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RECORD OF PROCEEDINGS

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FIRST SESSION OF THE FIFTY-FIFTH PARLIAMENT

Wednesday, 11 May 2016

Subject Page

PW WELLINGTON
SPEAKER

NJ LAURIE
CLERK OF THE PARLIAMENT

LJ OSMOND
CHIEF HANSARD REPORTER

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WEDNESDAY, 11 MAY 2016

The Legislative Assembly met at 2.00 pm.

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

SPEAKER'S RULING

Same Question Rule

Mr SPEAKER: Honourable members, I have ordered that a ruling regarding the application of the same question rule to cognate bills be circulated. I seek leave to have the statement incorporated in the parliamentary record.

Leave granted.

The Member for Clayfield introduced the Planning and Development (Planning for Prosperity) Bill, Planning and Development (Planning Court) Bill, Planning and Development (Planning for Prosperity Consequential Amendments) and Other Legislation Amendment Bill on 4 June 2015.

The Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment introduced the Planning Bill, Planning and Environment Court Bill and Planning (Consequential) and Other Legislation Amendment Bill on 12 November 2015. The bills include matters dealt with in the member for Clayfield's bill.

The bills seek to achieve the same objectives. Specifically, to repeal the Sustainable Planning Act 2009 (SPA) and replace the current planning and development system. The bills also seek to provide separate legislation to govern the constitution, composition, jurisdiction and powers of the Planning and Environment Court. The suite of bills also includes consequential amendments to deal with the repeal of the SPA.

Standing Order 87(1) provides that unless the Standing Orders otherwise provide, a question or amendment shall not be proposed which is the same as any question which, during the same session, has been resolved in the affirmative or negative. A number of Speaker rulings in relation to this issue have been made in recent years. In summary:

- The matters do not have to be identical, merely the same in substance as the previous matter. In other words, it is a question of substance, not form;
- There is no rule preventing the presentation of two bills on the same subject, or indeed opposite intent. However, if a decision of the House has already been taken on one bill, the other is not to be proceeded upon; and
- An amendment cannot be moved to a bill that has already been moved to another bill and defeated or is substantially the same as a bill that has been defeated.

Whilst the bills differ with respect to some matters, I am satisfied that the bills deal with the same substance and the same question rule is enlivened. In accordance with the cognate motion agreed to, the second reading questions for the government bills will be put first.

At this point, I will make a ruling in relation to the application of the same question rule for the private member's bills.

Should the second reading questions for the government bills be agreed to, the private member's bills would then be discharged from the Notice Paper, as the ruling would not allow any further decisions to be made on the bills.

As there will have been no decision taken in relation to the particular clauses in the private member's bills, members can move amendments to the government bills to deal with particular matters contained in the private member's bills.

PETITION

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

Robina Community Legal Centre

Ms Bates, from 837 petitioners, requesting the House to deliver a funded coordinator and practice manager to the Robina Community Legal Centre [659, 660].

Petitions received.

TABLED PAPER

MEMBER'S PAPER

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

Member for Cairns (Mr Pyne)—

661 Document, undated, titled 'Queensland on The Rocks: the Toogoom Esplanade Rock Wall—An Administrative Fiasco'

MINISTERIAL STATEMENTS

North Queensland, Police Operation

Hon. A PALASZCZUK (Inala—ALP) (Premier and Minister for the Arts) (2.02 pm): I can advise the House that officers of the Queensland Police Service assisted the Australian Federal Police in an ongoing investigation in North Queensland yesterday. As the Australian Federal Police have advised, five men were arrested. These men are in custody assisting police pending further investigation. I am also advised that this activity is not related to a current or impending threat to the community. I would like to thank those Queensland police officers who were involved in this operation. Our government takes issues of national security and counterterrorism very seriously, and to that end the Queensland Police Service will continue to work with partner agencies.

