**

Any Expert so appointed must:

- (a) be a partner or principal (or person of equivalent status) of not less than five years standing of a national or international accounting firm;
- (b) be able to complete the expert determination quickly having regard to the nature of the GST Dispute;
- (c) owe duties of fairness to the parties and be unbiased; and
- (d) have a technical understanding of the issues the subject of the GST Dispute.

#### **12.7 Appointment of the Expert**

- (a) The party in receipt of the Expert Determination Notice may, by written notice, select the Expert from the persons nominated in that notice.
- (b) If, within ten Business Days after an Expert Determination Notice is given, the parties cannot agree on the identity of the Expert to be appointed:
  - (i) either party may request the President of the Bar Association of Qld to appoint a barrister to provide the names of at least three nominees for the role of the Expert and details of their qualifications;
  - (ii) the nomination will be made within ten Business Days of the barrister's appointment. The nominations provided for the role of the Expert will be final and binding on the parties;
  - (iii) the party in receipt of the Expert Determination Notice must, within five Business Days after being notified of

- the nominations, select an expert from those nominations and advise the other party in writing;
- (iv) if the party in receipt of the Expert Determination Notice fails to select an expert in accordance with **clause 12.7(b)(iii)** then the other party will be entitled to select the expert from the barrister's nominations.
- (c) The appointed Expert may, with the prior written consent of the parties to the GST Dispute (which must not be unreasonably withheld or delayed), appoint one or more persons to assist the Expert in relation to any matters in relation to which the Expert reasonably considers requires specialist expertise (each a Specialist Expert).
- (d) Any Specialist Expert must meet the criteria for the appointment of the Expert in **clause 12.6**, except that the Specialist Expert must be a partner or principal (or person of equivalent status) of not less than five years standing of a national or international firm in the relevant field.
- (e) A reference to the Expert in **clauses 12.8 to 12.13** includes a reference to a Specialist Expert.

#### **12.8 Procedure for Expert Determination**

Subject to compliance with this **clause 12**, when a GST Dispute is referred to an Expert, the Expert must determine the procedure and rules for the conduct of the process in order to make the determination and:

- (a) the Expert shall be entitled to adopt, as the Expert sees fit, the then current Expert Determination Rules of the Institute of Arbitrators & Mediators Australia or another recognised Australian institution chosen by the Expert;
- (b) the parties must each use their best endeavours to make available to the Expert all facts and circumstances which the Expert requires in order to determine the GST Dispute and must ensure that their respective employees, agents or consultants are available to appear at any hearing or enquiry called by the Expert;

- (c) the parties to the dispute must be given a reasonable opportunity to make written submissions to the Expert about the matters in dispute; and
- (d) the Expert may determine (acting reasonably) whether it will make any submissions by a party available to other parties and whether or not they will have a right to respond to such submissions, and to set time limits for any such responses and otherwise determine the process for the provision of submissions and any responses.

#### **12.9 Time for Determination**

The determination of the Expert must be made and delivered to the parties within a period of one month (or such other period as the parties agree or the Expert determines) from the date on which the Expert was appointed. The Expert's determination must be accompanied by a report addressed to the parties stating the Expert's reasons for the determination.

#### **12.10 Determination binding**

The Expert will act as an expert and not as an arbitrator and the decision of the Expert will be final and binding upon the parties.

#### **12.11 Parties must continue to perform**

The parties to a GST Dispute must continue to perform their obligations under this document while the GST Dispute is being settled, to the extent they are able to do so.

#### **12.12 No bar to litigation**

A party may commence litigation in respect of the GST Dispute at any time during the GST Dispute Resolution Process.

#### **12.13 Costs and expense**

Except as otherwise provided in this document, the Expert must also determine the amount of the costs and expenses of and relating to the reference of any GST Dispute to him/her and in default of such decision, the costs and expenses will be payable as to one-half by the Licensee and one-half by the State.

### 13 Compliance by Consortium Parties and Relevant Entities

- (a) Each Consortium Party must ensure that IR Holding Trust, IR Operating Trust, the Licensee, IR HoldCo and any other trustee of the IR Holding Trust or IR Operating Trust each comply with the terms and conditions of this agreement which are binding on them respectively.
- (b) Each Ultimate Parent must ensure that each Relevant Entity of which it is the Relevant Entity's Ultimate Parent and which is not a party to this agreement complies with any obligations which are expressed to be imposed on the Relevant Entity in this agreement.

### 14 Further assurances

#### 14.1 Security Interest

- (a) If, in the opinion of the State, a Security Interest arises under a Project Document, the Consortium Parties must promptly execute, and must if applicable procure that any other Relevant Entity promptly executes all documents and do all things that the State from time to time reasonably requires to:
  - (i) effect, perfect or complete the provisions of each Project Document or any transaction contemplated by it;
  - (ii) establish the priority of or reserve or create any Security Interest contemplated by or purported to be reserved or created by a Project Document;
  - (iii) stamp and register each Project Document in any relevant jurisdiction and by any person that the State thinks fit; and
  - (iv) facilitate the exercise of the State's rights in enforcing any Security Interest.
- (b) Without limiting **clause 14.1(a)**, each Consortium Party agrees to make such amendments to the Project Documents,

to provide such further information and to do such other things, as the State may require from time to time, and to the fullest possible extent, to register, protect, perfect, record and maintain the State's position as a secured party under any Security Interest created by a Project Document in the context of the PPS Act, and if applicable must procure that each other Relevant Entity does so.

- (c) Each Consortium Party must promptly take all reasonable steps, and procure that each other Relevant Entity takes all reasonable steps, which are prudent for its business under or in relation to the PPS Act (including doing anything reasonably requested by the State for that purpose). For example, they must:
  - (i) create and implement appropriate policies and systems; and
  - (ii) where appropriate, take reasonable steps to identify Security Interests in its favour and to perfect and protect them, with the highest priority reasonably available.
- (d) The State may, at the Consortium Parties' cost, do anything which any Relevant Entity should have done under this **clause 14.1** if the Relevant Entity does not do so promptly or, if in the State's opinion, the Relevant Entity does not do so properly.

#### **14.2 Enforcement**

- (a) If a Project Document gives rise to a Security Interest which secures payment or performance of an obligation, the parties agree (and the Consortium Parties agree as agents for and on behalf of each other Relevant Entity) that for the purposes of section 115 of the PPS Act, and to the extent permitted by law, the following sections will not apply to any Personal Property:
  - (i) section 95 (notice by secured party of removal of accession);
  - (ii) section 121(4) (notice by secured party of enforcement)

- of security interest in liquid assets);
  - (iii) section 125 (obligation of secured party to dispose of or retain collateral after seizure);
  - (iv) section 130, to the extent that it requires a Relevant Entity to give any notice to the Contractor (notice by secured party of disposal of collateral);
  - (v) section 132(3)(d) (obligation of secured party to show amounts paid to other secured parties in statement of account);
  - (vi) section 132(4) (statement of account by secured party if it does not dispose of collateral within prescribed period);
  - (vii) section 135 (notice by secured party of retention of collateral); and
  - (viii) section 143 (reinstatement of security agreement).
- (b) To the extent the law permits:
- (i) if the PPS Act is amended after the date of this agreement to permit the Relevant Entity and the State to agree to not comply with or to exclude other provisions of the PPS Act, the State may notify the Relevant Entities that any of these provisions are excluded, or that the State need not comply with any of these provisions, as notified to the Relevant Entities by the State; and
  - (ii) each Consortium Party agrees for themselves and as agents for and on behalf of each other Relevant Entity not to exercise their rights to make any request of the State under section 275 of the PPS Act, to authorise the disclosure of any information under that section or to waive any duty of confidence that would otherwise permit non-disclosure under that section.

#### **14.3 Notice**

The State is not required to give any notice under the PPS Act to a

Relevant Entity or any other person and each Consortium Party for themselves and as agents for and on behalf of each other Relevant Entity waives the right to receive any such notice (including a notice of verification statement) unless the notice is required by the PPS Act and that obligation cannot be excluded.

## **15 Notices**

### **15.1 General**

A notice, demand, certification, process or other communication relating to this agreement must be in writing in English and may be given by an agent of the sender.

### **15.2 How to give a communication**

In addition to any other lawful means, a communication may be given by being:

- (a) personally delivered;
- (b) left at the party's current delivery address for notices;
- (c) sent to the party's current postal address for notices by pre-paid ordinary mail or, if the address is outside Australia, by pre-paid airmail; or
- (d) sent by fax to the party's current fax number for notices.

### **15.3 Particulars for delivery of notices**

- (a) The particulars for delivery of notices are initially:

**State:**

Delivery address: Level 6, 33 Charlotte Street, Brisbane  
QLD 4000

Postal address: Locked bag 180, City East, QLD  
4002

Attention: Michael Sarquis, Executive Director,  
Office of Liquor and Gaming  
Regulation

**Licensee:**



Delivery address: c/- DLA Piper Australia, Level 28,  
Waterfront Place, 1 Eagle Street,  
Brisbane QLD 4000

Postal address: c/- DLA Piper Australia, PO Box  
7804, Waterfront Place QLD 4000

Attention: Mr David Harley / Mr Lyndon Masters

**IR HoldCo:**

Delivery address: c/- DLA Piper Australia, Level 28,  
Waterfront Place, 1 Eagle Street,  
Brisbane QLD 4000

Postal address: c/- DLA Piper Australia, Level 28,  
Waterfront Place, 1 Eagle Street,  
Brisbane QLD 4000

Attention: Mr David Harley / Mr Lyndon Masters

**Star:**

Delivery address: Level 3, 159 William Street, Brisbane  
Qld 4000

Postal address: GPO Box 2488, Brisbane Qld 4001

Attention: Ms Paula Martin, Group General  
Counsel & Company Secretary

**CTF:**

Delivery address: 32/F., New World Tower, 16-18  
Queen's Road Central, Hong Kong

Postal address: 32/F., New World Tower, 16-18  
Queen's Road Central, Hong Kong

Attention: Mr Patrick Tsang / Mr Jacob Lee

**FEC:**

Delivery address: 16/F., Far East Consortium Building,  
121 Des Voeux Road Central, Hong  
Kong

Postal address: 16/F., Far East Consortium Building,  
121 Des Voeux Road Central, Hong  
Kong

Attention: Mr Chris Hoong

- (b) Each party may change its particulars for delivery of notices by notice to each other party.

#### **15.4 Communications by post**

Subject to **clause 15.5**, a communication is given if posted:

- (a) within Australia to an Australian postal address, three Business Days after posting; or
- (b) outside of Australia to an Australian postal address or within Australia to an address outside of Australia, ten Business Days after posting.

#### **15.5 After hours communications**

If a communication is given:

- (a) after 5.00 pm in the place of receipt; or
- (b) on a day which is a Saturday, Sunday or bank or public holiday in the place of receipt,

it is taken as having been given at 9.00 am on the next day which is not a Saturday, Sunday or bank or public holiday in that place.

#### **15.6 Process service**

Any process or other document relating to litigation, administrative or arbitral proceedings relating to this agreement may be served by any method contemplated by this **clause 15** or in accordance with any applicable law.

### **16 Contracting capacity**

#### **16.1 Certain parties contract as trustee**

The parties acknowledge and agree that:

- (a) the Licensee is trustee of the IR Operating Trust; and

- (b) IR HoldCo is trustee of the IR Holding Trust;
- (c) the State has no right to an indemnity from the beneficiaries of:
  - (i) the IR Operating Trust against any liability or Obligations of the Licensee to the State under this agreement; or
  - (ii) the IR Holding Trust against any liability or Obligations of IR HoldCo to the State under this agreement; and
- (d) this clause applies despite any other provision of this agreement and extends to all liabilities and Obligations of the Licensee and IR HoldCo respectively.

#### **16.2 Trustee warranties**

The Licensee and IR HoldCo each separately represent and warrant to the State that:

- (a) it is a validly appointed trustee of the relevant trust;
- (b) it has the right to be indemnified out of, and a lien over, the assets of the relevant trust, except where it is fraudulent, negligent or in Wilful Default;
- (c) this agreement does not conflict with the operation or terms of the relevant trust or the trust deeds constituting the relevant trust;
- (d) this agreement constitutes valid and enforceable obligations of the relevant trust;
- (e) it has full and valid power and authority under the relevant trust to enter into this agreement and to carry out the transactions contemplated by this agreement (including all proper authorisations and consents);
- (f) it enters into this agreement and the transactions evidenced by it for the proper administration of the relevant trust and for the benefit of all of the beneficiaries of the relevant trust; and
- (g) it is the sole trustee of the relevant trust.

## **17 General**

### **17.1 Duty**

- (a) Except as provided for in the IRD Development Agreement, the Licensee as between the parties is liable for and must pay all duty (including any fine, interest or penalty except where it arises from default by the other party) on or relating to this agreement, any document executed under it or any dutiable transaction evidenced or effected by it.
- (b) If a party other than the Licensee pays any duty (including any fine, interest or penalty) on or relating to this agreement, any document executed under it or any dutiable transaction evidenced or effected by it, the Licensee must pay that amount to the paying party on demand.

### **17.2 Legal costs**

- (a) Except as expressly stated otherwise in this agreement or in the Probity and Process Deed Poll, each party must pay its own legal and other costs and expenses of negotiating and executing this agreement.
- (b) Except as expressly stated otherwise in this agreement or in the Probity and Process Deed Poll or as otherwise provided in the Control Act, each party must pay its own legal and other costs and expenses of performing its obligations under this agreement.

### **17.3 Amendment**

This agreement may only be varied or replaced in accordance with the Agreement Act.

### **17.4 Waiver and exercise of rights**

- (a) Failure to exercise or enforce, or a delay in exercising or enforcing, or the partial exercise or enforcement of, a right, power or remedy provided by law or under this agreement by a party does not preclude, or operate as a waiver of, the exercise or enforcement, or further exercise or enforcement, of that or any other right, power or remedy provided by law or by this agreement.

- (b) A waiver given by a party under this agreement is only effective and binding on that party if it is given or confirmed in writing by that party.
- (c) A party is not liable for any loss, cost or expense of any other party caused or contributed to by the waiver, exercise, attempted exercise, failure to exercise or delay in the exercise of a right, power or remedy.

**17.5 Rights cumulative**

Except as expressly stated otherwise in this agreement, the rights of a party under this agreement are cumulative and are in addition to any other rights of that party.

**17.6 Consents**

Except as expressly stated otherwise in this agreement, a party may conditionally or unconditionally give or withhold any consent to be given under this agreement and is not obliged to give its reasons for doing so.

**17.7 Further steps**

Each party must promptly do whatever any other party reasonably requires of it to give effect to this agreement and to perform its obligations under it.

**17.8 Governing law and jurisdiction**

- (a) This agreement and the transactions contemplated by this agreement are governed by and are to be construed in accordance with the laws applicable in Queensland.
- (b) Each party irrevocably and unconditionally submits to the non-exclusive jurisdiction of the courts exercising jurisdiction in Queensland and any courts which have jurisdiction to hear appeals from any of those courts and waives any right to object to any proceedings being brought in those courts.

**17.9 Assignment**

- (a) A party must not assign or deal with any right under this agreement other than as permitted under this agreement.
- (b) Any purported dealing in breach of this clause is of no effect.

**17.10 Counterparts**

This agreement may consist of a number of counterparts and, if so, the counterparts taken together constitute one agreement.

**17.11 Entire understanding**

- (a) This agreement contains the entire understanding between the parties as to the subject matter of this agreement.
- (b) All previous negotiations, understandings, representations, warranties, memoranda or commitments concerning the subject matter of this agreement are merged in and superseded by this agreement and are of no effect. No party is liable to any other party in respect of those matters.
- (c) No oral explanation or information provided by any party to another:
  - (i) affects the meaning or interpretation of this agreement; or
  - (ii) constitutes any collateral agreement, warranty or understanding between any of the parties.

**17.12 Relationship of parties**

This agreement is not intended to create a partnership, joint venture, alliance or agency relationship between the parties.