Aurukun

Hon. A PALASZCZUK (Inala—ALP) (Premier and Minister for the Arts) (2.03 pm): Over the weekend there was unrest in the Cape York community of Aurukun. Yesterday the education minister directed the education department to immediately temporarily relocate Aurukun based staff at the Cape York Aboriginal Australian Academy in support of the executive principal's decision to close the campus. During this period staff are working out of the Far North Queensland regional office in Cairns. Our staff will be provided with counselling and professional development to support their return to the community. I am deeply concerned about the safety of residents in Aurukun, and that is why my government has acted to ensure the safety of the community. In terms of our government workers, their safety and wellbeing is a priority.

My advice is that at this stage there are no plans to remove other front-line staff or services from Aurukun. We will continue to closely monitor the situation. Five additional police have already arrived in Aurukun to ensure the safety of all residents and another three police will be in place tomorrow. During the period of the time the academy is closed there will be the provision of alternative activities for students affected by school closures. This will be delivered by the local PCYC, with an increased number of officers and logistical support by the Department of Aboriginal and Torres Strait Islander Partnerships. I have also asked the Treasurer, as the Minister for Aboriginal and Torres Strait Islander Partnerships, to coordinate the whole-of-government response to the issues impacting on Aurukun.

In terms of housing safety, the Minister for Housing and Public Works ordered an immediate security assessment in Aurukun. They have arrived in the community and have begun their assessment and commenced work. As a matter of priority I have also requested a security assessment of other government employee housing in Aurukun. Work has already started on increased security measures, including the reinforcing and replacing of fencing, and this work will continue today. I have been advised by the Queensland Police Commissioner that prosecutions have commenced for the offences of armed robbery, unlawful use of a vehicle, wilful damage and assault. I have been advised that six offenders have been charged and four offenders have been remanded in custody.

I make it very clear: my government takes the safety of all Queensland communities very seriously. Everything that can be done will be done to ensure the safety of the Aurukun community. I have also directed my director-general to look at the broader social and economic issues in the Aurukun community as a matter of priority and report to me. There will be a community meeting held in Aurukun on Friday and a government minister will attend that meeting. My government will work closely with the community champion and key community and government stakeholders in the Aurukun community.

Palaszczuk Labor Government, Jobs

Hon. A PALASZCZUK (Inala—ALP) (Premier and Minister for the Arts) (2.06 pm): As promised, my government is determined to restore hope and opportunity. We are determined to create jobs and new opportunities for Queenslanders. The National Disability Insurance Agency's first market position statement for Queensland shows that the NDIS will create even more jobs in the disability sector than first estimated. It is now expected that the NDIS will create up to 36,000 full-time-equivalent jobs by 2019 in the disability sector right across the state of Queensland, an increase from the original projection of 13,000. This is a massive boost for Queensland and the provision of disability services support to more than 90,000 Queenslanders, and I commend the Minister for Disability Services for her outstanding work in this area. I also acknowledge the work of Bill Shorten to provide the initial national political momentum for the National Disability Insurance Scheme in this nation.

In terms of jobs, I recently had the pleasure to turn the first sod on the Aveo Group's $1 billion retirement village in Springfield. The development includes 2,500 retirement villas and will create more than 5,000 jobs. Yesterday the health minister and I welcomed Sigma Pharmaceuticals' $65 million distribution centre, and last week the tourism minister confirmed that China Eastern Airlines would increase its services from Shanghai to Brisbane to daily flights from this December. These additional flights will bring more tourists, more jobs and more opportunities for Queenslanders.

My government's record on jobs stands in stark contrast to that of the LNP and the Leader of the Opposition. Since the last election more than 60,000 jobs have been created in Queensland. When Labor left office in 2012, Queensland's unemployment rate was 5.5 per cent. By the election in January 2015 the unemployment rate had increased to 6.6 per cent under the LNP. Queensland's unemployment rate has stabilised to around six per cent. My government has more work to do, but I am proud of the work that we have already done. My government knows the dignity of work, and we are striving to create more opportunities for Queenslanders right across this state to get into work.