**17.13 Delegations**

- (a) The Minister may delegate in writing the Minister's powers, rights or obligations pursuant to this agreement, or any of them, to the Chief Executive (Gaming Regulation) or the director general of the regulatory agency responsible for gaming regulation.
- (b) The Chief Executive (Gaming Regulation) may delegate in writing the Chief Executive's (Gaming Regulation) powers, rights or obligations pursuant to this agreement to an officer of the public service within that unit of the public sector for which the Chief Executive (Gaming Regulation) is responsible.

**17.14 Illegal acts**

Notwithstanding anything contained in any Act or other statutory provision or rule of law enacted by the State it is hereby acknowledged that any act by any party connected with, or pertaining to the Obligations, titles, rights and privileges of the parties contained in this agreement, which would, but for the enactment of the Control Act and the Agreement Act be illegal shall not be illegal.

**17.15 Fetter on authority**

- (a) Despite any other provision of this agreement, nothing in this agreement will be construed as placing a fetter on the Parliament or on any statutory powers given in favour of the Governor in Council, any Minister, the Chief Executive (Gaming Regulation) or the State and nor shall the Governor in Council, any Minister, the Chief Executive (Gaming Regulation) or the State be obliged to act other than in accordance with its statutory rights, powers and duties.
- (b) Without limiting **clause 17.15(a)**, anything which the Parliament does in its discretion, or which the State, any Minister or the Chief Executive (Gaming Regulation) is required to do under any law:
  - (i) will be deemed not to be an act or omission by the State under this agreement; and
  - (ii) will not entitle any party to make any Claim against the State arising out of the subject matter of this agreement.
- (c) For the avoidance of doubt, **clauses 17.15(a) and 17.15(b)** do not limit any liability of the State to the Licensee under any Project Document to the extent that the State is expressly liable pursuant to a term or condition of that Project Document or to the extent that the State is liable as a result of a breach by the State of a term or condition of a Project Document but this **clause 17.15(c)** does not create any liability of the State that would not otherwise have existed. For example: The Minister must be satisfied under **clause 2.1(d)(ii)** with the

outcome of certain probity investigations under the Control Act as a Condition to the Minister's obligation under **clause 3.1** to recommend to the Governor in Council that the Casino Licence be granted to the Licensee. If that Condition is not satisfied and so the Casino Licence is not granted, and therefore the condition in clause 3.2(d) of the IRD Development Agreement is not satisfied, this **clause 17.15(c)** does not create any new liability of the State or the Minister, but the Licensee (as the Developer under the IRD Development Agreement) will be entitled to a payment under clause 3.13(b) of the IRD Development Agreement if the requirements of that clause are satisfied.

- (d) Any permission, consent, approval or acceptance given by the State, the Minister or the Chief Executive (Gaming Regulation) under this agreement:
  - (i) is given only in its capacity as a counterparty to, or under a right in, this agreement; and
  - (ii) does not constitute a permission, a consent, an approval or an acceptance by the State under any Law or as an Authority.

#### **17.16 Payments to State**

Except as expressly stated otherwise in this agreement, the Licensee must pay all amounts payable by it under this agreement to the State or as the State may direct from time to time without demand or any deduction, set-off or counterclaim. If requested by the State, the payment must be made by direct debit to the bank account nominated by the State.

#### **17.17 Construction**

Unless expressed to the contrary, in this agreement:

- (a) words in the singular include the plural and vice versa;
- (b) any gender includes the other genders;
- (c) if a word or phrase is defined, its other grammatical forms have corresponding meanings;



- (d) **includes** means includes without limitation;
- (e) no rule of construction will apply to the disadvantage of a party because that party drafted, put forward or would benefit from any term;
- (f) a reference to:
  - (i) a person includes a partnership, joint venture, unincorporated association, corporation, entity and a Governmental Agency;
  - (ii) a person includes the person's legal personal representatives, successors, assigns and persons substituted by novation;
  - (iii) any legislation includes subordinate legislation under it and includes that legislation and subordinate legislation as modified or replaced;
  - (iv) an obligation includes a warranty or representation and a reference to a failure to comply with an obligation includes a breach of warranty or representation;
  - (v) a right includes a benefit, remedy, discretion or power;
  - (vi) time is to local time in Brisbane;
  - (vii) a reference to \$ or dollars is a reference to Australian currency;
  - (viii) writing includes:
    - (A) any mode of representing or reproducing words in tangible and permanently visible form, including fax transmission; and
    - (B) words created or stored in any electronic medium and retrievable in perceivable form;
  - (ix) this agreement includes all schedules and annexures to it; and
  - (x) a clause, schedule or annexure is a reference to a clause, schedule or annexure, as the case may be, of this agreement;

- (g) if the date on or by which any act must be done under this agreement is not a Business Day, the act must be done on or by the next Business Day; and
- (h) where time is to be calculated by reference to a day or event, that day or the day of that event is excluded.

**17.18 Headings**

Headings do not affect the interpretation of this agreement.

## Schedule 1

### Warranties

#### **A. Authority**

- 1 The Consortium Party has full power and authority to enter into this agreement and has taken all necessary action to authorise the execution, delivery and performance of this agreement in accordance with its terms.
- 2 This agreement constitutes a legally valid and binding obligation of the Consortium Party enforceable in accordance with its terms.
- 3 The execution, delivery and performance of this agreement by the Consortium Party will not violate any provision of:
  - (a) any law or regulation, or any order or decree of any governmental agency, of the Commonwealth of Australia or any state or territory or other relevant jurisdiction;
  - (b) the Constitution of the Consortium Party; or
  - (c) any Security Interest, encumbrance or other document which is binding on the Consortium Party and does not and will not result in the creation or imposition of any Security Interest, encumbrance or restriction of any nature over any of its assets or the acceleration of the date of payment of any obligation existing under any Security Interest or other document which is binding on the Consortium Party.
- 4 No person is entitled to recover from any Relevant Entity any brokerage, fee or commission in relation to this agreement or any transaction contemplated by it.

#### **B. Solvency**

- 5 No order has been made, or application filed, or resolution passed

or a notice of intention given to pass a resolution for the winding up of any Relevant Entity and there are no circumstances justifying commencement of any such action.

- 6 No notice under sections 601AA or 601AB of the *Corporations Act*, or under equivalent or analogous laws or regulations of another jurisdiction, has been received by any Relevant Entity.
- 7 No receiver, receiver and manager, controller, trustee, administrator or similar official, or a person having a similar or analogous function under the law of any jurisdiction, has been appointed over, or has possession or control of, all or any part of the assets or undertaking of any Relevant Entity nor has any Relevant Entity entered into any arrangement or composition or compromise with all or any class of its creditors.
- 8 Each Relevant Entity is able to pay its debts as and when they fall due.

**C. Accuracy of information**

- 9 All information and documents provided by or on behalf of each Relevant Entity to the State or its advisors are accurate and complete in all material respects and not misleading whether by inclusion or omission as at the date on which the information and documents are provided.

**D. Accounts and Casino Accounts**

- 10 If a Relevant Entity is incorporated or formed:
- (a) in Australia, each set of Accounts of the Relevant Entity or Casino Accounts of the Licensee provided to the State prior to the execution of this agreement or under **clauses 4.2(b) or 4.2(c)**:
    - (i) complies with the Accounting Standards and otherwise have been made out in accordance with Part 2M.3 of the *Corporations Act*;
    - (ii) gives a true and fair view of the financial performance of the Relevant Entity or the Gaming operations of the Licensee (as applicable) for the period ended on the

## Accounts Date;

- (iii) gives a true and fair view of the financial position of the Relevant Entity or the Gaming operations of the Licensee (as applicable) as at the Accounts Date;
  - (iv) has been prepared in a manner which is consistent with the standards, requirements and practices consistently applied by the Relevant Entity in the past three financial years or since incorporation or establishment (whichever is shorter);
  - (v) are not affected by any unusual or non-recurring item except to the extent that such item has been adequately disclosed in the notes to the Accounts or Casino Accounts (as applicable) in accordance with the Accounting Standards; and
  - (vi) has been audited or reviewed (as applicable) by a person registered as an auditor under Part 9.2 of the *Corporations Act*; or
- (b) outside Australia, each set of Accounts of the Relevant Entity provided to the State prior to the execution of this agreement or under **clauses 4.2(b) or 4.2(c)**:
- (i) is prepared in accordance with:
    - (A) all laws and regulations, any orders or decrees of any relevant governmental agency applicable to the Relevant Entity; and
    - (B) one of (as applicable):
      - (1) the International Financial Reporting Standards adopted by the International Accounting Standards Board;
      - (2) generally accepted accounting principles of the United States of America; or
      - (3) Hong Kong Financial Reporting Standards and Auditing and Assurance Standards issued by the Hong Kong Institute of

Certified Public Accountants,

as they apply to the Relevant Entity; and

- (ii) has been audited or reviewed (as applicable) by a person qualified to act as the Relevant Entity's auditor under the law of the Relevant Entity's incorporation.

- 11 The accounting records on which each set of Accounts of each Relevant Entity and each set of Casino Accounts of the Licensee which were provided to the State prior to the execution of this agreement or under **clauses 4.2(b) and 4.2(c)** were prepared:
- (a) correctly record and explain the transactions and financial position of the Relevant Entity or the Gaming operations of the Licensee (as applicable);
  - (b) have been kept so that the Accounts or Casino Accounts can be conveniently and properly audited or reviewed and, if the Relevant Entity is incorporated or formed:
    - (i) in Australia, in accordance with the *Corporations Act* and its Constitution;
    - (ii) outside Australia, in accordance with its Constitution and all laws and regulations, orders or decrees of any relevant governmental agency applicable to the Relevant Entity; and
  - (c) are in the possession or control of the Relevant Entity.

## Schedule 2

### Facilities for Inspectors

#### Gaming Regulator facilities

To undertake inspectorate functions, the Gaming Regulator will require adequate office facilities commensurate with the size and nature of Casino operations. The Gaming Regulator requires, as a minimum, the following:

- a monitoring station (incorporating a computer and sufficient viewing screens) with access to:
  - surveillance and security cameras (of a quality and standard not less than that provided in the Casino surveillance unit); and
  - the Casino monitoring system; and
  - dedicated cameras for the use and operation solely by inspectors appointed under the Control Act;
- a minimum of three workstations;
- a separate office for management functions;
- a small conference room;
- an interview room equipped for the electronic recording of interviews;
- a stationery cupboard and general office fixtures and fittings;
- provision for IT server/s and storage separate from office areas;
- all electronic equipment is to be connected to an uninterrupted power supply;
- foyer or external area, which is accessible to Casino staff to enable them to access the key safe;

- access to toilet and kitchen facilities; and
- supply of all necessary services including air conditioning, lighting, electricity, telecommunications, cleaning, maintenance and similar services,

or such other suitable or equivalent facilities which are approved in writing by the Chief Executive (Gaming Regulation).

### **Queensland Police Service**

Queensland Police Service (QPS) facilities must be provided within the Casino. A minimum of 2 work stations must be provided for the use of QPS staff or such other suitable or equivalent facilities which are approved writing by the Chief Executive (Gaming Regulation).

### **CCTV system**

CCTV monitoring and recording standards (including for dedicated cameras for the use and operation solely by inspectors appointed under the Control Act) for critical areas within the Casino will be developed with the State during the design development process under the IRD Development Agreement.

The minimum requirement is for a high quality colour CCTV system consistent with high quality lighting standards, which must include the following functionality:

- light-sensitive cameras with pan-tilt-zoom (PTZ) capabilities;
- in order to effectively and covertly monitor in detail from various vantage points, every point in the gaming area should be capable of being tracked by at least three cameras and every table should have at least one PTZ camera designated to it;
- fixed cameras shall be provided over specific areas, including but not limited to, cashier's cage, progressive gaming machines, and table games;
- all cameras are to be housed so that their movement is concealed;
- cameras shall be equipped with lenses of sufficient magnification to allow the operator to clearly distinguish the value of the gaming chips and playing cards;



- the CCTV system must have recording capabilities including time and date insertion and readout, with capability for clear and reliable 'still' photography off the monitor;
- the Casino surveillance unit is to provide real time monitoring and surveillance functions during all hours of operation;
- the Gaming Regulator government inspectorate is to have a number of dedicated PTZ CCTV cameras for their exclusive use with neither control nor signal patched through any Casino area, including electronic access to all CCTV cameras in and around the Casino-designated areas;
- the CCTV system is to be maintained and upgraded so as to achieve complete functional and operational capacity at all times; and
- CCTV monitoring is to be provided on all exits and entrances to the Casino.

## Schedule 3

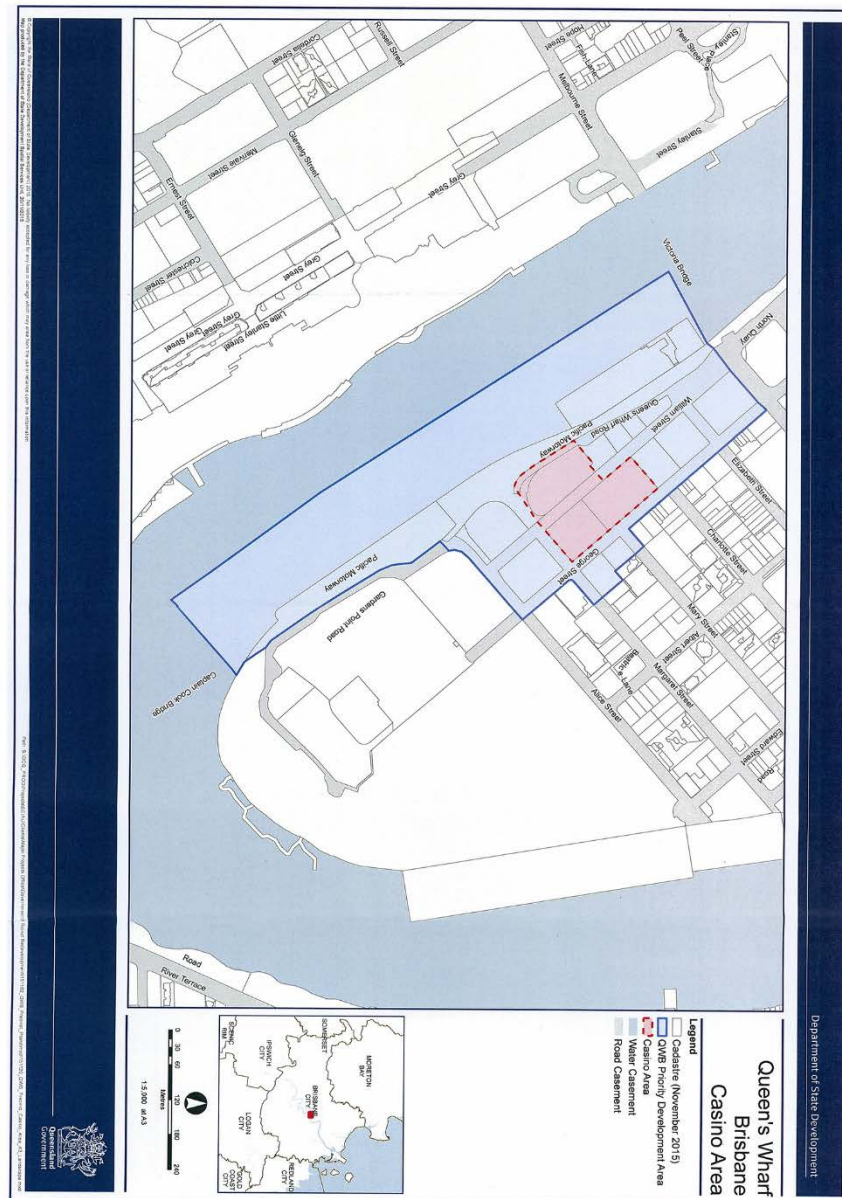
### Relevant Entities

Relevant Entities	Relevant Entity Trust	Relevant Entity's Ultimate Parent
Star	Not applicable	Not applicable
The Star Entertainment DBC Holdings Pty Ltd	Not applicable	Star
The Star Entertainment Brisbane Operations Pty Ltd	Not applicable	Star
The Star Entertainment Brisbane Holdings Pty Ltd	Not applicable	Star
FEC	Not applicable	Not applicable
FEC QWB Integrated Resort Holdings Limited	Not applicable	FEC
FEC QWB IR Intermediate Alpha Limited	Not applicable	FEC
FEC QWB IR Intermediate Beta Limited	Not applicable	FEC
FEC QWB IR Intermediate Gamma Limited	Not applicable	FEC
FEC Queens Wharf Integrated Resort Limited	Not applicable	FEC
CTF	Not applicable	Not applicable
Chow Tai Fook (Holding) Limited	Not applicable	CTF
Chow Tai Fook Enterprises Limited	Not applicable	CTF
CTFE QWB IR Intermediate One Limited	Not applicable	CTF
CTFE QWB IR Intermediate Two Limited	Not applicable	CTF
CTFE QWB IR Intermediate Three Limited	Not applicable	CTF
CTFE Queens Wharf Integrated Resort Limited	Not applicable	CTF
IR HoldCo	IR Holding	Not applicable