Infrastructure

Hon. JA TRAD (South Brisbane—ALP) (Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment) (2.08 pm): In the two months since the Premier and I—and the Minister for Transport and Minister for the Commonwealth Games, I have to say—released the State Infrastructure Plan, Queensland's first in more than three years, we have been hard at work making this plan a reality. Of the 19 implementation actions contained in the State Infrastructure Plan we have already moved on 13, including: the establishment of a new Infrastructure Portfolio Office to more closely monitor the rollout of our infrastructure program; the creation of a new Infrastructure Cabinet Committee; the establishment of the Value Capture Unit; the hosting of a value-sharing symposium to look at new and innovative ways to fund new infrastructure; the signing of an agreement with the Council of Mayors (South East Queensland) and the Property Council of Australia to pilot a 'city deal'; and the formal commencement of the review of the South East Queensland Regional Plan, with much tighter focus on the integration between development and infrastructure delivery.

This morning I chaired a meeting of the Infrastructure Cabinet Committee that was attended by key industry stakeholders to update them on the implementation of the State Infrastructure Plan. This underlines our commitment to work in partnership with industry in order to collaborate and meet the state's infrastructure needs. The committee also discussed the importance of our new State Infrastructure Fund, with its initial injection of half a billion dollars, to build the infrastructure needed to grow the economy and to support jobs.

The first funded program, the $300 million Priority Economic Works and Productivity Program, is earmarked for seven high-priority transport projects. The Department of Transport and Main Roads is currently progressing all of these proposals, and construction on the $22 million Kawana and Nicklin Way-Sunshine Coast University Hospital intersection will commence in the coming months, supporting more than 43 jobs. Other projects will see procurement activities commencing in the near future. I commend and recognise my fellow cabinet colleagues, particularly the Minister for Main Roads and the Minister for Transport, for their assistance with regard to the economic works and productivity program.

Like many of my cabinet colleagues, I am very pleased that the Commonwealth government has finally matched our $200 million funding commitment to the Ipswich Motorway to upgrade the section between Darra and Rocklea. That means that we can now move ahead quickly and get that project underway as soon as possible. Now we just need to see investments in other priority projects including the Townsville stadium and the Gateway-M1 merge.

We are also considering potential projects for funding under the $180 million Significant Regional Infrastructure Projects Program, which focuses on regional community needs. I know that a number of members in this House have been working hard to put the case for investment in their local communities. We are also finalising the scope and schedule for the $20 million Maturing the Infrastructure Pipeline Program to help fast track early stages of the infrastructure project pipeline.

We have accomplished this in just two short months after the release of the SIP because we have a plan and we are sticking to that plan. That is how infrastructure delivery works: you plan for it, you prioritise it and you invest in it, which means jobs and a stronger economy. I look forward to providing further updates to the House as we continue to implement the State Infrastructure Plan to deliver economic growth and create jobs throughout Queensland.

Queensland Economy

Hon. CW PITT (Mulgrave—ALP) (Treasurer, Minister for Aboriginal and Torres Strait Islander Partnerships and Minister for Sport) (2.12 pm): Since the state election on 31 January last year, the Palaszczuk government has been working hard to create the right economic conditions for job creation in our state. Despite the fact that those opposite are in their fifth year of talking down our economy and cherry picking bad news, our efforts are working. Our economic plan is working.

We are proud to say that since the election 61,300 new jobs have been created in Queensland, including 27½ thousand full-time jobs. That is the number of new jobs that have been created since January 2015, the last month of the failed Newman government. As much as those opposite do not like to hear it, those are the facts. When they were in government they were quite happy to use the election month of March 2012 as the starting point for their government. I have here a statement issued by the former treasurer, dated 6 December 2012, using the election month as their starting point. I table it for the benefit of the House.

Tabled paper: Media release, dated 6 December 2012, by the former treasurer and minister for trade, Mr Tim Nicholls MP, regarding Queensland's unemployment rate [662].

We are proud of our record and our economic plan, which has lifted our economy and employment since voters passed their verdict on the LNP. This government is backing and talking up Queensland, seizing economic opportunities and embracing a pro jobs and pro business approach that generates jobs. It is amazing what an economic plan grounded in positivity and a belief in this state can actually do in terms of realising our economic potential.

By contrast, the LNP's new leader is still offering nothing but negativity. The 61,300 jobs created under this government have helped drive down our unemployment rate to six per cent from 6.6 per cent, where the LNP left it after inheriting a 5½ per cent rate in 2012. Deloitte Access Economics puts us second on economic growth behind New South Wales this financial year and leading the nation in 2016-17 and beyond. The NAB business outlook shows business confidence in Queensland as the highest of all mainland states for 10 months in a row. In little more than one year we have rebuilt business confidence after the LNP shattered it in just three.

The LNP negativity is nothing new. They are in their fifth year of talking down Queensland, and the architect of that negativity is now at the helm. The former treasurer was the only one in three decades to preside over a reduction in the number of full-time jobs in Queensland. On the Leader of the Opposition's watch as treasurer, Queensland shed 12,000 full-time jobs. That is 80 jobs lost every week. The Leader of the Opposition delivered the worst economic growth under any Queensland government in 30 years: an annualised rate of 1.6 per cent.

The new leader of the LNP is continuing the tricks—of talking down Queensland and destroying confidence to scare people into accepting asset sales. Asset sales remains the LNP's one-point economic plan. When the former treasurer was leading the award-winning $100 million Strong Choices campaign, he said that Queenslanders had three choices: asset sales, higher fees and charges or more cuts to jobs and services. Now he claims to not be interested in asset sales, even though we keep reading about his plans in various media outlets. For example, we know that the LNP wants to sell 49 per cent of Powerlink. Now it is time for the opposition leader to reveal his fourth option. We cannot have people hiding behind asset leasing, because we all remember being told that it was the same as 'selling the farm'. The Leader of the Opposition must detail what his fourth option is.

We are a government that is about talking up Queensland's prospects. A very important part of our economic plan is being positive about our future. That is what people will continue to hear from the Palaszczuk government.

Aurukun

Hon. WS BYRNE (Rockhampton—ALP) (Minister for Police, Fire and Emergency Services and Minister for Corrective Services) (2.15 pm): The Queensland Police Service has established an around-the-clock policing presence in Aurukun to maintain safety and security in that community. Fourteen uniformed officers, a detective and a police liaison officer are currently in Aurukun. Five police officers, including Tactical Crime Squad officers, were swiftly dispatched to Aurukun after the recent incident involving the school principal. Police rosters have been reconfigured to ensure a strong police presence at night. The cape inspector will be based in Aurukun for the next week to provide strategic leadership and enhanced community connections. I am informed that police are conducting patrols of the school and the teachers' residences. I understand that police are working closely with the mayor, community leaders and other stakeholders.

I am awaiting further advice from the Police Commissioner in relation to this recent incident. The commissioner has assured me that police will do all they can to maintain calm in the community. There is no place for acts of violence in any community, including in remote areas where policing can be challenging. I commend police officers on the front line in Aurukun and in other isolated and remote communities. Their job is not nine to five, it is not easy and it can be dangerous. For that we owe the police and their families a great debt of gratitude.

All three tiers of government have a role in keeping the communities safe. Local, state and federal governments have contributed $1.3 million to the upgrade of Aurukun's closed-circuit TV system. These 18 digital cameras will be placed in strategic positions to deter acts of violence and antisocial and offending behaviour. Importantly, the cameras can be monitored from the police station.

The Queensland and federal governments also funded the refurbishment of the Aurukun sports hall at the police citizens youth club. Three additional police officers will take up duties at the PCYC in Aurukun tomorrow to deliver activities for the local children. Police manage the PCYC supported by two police liaison officers and two Indigenous sport and recreation officers.