Relevant Entities	Relevant Entity Trust	Relevant Entity's Ultimate Parent
	Trust	
Licensee	IR Operating Trust	Not applicable

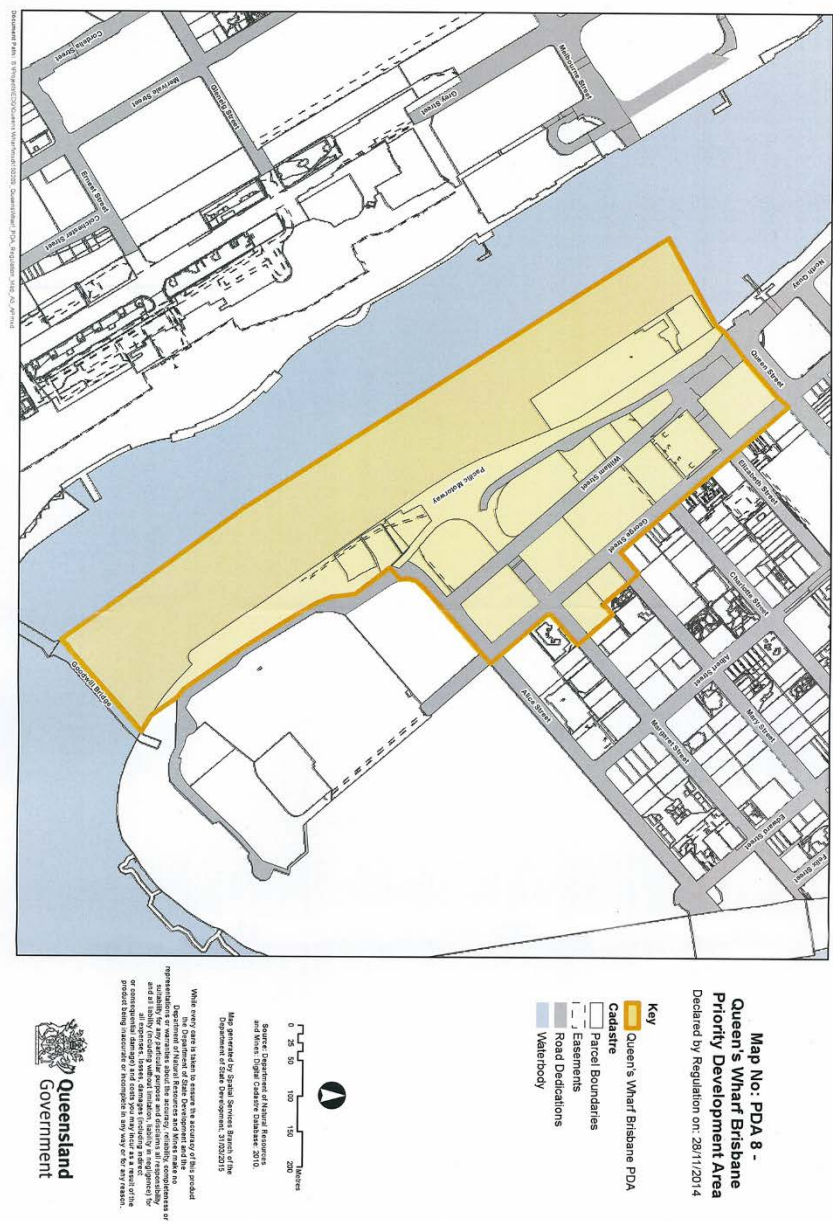
## Schedule 4

### Casino Area



## Schedule 5

### Precinct



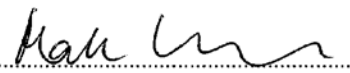
## Execution

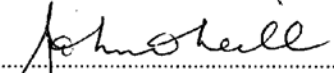
Executed as an agreement.

Signed for and on behalf of **The State of Queensland** represented by the Honourable Yvette D'Ath MP, Attorney-General and Minister for Justice:

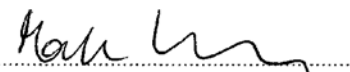
  
Signature

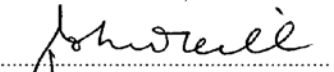
Executed by Destination Brisbane Consortium Integrated Resort Operations Pty Ltd in its capacity as trustee for the Destination Brisbane Consortium Integrated Resort Operating Trust

  
Matthew Michael Reichen  
Name of Company Secretary/Director (print)

  
JOHN O'NEILL  
Name of Director (print)

Executed by Destination Brisbane Consortium Integrated Resort Holdings Pty Ltd in its capacity as trustee for the Destination Brisbane Consortium Integrated Resort Holding Trust

  
Matthew Michael Reichen  
Name of Company Secretary/Director (print)

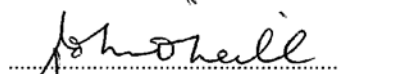
  
JOHN O'NEILL  
Name of Director (print)



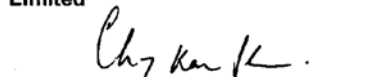
Executed by The Star Entertainment )  
Group Limited )

  
.....  
Company Secretary/Director

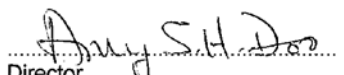
**MATTHEW MICHAEL BERICK**  
Name of Company Secretary/Director  
(print)

  
.....  
Director  
**JOHN O'NEILL**  
Name of Director (print)


Executed by Chow Tai Fook Capital )  
Limited )

  
.....  
Company Secretary/Director

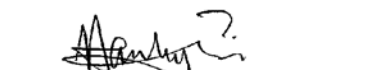
**Cheng Kar Shun**  
Name of Company Secretary/Director  
(print)

  
.....  
Director  
**Doo Cheng Sau Ha Amy**  
Name of Director (print)

SIGNED for and on behalf of Far East )  
Consortium International Limited in )  
the presence of: )

  
.....  
Signature

**Cheong Thand HOONG**  
Name of Signatory (print)  
**Director**

  
.....  
Witness

**CHOI TAK SHING**  
Name of Witness (print)  
16/F., Far East Consortium Building,  
121 Des Voeux Road Central, Hong Kong  
Address of Witness (print)

## 22 Schedule 2 (Dictionary)

Page 175, lines 5 to 8—

omit.

Amendments agreed to.

Schedules 1 and 2, as amended, agreed to.

## Brisbane Casino Agreement Amendment Bill

Clauses 1 to 10, as read, agreed to.

### Third Reading (Cognate Debate)



**Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (10.02 pm): I move—

That the Queen's Wharf Brisbane Bill, as amended, be now read a third time.

Question put—That the Queen's Wharf Brisbane Bill, as amended, be now read a third time.

Motion agreed to.

Bill read a third time.

**Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (10.03 pm): I move—

That the Brisbane Casino Agreement Amendment Bill be now read a third time.

Question put—That the Brisbane Casino Agreement Amendment Bill be now read a third time.

Motion agreed to.

Bill read a third time.

### Long Title (Cognate Debate)



**Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (10.03 pm): I move—

That the long title of the Queen's Wharf Brisbane Bill be agreed to.