The issues facing Aurukun are complex, and the Queensland Police Service remains committed to working with the community to achieve the best possible outcomes.

Influenza

Hon. CR DICK (Woodridge—ALP) (Minister for Health and Minister for Ambulance Services) (2.18 pm): Even more predictable than a change in the LNP leadership is the arrival each year of the flu season, especially here in South-East Queensland. The number of people contracting influenza starts to rise in South-East Queensland in June and peaks in August. August 2015 was particularly bad, with the highest volume of emergency department presentations ever seen in Queensland. While we hope that this year will not be as extreme, the government is taking active steps to prepare for this rise in activity. Winter is coming, and Queensland must be prepared.

Today I travelled to QEII Hospital in the wonderful electorate of Sunnybank to launch the Palaszczuk government's five-point plan for this year's flu season. This plan will drive efficiencies, keep emergency departments moving and get ambulances back on the road. Our five-point plan will, firstly, provide an additional $15 million to health and hospital services; secondly, provide access to an extra 139 beds across the state to provide surge capacity in areas of high demand; thirdly, deploy 12 new clinical initiative nurses in metropolitan hospitals to supervise patients arriving by ambulance and get QAS resources back on the road more quickly; fourthly, in partnership with the CSIRO, use large data sets to make staffing hospitals and emergency departments during winter more efficient; and, fifthly, bring forward the recruitment of additional paramedics in response to rising demands for services.

The development of this strategy follows from work done in early April by representatives from hospitals, the Department of Health and the QAS at a roundtable discussion. This five-point plan will help us address ambulance response times during the busiest part of the year. I have been working closely with the Queensland Ambulance Service to address increasing demand and the consequences of the previous government's decision to rescind the directive that implemented the Metropolitan Emergency Department Access Initiative.

A combination of these factors have driven increases in response times at both the 50th and 90th percentile. I am advised by the commissioner that he expects to deliver response times at around 8.6 minutes for the 50th percentile and around 17 minutes for the 90th percentile for this financial year. This plan will support the Queensland Ambulance Service by getting more vehicles out of emergency departments and back on the road. The government has developed its plan, but there is only so much that government can do. There are three simple steps Queenslanders themselves can take to help deliver high-quality health care. Firstly, Queenslanders can proactively manage their health by regularly seeing their GP. Secondly, Queenslanders can get a flu shot and they should get it now. Thirdly, emergency departments are for emergency cases only, and I remind Queenslanders to remember that and please make use of the free Queensland 13HEALTH number if you have concerns about yourself or one of the members of your family.

Aurukun

Hon. KJ JONES (Ashgrove—ALP) (Minister for Education and Minister for Tourism and Major Events) (2.21 pm): In addition to the statements made by the Premier and the Minister for Police regarding community unrest in Aurukun, I want to update members of the House on our school staff. I acknowledge the professionalism of our teachers and school staff in Aurukun and I thank them for their

commitment to our students in this remote community. Yesterday school staff from the Aurukun campus of the Cape York Aboriginal Australian Academy raised serious concerns with me about their safety. In response to these concerns, I ordered the department of education to ensure staff were quickly and safely transferred out of the community. I also offered my full support to the executive principal for his decision to temporarily close the school. Yesterday I updated the member for Cook on the situation, and I thank the member for Cook for his representations on behalf of his community.

A full safety and security audit of department of education properties in Aurukun is now underway. At this stage I expect the Aurukun campus will reopen next Thursday, following a review of community safety. In the meantime, school staff will be based in the Cairns regional office where they will be offered support and professional development activities. Finally, I thank the Aurukun PCYC for providing activities for students during the school closure. I reiterate the comments by the Premier that at all times our No. 1 priority is to ensure the safety and wellbeing of our staff in remote communities right across Queensland.