Question put—That the long title of the Queen's Wharf Brisbane Bill be agreed to.

Motion agreed to.

**Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (10.03 pm): I move—

That the long title of the Brisbane Casino Agreement Amendment Bill be agreed to.

Question put—That the long title of the Brisbane Casino Agreement Amendment Bill be agreed to.

Motion agreed to.

## ADJOURNMENT

**Hon. YM D'ATH** (Redcliffe—ALP) (Acting Leader of the House) (10.04 pm): I move—

That the House do now adjourn.

### Agricultural Science



**Mr KNUTH** (Dalrymple—KAP) (10.04 pm): I would like to speak about the concerns for investment in rural and regional communities. Our small towns are supported by the agricultural sector and the small businesses in these towns support the community. Rural and regional towns will cease to exist if we continue to ignore the importance that small businesses have to rural towns. We must also continue to support the development of our agriculture industry.

In the last few weeks there have been concerns brought to my attention about the removal of agricultural science from the Education Queensland curriculum. Removing agricultural science from schools would be devastating for Queensland students as this practical subject prepares students for further agricultural studies, life on the land and a basic understanding of where food comes from. Agricultural science is successful from Ferny Grove here in South-East Queensland to Charters Towers, Atherton and Malanda high schools in my electorate.


Having the opportunity to learn where our food comes from and alternative career paths is extremely valuable for our young students. Agriculture is a \$15 billion industry that sustained us through the global financial crisis. Our children, the leaders of tomorrow, deserve to be able to learn about it.

One of the newly appointed councillors of the Tablelands Regional Council is a prime example of how diverse a career in agriculture can be. Councillor Ball was a dairy farmer, an auctioneer, a recipient of the Agricultural Ambassador Award and studied agricultural science at Malanda State High School.

I have contacted the Minister for Education directly. She has advised me that agricultural science is not being removed from the Education Queensland curriculum. We would like to see the government promote agricultural science and agriculture as an industry with real career paths.

Small business is the lifeblood of farming communities. In a place where the corner store is an hour drive away it is shocking to hear reports that small good suppliers are now no longer supplying our local stores with small quantity orders. Suppliers selling out to large corporations will be the death of small business and, in turn, small communities as they will only supply multinationals. This is yet another blow to small Queensland towns that are the employers of local people. We need to stop talking about jobs and start backing our farmers, our local businesses and our small communities.

### **Maryborough Electorate, Roadworks**

 **Mr SAUNDERS** (Maryborough—ALP) (10.07 pm): I rise tonight to talk about the good work the Palaszczuk government is doing in the electorate of Maryborough when it comes to roadworks. I would particularly like to thank the Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply. For 18 years our road network has been absolutely forgotten. In the 14 months of the Palaszczuk government I will run through what has been done and is being done in my electorate. I am so proud to be part of the Palaszczuk—

**Mr Crandon** interjected.

**Mr SAUNDERS:** I will take that interjection. We have had 18 years of conservative rule in the Maryborough electorate. We have had 18 years of members sitting on their backsides and doing nothing. They advocated nothing under a good Labor government.

**Opposition members** interjected.

**Mr SAUNDERS:** I will not take any more interjections. I do not like taking interjections. I will get on and talk about the good work—

**Opposition members** interjected.

**Mr DEPUTY SPEAKER** (Mr Furner): Order! Pause the clock. Members on my left please allow the member to continue in silence.

**Mr SAUNDERS:** It really pains these people when they hear the facts of what is happening in the electorate under the Palaszczuk government. We are restoring services.

Let me tell members about the roadworks in the electorate at the moment. The Tinana interchange has been funded with the federal government. We have stumped up the rest of the money to continue with it. The Torbanlea causeway, promised but never funded by the previous government, has been funded by the Palaszczuk Labor government. Traffic light are being installed at St Helens school. Some 8,000 cars go past that school a day. They were promised but never funded. They have been funded by the Palaszczuk Labor government. The Urraween Road-Maryborough Hervey Bay Road intersection upgrade was funded by the Palaszczuk Labor government. It is one of the busiest intersections in Queensland.


**Mr Seeney:** Pork-barrelling.

**Mr SAUNDERS:** No. It is called hard work from the local member. It is called hard work and lobbying. I take the interjection from the member for Callide. As I said, I offered to teach the member for Hervey Bay how to become a local member. He could come to my office and learn how to lobby the ministers to get funding for his electorate.

I will continue to talk about the roadworks that we have funded in the electorate since the Palaszczuk government has come to power. This government is delivering on services and improving the road network in my electorate. I am so proud to be part of the government. I could keep going all night about the road infrastructure that we have had and that we are getting.

The Yarrilee intersection will have a \$26 million upgrade. It was promised by the previous government when they were first elected. We saw no money. Wild ducks we call them in the racing game—they never settle. We waited and waited for those roadworks to be done. I would like to thank the minister. On behalf of my electorate and the people who come to my office every day, I say thank you because the road network in the Maryborough electorate is finally being restored and brought up to standard by a Palaszczuk Labor government who promised to deliver services to the community. We are delivering in my electorate to the community.

### Palaszczuk Labor Government, Performance

 **Mr HART** (Burleigh—LNP) (10.10 pm): How interesting is that? I was in Maryborough last week and I spoke to a number of people. The fact is that the member for Maryborough apparently does not meet with anybody. He does not talk to anybody. You cannot get a meeting with him no matter what you do. It is really interesting that a member over there would stand up and tell us how to be good members in our electorates when he has no idea how to be a good member in his electorate. That follows on from the debacle that we have seen tonight. We have had a conga line of lemming members of the Labor Party all talk about—

**Ms Trad** interjected.


**Mr HART:** I am sorry, member for South Brisbane. I cannot hear what you are saying. If you want to be a bit louder, please do so. We have had a conga line of lemming members of the Labor Party get up here tonight and talk about 1 William Street. They talked about the Queen's Wharf development and how good that is, but they have not given any credit to the people who did the work on that project.

They have completely ignored all of their failures—all of their failures like the Gold Coast desalination plant, the rusting piece of infrastructure down there on the Gold Coast that is costing \$35 million a year to run; the Western Corridor Recycled Water Project, which does not pump any water anywhere, which was never finished and was never tested. It has absolutely no use but costs something like \$9 billion that was added to the state's credit card, to the state's debt. They just ignore all of that.

The previous government was looking at the debt that the previous Labor government had put us in. We are heading very fast towards \$100 billion worth of debt. We are at \$85 billion worth of debt now. We just ignore all of that. We just ignore all of those things. Instead, we will organise some trains that cannot go through tunnels. We will organise some trains that do not have any seats in them. We will build a dam that has no pipes. We will buy a lot of land in the Mary River and then we will not go ahead with the Traveston Dam and we will waste \$400 million. Let us not worry about any of that. Instead, we will form some more Public Service quangos. We will establish Building Queensland and then we will not send it anything to do and we will spend \$14 million. We will have 20-odd staff but we will not send it anything to do. I do not know how many times I have asked the Deputy Premier how many projects have been sent to Building Queensland—nothing.

*(Time expired)*

### Junction Park State School

 **Hon. JA TRAD** (South Brisbane—ALP) (Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment) (10.13 pm): I am very pleased to put an end to the member for Burleigh's rant tonight. I rise to inform the House of a public school in my electorate that is deeply committed to developing their students into well-rounded individuals academically and emotionally. Junction Park State School are conscientious about creating a strong sense of community for their students, teachers and parents, as well as encouraging a very exceptional academic outcome path for their students.

A recent example of this commitment to community was their incredible fundraising efforts for the Leukaemia Foundation's World's Greatest Shave. Since the event was held last month, the school's team, the 'Mohawks', have raised in excess of \$10,000 for leukaemia research. This is a monumental achievement by anyone's standards, but for those who are familiar with the Junction Park community it will probably come as no surprise. Junction Park are renowned locally for their commitment to social justice and their fierce community spirit.