Criminal Code, Defence of Provocation

Hon. YM D'ATH (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (2.22 pm): Today I rise to update the House in relation to law reform to address the issue of an accused person attempting to rely on an unwanted sexual advance as partial defence to a charge of murder. Where it can be established that a defendant has killed with the intent required to satisfy a charge of murder, the successful application of the partial defence of provocation under section 304 of the Criminal Code reduces the criminal responsibility of the defendant to manslaughter. As the House is aware, the Queensland government committed during the 2015 state general election to amend that section to exclude an unwanted sexual advance from being able to establish a partial defence of provocation in the case of murder.

I am pleased to advise the House that this work is well underway and today I commenced targeted consultation with key legal stakeholders by circulating a draft amendment to section 304 of the Criminal Code for comment on whether the amendments achieve the policy intention. I want to thank in advance those stakeholders for their consideration of these amendments. I consider it absolutely essential to obtain their feedback in this matter. Their comments will be considered in developing the final amendments. I would welcome comments from the opposition as I know it had previously indicated support for such a proposal.

Amendments that touch on criminal defences are always highly complex and technical and must strike the right balance between protecting the community while also protecting the rights of the individual accused. The Palaszczuk government considers it imperative to ensure that the amendments responsibly and meaningfully deliver on this important shift in the criminal law, reflecting the changes in community expectations demanded by a modern, progressive society. Queensland's Criminal Code must not be seen to condone violence against the gay community or indeed any community. I anticipate introducing the proposed amendments to section 304 of the Criminal Code in the House later this year.

Palaszczuk Labor Government, Jobs

Hon. SJ MILES (Mount Coot-tha—ALP) (Minister for Environment and Heritage Protection and Minister for National Parks and the Great Barrier Reef) (2.25 pm): The Palaszczuk government is focused on where jobs are likely to grow and the policy settings and infrastructure that are needed to best support that growth. The big question for me is: in 10 years time, when kids like my son Sam finish school, what kinds of jobs will they be looking for? Change will happen. Smart people and smart governments will identify trends and anticipate them. Technology is a big driver, and we have already seen a shift to a knowledge economy—an economy geared towards growth in high-technology industries, more highly skilled labour and the productivity gains that come with that.

We have long been told that a growing economy is by necessity more carbon intensive—that is, economic growth cannot be achieved without emissions growth—but in recent years this notion has been debunked. The decoupling of economic growth and pollution growth has been achieved, so it is a shame we went three years without a plan for how Queensland can grow jobs while cutting pollution. It is even more shameful that the federal government continues to refuse to present any meaningful policies. Projections by my department show that because of this policy failure Queensland's greenhouse gas pollution is projected to increase by 35 per cent to 2030.

Today I released our discussion paper on making the transition to a low-carbon future. The paper, 'Advancing climate action in Queensland', asks Queenslanders to share their ideas and feedback on the opportunities we should be prioritising and actions that ensure we do our bit to reduce carbon

pollution and secure our fair share of the clean energy jobs of the future here in Queensland. Modelling by the Climate Institute found that generating enough renewable energy to meet a target of 20 per cent of Australia's electricity will generate $19 billion in investment nation-wide and create more than 31,000 extra full-time jobs. At least 6,000 of those jobs will be in Queensland, but that is a conservative estimate. If the target were raised to 50 per cent as proposed nationally by federal Labor, the investment would surge to about $50 billion, creating about 17,500 new jobs in Queensland. The waste sector is another area where we are seeing a surge in jobs growth. As it turns out, one person's trash is another person's treasure—or maybe one person's trash is another person's high-skilled, secure, clean-energy job.

Last year the Premier declared her commitment to a biofutures agenda and in particular the creation of a biofuels industry in Queensland. A great example is Northern Oil, a company which recently made a commitment to invest in establishing a pilot plant for an entirely new biofuel refinery near Gladstone. The refinery will be a second generation producer with the capacity to process an exceptional range of feedstocks. We want to attract more investments like these to allow these industries to grow and flourish. Our task as the Queensland government is to make sure our fair share of the jobs and industries of the future are built here in Queensland for our children.