Junction Park's commendable effort in the World's Greatest Shave is just one example of the impact that great public schools can have on kids' lives both within and beyond the classroom. As with many schools in my electorate, Junction Park have excellent NAPLAN scores, including being recognised last month as one of the most improved schools statewide over the last two years. This sort of academic achievement is especially noteworthy considering that almost 35 per cent of students speak a language other than English at home and a proportion of students have come to Australia and Brisbane, have resettled in our city, as asylum seekers. These results are no coincidence, coming off the back of two years of Gonski funding, which at Junction Park has provided around 25 per cent more funding per student over the last two years.

A great school's contribution to their students' growth is more than just academic, encouraging kids in sporting, cultural, environmental and social pursuits. For schools to be able to deliver those kinds of outcomes for kids, they need to be able to have the resources to do so which means not being overstretched in the classroom. When schools are underresourced, classrooms are overcrowded and teachers are overburdened and outcomes for kids suffer.

I do want to pay particular tribute to Principal Christine Wood for all of her hard work. I do believe that if every school in Queensland had a Christine Wood then Queensland kids would be much better off. That is why I was very, very concerned when I heard the Prime Minister of this country talk about withdrawing federal funding for state schools throughout Australia. The fact that the Liberal National Party again have revealed that they are not to be trusted with our universal education system is a disgrace. It is an absolute disgrace, and we will fight against it.

(Time expired)

### Queensland Music Awards

 **Mr WALKER** (Mansfield—LNP) (10.16 pm): On 21 March I was fortunate to be an attendee at the Queensland Music Awards. That is a very important ceremony which honours the creativity of Queensland artists and in particular celebrates the Brisbane live music scene. It is run by QMusic and it is supported strongly by the Bank of Queensland and by Hutchinson Builders. I commend both the Bank of Queensland and Hutchies for that tremendous support. Scott Hutchinson in particular has a personal interest in the matter and served in a very important role on the Arts Investment Advisory Board when I was minister for the arts.

The vibrancy of the Brisbane live music scene has to be seen to be believed. The Queensland Music Awards really show off the tremendous talent that we have here. The night was a great night—and I will go into it shortly—for many reasons. It was permeated by concern about the lockdown laws being promulgated by the government. That message came through loud and clear by many of the speakers on the night who realised the threat that the limited view that the government has in respect of dealing with these matters by shortening hours has on the vibrancy of that industry.

Apart from that, it was a very up-beat night. It was a night that was hosted by Triple J's Gen Fricker, who certainly was confronting with some of her humour. She set the tone for an extremely enjoyable night. Not only is it a night where the recipients simply accept their rewards; there are many performances by the award winners as well.


One of the stars of the night was Luke Danielle Peacock. He took out the Indigenous category, as well as the very prestigious \$10,000 Billy Thorpe Scholarship, which is sponsored by the Queensland government through Arts Queensland. Brisbane's four-piece band Blank Realm collected the Album of the Year Award for their acclaimed release *Illegals in Heaven*. Sheppard, who is well known, received the Export Achievement Award, and Jarryd James scored the Highest Selling Single by a Queenslander in 2015. The Veronicas' self-titled album took out the Highest Selling Album category. I can see many members' eyes lighting up in recognition. I see the minister over there particularly.

My great pleasure was that the big winners of the night were that famous band Violent Soho, who are the boys from Mansfield. I was very pleased to see that they picked up two awards: Song of the Year and Rock Award for their song *Like Soda*. As often is the case in the arts right across-the-board, Mansfield once again came to the fore. I congratulate all winners but in particular Violent Soho for taking out those two prestigious awards at this wonderful event.

**An honourable member:** Have you got it on your playlist?

**Mr WALKER:** It is on my playlist, yes.

### St John's Anglican College; Bayles, Mr HJP

 **Hon. LM ENOCH** (Algeria—ALP) (Minister for Innovation, Science and the Digital Economy and Minister for Small Business) (10.19 pm): Last week I visited St John's Anglican College in Forest Lake in my electorate of Algeria to wish 24 young innovators all the best as they embark on the trip of a lifetime as part of the Conrad Spirit of Innovation Challenge. The initiative challenges students to develop extraordinary and viable solutions to benefit our world in a number of areas. The year 10 and year 11 students, 14 of them young women, won the opportunity to travel to NASA in Florida and compete against other young entrepreneurs from around the world. There are some incredible examples of innovative thinking among the St John's Anglican College teams chosen to participate. As the innovation minister, I am extremely proud to say that these students from my own electorate of Algeria are the only Australian students to be selected to travel to Florida for the challenge. I congratulate the students and teachers and wish them all a safe and successful trip.


Early Sunday morning our community lost an absolute giant. 'Tiga' Bayles, the CEO of the Brisbane Indigenous Media Association, passed away after a long battle with cancer aged just 62. Tiga Bayles was a leading figure in the Aboriginal rights movement in Brisbane. He marched in the streets,

he fought for Indigenous services and he helped broadcast the voices of Australia's first nations people through his contribution to the National Indigenous Radio Service and the establishment of the Brisbane Indigenous Media Association, the home of 98.9FM Murri country.

98.9FM is one of the nation's most successful community radio stations. Tiga Bayles hosted the station's morning program *Let's Talk* and was never afraid to tackle the tough topics—everything from stolen wages and stolen generations, to political representation, treaty and constitutional recognition. I have had the chance, along with the member for Cook, to be interviewed on *Let's Talk* a number of times. Although sometimes challenging, Uncle Tiga had this way of asking questions that created a story for the listener, a way to digest and personalise the sometimes confronting content. He was also committed to education and was a long-term chairman of the well-known Murri School at Acacia Ridge. Tiga Bayles was named Queensland Father of the Year in 2005. He raised nine girls and was Australia's most prominent and awarded first nations broadcaster.

Many people talk about standing on the shoulders of giants. Tiga Bayles was a giant with the broadest of shoulders. On my journey to this place—and I am sure also for the member for Cook—Uncle Tiga was a supporter, an adviser and a confidante. He was passionate about social justice, he was unwavering in his commitment to helping people be the best they could be and he understood how the power of stories can change the world. Tiga Bayles will be very much missed but his legacy lives on in the many lives he has touched. There will be many more first nations Australians who will see the world differently because they stand on the broad shoulders of this incredible giant.

### de Wit, Councillor M

 **Dr ROWAN** (Moggill—LNP) (10.22 pm): Tonight I rise to pay tribute to Councillor Margaret de Wit, who for 19 years was the councillor for the ward of Pullenvale. Margaret retired from the Brisbane City Council on 19 March 2016 after first being elected to council in March 1997.

Prior to becoming the councillor for Pullenvale, Margaret worked in the not-for-profit sector as a volunteer at St Vincent de Paul. Then for several years she worked as a community liaison manager for BoysTown Family Care. This was after a career of nearly 20 years with Telecom Australia, now Telstra. At the time of leaving, she was the state manager for corporate services. These past positions were to hold Margaret in great stead as she started out on a new career as a councillor for the ward of Pullenvale.

Margaret and her husband, Hank, live in Bellbowrie in the heart of the ward of Pullenvale. Margaret has been a tireless and passionate worker for the residents of the Pullenvale ward. She has delivered many community initiatives during the past 19 years. She is the patron of many local organisations including Meals on Wheels, the Moggill Cricket Club, the Bellbowrie sports club and the Bellbowrie Swimming Club. Margaret is also an active participant with local environment groups including the Pullen Pullen Catchment Group, which she founded. She is also an active member of the Kenmore Chamber of Commerce and the Anglican Church and she is an honorary member of the Rotary Club of Kenmore.

After years of delay and due to the hard work and lobbying of former councillor de Wit, the Kenmore Library opened its doors in December 2010 with approximately 50,000 items at the Kenmore Village Shopping Centre. For her services to the community, Margaret has been awarded the Paul Harris Fellow Award by the Rotary Club of Karana Downs and a second Paul Harris Fellow Award from the Rotary Club of Kenmore.

Councillor de Wit has also been the president of the Local Government Association of Queensland, the first woman to hold the position in the 116-year history of the association. As the Local Government Association of Queensland president, Margaret was also a director of the Australian Local Government Association. During her time as a councillor, Margaret has held the position of chairman of the Brisbane City Council, a position similar to the Speaker of the House. She has also held the portfolio of Public and Active Transport and then Infrastructure since 2008.

I have known Councillor Margaret de Wit for nearly 20 years, from when I was a member of the University of Queensland Liberal student club. Since being elected as the state member for Moggill in 2015 it has been my pleasure to work alongside Margaret many times and see the esteem in which she is held by her local community. I add my vote of thanks to the long list of local residents who have benefited from her 19 years as a councillor for Pullenvale. I wish both her and her husband, Hank, a very long and happy retirement. I thank them both for their dedication and service over many years to the Liberal Party, the Liberal National Party and their local community in the western suburbs of Brisbane.

### World Haemophilia Day



**Mr RYAN** (Morayfield—ALP) (10.25 pm): Mr Speaker, today, as you have done and as many other members of this parliament have done, I am wearing a badge in support of World Haemophilia Day 2016. Each year on 17 April World Haemophilia Day is used to raise awareness of haemophilia and other inherited bleeding disorders. For those who are not aware, haemophilia is a rare genetic bleeding disorder that occurs when blood does not clot properly as there is not enough of a particular protein in the blood that controls bleeding. As a result, there is not enough clotting factor and bleeding may continue for longer than normal, especially internally into joints, muscles and organs.

While haemophilia is usually inherited, one-third of people with haemophilia have no previous family history. Sadly, haemophilia is incurable and can be life threatening if left untreated. With treatment, however, people with haemophilia can prevent repeated bleeding into muscles and joints, which can lead to arthritis and other joint problems. Interestingly, most people with haemophilia are male.

One of those people is a resident of the Morayfield state electorate. Last year I met with Brett Williams. Brett is one of the approximately 1,800 people with haemophilia in Queensland. Brett has severe haemophilia. He has been in constant pain his entire life and due to the damage caused to his joints by haemophilia he has been in a wheelchair for over 20 years. In a recent newspaper article, Brett said that haemophilia has crippled him. He says it is hard to describe to other people what the pain is like when you have a bleed.

Brett is passionate about raising awareness about haemophilia. When I met with Brett last year he asked me for help in raising awareness, and I was more than happy to do so. Brett is a courageous advocate for this cause and has already done a great job raising awareness on behalf of the Haemophilia Foundation Queensland. I am sure Brett would be very pleased to hear that the Story Bridge was lit red over the weekend to acknowledge World Haemophilia Day and that many members of parliament have worn the badges that he asked me to distribute.

In raising awareness for World Haemophilia Day and haemophilia it is important to highlight the good work of Haemophilia Foundation Queensland. The foundation provides significant support programs and services to people affected by bleeding disorders and their families. These supports include family and youth camps, crisis support, employer and school education, and member advocacy. I encourage all Queenslanders to learn more about haemophilia and other bleeding disorders.

### Early Childhood Development Program




**Mr McEACHAN** (Redlands—LNP) (10.28 pm): I rise tonight to bring to the attention of the House the very important work being done in the delivery of the early childhood development program in the Redlands. However, in spite of this, the Palaszczuk Labor government recently signalled that the ECDP would be axed due to the implementation of the National Disability Insurance Scheme. Labor minister Jones's subsequent partial backflip has served only to prolong the uncertainty. Families are at a loss to explain why the minister saw fit to play politics with this issue. Certainty and stability for parents and children are of paramount importance.

The Queensland Teachers' Union expressed its ongoing support for the ECDP. In my meeting with the QTU, I was pleased to hear that the union wanted the same certainty for students, parents and teachers, and why would it not? This program is vital and teachers know that it gets results. At my recent mobile offices, parents of children currently in, or graduated from, the ECDP dropped in to express their dismay at Labor's position and to thank me as an LNP member for our strong support of this vital program.

Parents, grandparents, teachers and supporters tell story after story of children who would otherwise have fallen behind in their education and who have blossomed under the program and are doing great not just in their academic work but also socially and emotionally. To cast a pall of uncertainty over the future of this program is a heartless, ham-fisted approach by Labor that has parents worried sick. It is clear that Minister Jones has jumped on an opportunity to ditch the ECDP under the guise of funding from NDIS. The LNP will not allow this to happen without a fight, and we are standing up for those in our community who, in spite of a tough start in life, meet their challenges with humour, courage and determination. This program works because it has decades of corporate experience. It is educational, it is classroom centred, it prepares children for school and it can only be delivered successfully by schools like the Redland District Special School and many others around the state.

I take this opportunity to thank Principal Andrew Thompson and the staff at the Redland District Special School. The school enjoys an excellent reputation in Redlands city as a professional, caring and empowering educational facility for our community. I also thank the parents who have spoken to me about this issue affecting their families. I want to make particular mention of Louisa, Sam and Anne, all of whom took the time to advocate on this issue. I remain resolute in the defence of the early childhood education program, and I urge the Palaszczuk Labor government and Minister Jones to back it completely and remove uncertainty for children, parents and teachers.

### **Morningside Panthers**

 **Ms FARMER** (Bulimba—ALP) (10.30 pm): I am the proudest patron ever of the Morningside Panthers, the mighty AFL club that is the heart of the local Morningside-Hawthorne community. I am proud that they are a wonderful community club which is back for the 2016 season with three straight wins, including the grand final rematch last weekend where they won over last year's premiers from Labrador.

I am proud of the thriving junior club, which is supported by the hardest working, most enthusiastic volunteers and parents, and their leadership team, which goes above and beyond in terms of the number of hours they invest and the sheer magnitude of personal investment they make in the club. I mention in particular David Diamond, Paul Mazoletti, Mike Mollison, Phil Mewes, Janet Martin, Deb Macqueen and Raylene Allen, and you cannot mention Raylene without mentioning her mum, Desley. There are many others I do not have time to acknowledge here but without whom the club simply would not be the place it is.

They are determined to increase female participation and they have all sorts of plans to achieve that, including their new partnership with Lourdes Hill College. They do not pay their players huge salaries because they do not have the money, but they remain the club to beat because they keep their players despite that. They make up for it in terms of being family and having a big heart, and many of their senior players have been there since they were juniors for that very reason. They just do not want to leave because they feel so looked after.

I think one of the other reasons they are so excellent is that they are also very committed to their community. They hold an annual event called Walk a Mile in Her Shoes, where young men put on their high-heeled red shoes and walk a couple of kilometres around the neighbourhood to raise money to help combat domestic violence. They also have a fantastic program called Siders for Life. Several weeks ago I had the best meeting with Daniel Fletcher and Nick Tomlinson, who run that program. Not only are they aimed at players making the club a better place; they are also aimed at the club making them a better person. They provide an environment where the young men learn self-respect, appreciation, resolve and resilience. They receive support in financial, medical, legal, social, habitation and occupational areas. The aim is to make them the best people that they possibly can be, not just the best players.

I really must mention the fantastic community markets that they have, which are aimed at keeping them a hub of the local community, and in particular Bec Lawrence, who started those markets but has now had to move on with other commitments in her life. I know the club is going to do very well under the Jan Power markets. As I said, I am very proud to be the patron of this club and I am looking forward to working with them over the coming years to make them even better than they are now.

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 10.34 pm.

### **ATTENDANCE**

Bailey, Barton, Bates, Bennett, Bleijie, Boothman, Boyd, Brown, Butcher, Byrne, Costigan, Cramp, Crandon, Crawford, Cripps, D'Ath, Davis, de Brenni, Dick, Dickson, Donaldson, Elmes, Emerson, Enoch, Farmer, Fentiman, Frecklington, Furner, Gilbert, Gordon, Grace, Harper, Hart, Hinchliffe, Howard, Jones, Katter, Kelly, King, Knuth, Krause, Langbroek, Last, Lauga, Leahy, Linard, Lynham, Madden, Mander, McArdle, McEachan, McVeigh, Miles, Millar, Miller, Minnikin, Molhoek, Nicholls, O'Rourke, Palaszczuk, Pearce, Pease, Pegg, Perrett, Pitt, Powell, Power, Pyne, Rickuss, Robinson, Rowan, Russo, Ryan, Saunders, Seeney, Simpson, Smith, Sorensen, Springborg, Stevens, Stuckey, Trad, Walker, Watts, Weir, Wellington, Whiting, Williams