Open Worldwide Innovation Network

Hon. LM ENOCH (Algester—ALP) (Minister for Innovation, Science and the Digital Economy and Minister for Small Business) (2.29 pm): Since being elected last year, the Palaszczuk government has been focused on giving Queensland businesses the best opportunity to grow, thrive and create jobs. It is this government that has a clear agenda for revitalising our traditional industries while seeking out new paths to the industries of the future. We have been working hard to build global connections that will deliver both the opportunity for Queensland businesses to showcase their products and services on the international stage and to bring some of the world's best talent to our state.

At the heart of all of this work has been a clear focus on innovation. I am delighted to advise the House that Queensland has become an executive member of a leading global innovation network. During my trade mission to the United States last week, I signed an agreement for our state to join the Open Worldwide Innovation Network. This not-for-profit network, established by Texas A&M University in 2013, promotes international research collaboration, entrepreneurship and technology commercialisation. Membership will provide innovative Queensland businesses and entrepreneurs with access to international partners and markets. Members of the network include Belgium's Foreign Trade and Export Agency, one of Europe's most dynamic innovation hubs, and the commercialisation arm of Tsinghua University, one of China's top universities.

Queensland is internationally recognised for the quality and innovation of our scientific research and development. We are at the cutting edge of research on agricultural, medical and industrial biotechnology, nanotechnology, neuroscience, UAVs, tropical health and medicine. But one of our key challenges is to commercialise our research in the global marketplace. Membership of the Open Worldwide Innovation Network provides another important avenue for our Queensland scientists, innovators and entrepreneurs to take their ideas and turn them into commercially viable products and services. It provides Queensland business with international partners in the US, Europe and China who have substantial local connectivity, networks, relationships and that all-important local market knowledge. It also opens the door to more joint ventures, strategic partnerships and better market access. The Palaszczuk government is opening doors to greater collaboration and opportunities for our start-ups and small businesses, universities, researchers and technology businesses both domestically and on the global stage.

National Disability Insurance Agency, Queensland Market Position Statement

Hon. CJ O'ROURKE (Mundingburra—ALP) (Minister for Disability Services, Minister for Seniors and Minister Assisting the Premier on North Queensland) (2.31 pm): Late yesterday, the National Disability Insurance Agency released its first Queensland market position statement and I am pleased to announce that this is great news for Queenslanders. The report shows that the NDIS will create even more jobs in the disability sector than first estimated. As the Premier stated earlier, it is now expected that the NDIS will create up to 36,000 jobs across Queensland—up from the original estimate of 13,000 jobs. This is a massive boost for Queensland, which will see the biggest increase in market size of the three eastern states. The NDIS will double the number of people accessing disability services support to more than 90,000 Queenslanders. This access to disability services support will create huge demand in the market for disability jobs as well as flow-on benefits to areas like tourism, transport and more.

I am advised that, so far, about 130 organisations and individuals have applied to register as providers of NDIS supports in Queensland. Once the NDIS rollout is complete, it will inject around $4 billion into our state economy every year. Not only will the NDIS completely change the lives of people with disability but also it will be a huge boost for jobs and our economy.

Many of these additional jobs will be in regional areas. For example, in the Townsville region the latest estimates are that up to 2,000 disability sector jobs will be created. I have already heard that service provider, Montrose Therapy and Respite Services, is expanding its services in Townsville and setting up a dedicated centre. I am sure there will be many to follow to keep up with the growing demand. That is great news for regional Queenslanders who have been doing it tough lately.

In the Rockhampton region, we are now looking at up to 1,800 jobs in the disability sector. Mackay is now set to benefit from up to 1,100 jobs and Cairns will gain up to 2,000 disability sector jobs. We know how important the NDIS is to all Queenslanders. The Palaszczuk government is all about jobs and I am proud that this great Labor Party social reform—the NDIS—will deliver jobs and support for people in need. While I am on my feet, today I was delighted to visit a local service provider at Milton, Amparo Advocacy, to announce that we have committed an extra $2.8 million for 11 organisations to help Queenslanders get ready for the rollout across the state from 1 July.

Drought

Hon. LE DONALDSON (Bundaberg—ALP) (Minister for Agriculture and Fisheries) (2.34 pm): For the past three years Queensland has been in the debilitating grip of drought. For the last 12 months, a record 86.11 per cent of our state has been drought declared. Over recent weeks, local drought committees have been assessing the volumes of rainfall and the pasture that it has generated in shires throughout the state. Those committees have made their recommendations to me and I am now able to declare a slight reduction in the size of the drought declared area in Queensland from 86.11 per cent to 83.9 per cent.

Today, I am announcing that there has been sufficient improvement in the South Burnett and Cloncurry shires to revoke their drought status. I am also revoking the drought status of the Cherbourg Aboriginal Council area. At the same time, acting on the advice of the local committees, I am adding the local government areas of Mareeba and Tablelands to the list of drought declared shires. Conditions remain very dry in the Mareeba and Tablelands areas where there are already a number of individually droughted properties. Parts of Mareeba were already drought declared and, today, I am confirming drought status for the entire shire.

Since the beginning of the year I have said that while some areas have received their heaviest downpours for years overall the rainfall was isolated and patchy. There simply was not sufficient widespread rain over the majority of Western and North Queensland to provide long-term relief. Sadly, many communities have endured four successive failed wet seasons.

The local drought committee reported to me that the majority of Cloncurry shire was fortunate to receive widespread rainfall this wet season, resulting in good pasture growth. Producers who missed out—and there will certainly be some—can apply for individually droughted property declarations. An IDP will ensure that they can continue to access the same Queensland government drought assistance as an area declaration. The same applies in the South Burnett Regional Council area, where the local committee told me that there had been enough rain and water supplies to warrant revocation. I am advised that there are still some dry areas, particularly in the western part of the shire, and producers there will be able to seek an IDP.

It is timely for me to restate the Palaszczuk government's unwavering commitment to support producers and rural communities impacted by the prolonged dry. We have honoured our election commitment to continue the previous government's drought relief arrangements until 2018. Indeed, we have not only held true to that pledge, we have enhanced and increased support in a variety of ways.

I want to thank all of those Queenslanders who have donated their time, materials and cash to help those in rural and regional areas whose lives are deeply impacted by this prolonged drought. The support that they have given has played an important role both materially and emotionally for many people.

Housing

Hon. MC de BRENNI (Springwood—ALP) (Minister for Housing and Public Works) (2.37 pm): Members would have heard the recent comments of the Prime Minister when he was pressed on the issue of housing affordability, especially for young people. The best that Malcolm Turnbull could muster

was that parents should shell out for their kids. That speaks to just how out of touch the Prime Minister is. It is an indictment on the lack of vision that we are seeing from the federal LNP government. Its only plan is to tell kids that they should go out and get rich parents.

Housing affordability is a massive issue for people in general across Queensland. Over the past 15 years, the cost of housing has risen faster than have the incomes of average Queenslanders. The predictions are that house prices in South East Queensland will increase a further 12 percent between 2015 and 2018. While building approvals are still trending well, we face challenges around a growing and ageing population.

Queenslanders deserve more than Malcolm Turnbull's glib, out-of-touch remarks. They deserve a genuine plan and I am pleased to inform the House that this government is working with Queenslanders to build one. At the end of March, I kicked off the next step in the development of a new 10-year housing strategy for every Queenslander. We will examine all aspects of housing—from homelessness and social housing through to the private rental and ownership markets, housing affordability, affordable housing and retirement and seniors living options.

This government is determined to be fair to householders today and for the generations who will follow, to whom we owe a responsibility to set our state's housing on a better path. I have put out a challenge to industry and experts, to the housing sector and community groups, and to Queenslanders at large to come together and help build the new plan for housing. I am very pleased to report to the House that the response has so far been nothing short of enthusiastic. In response to the interest from Queenslanders, we are extending the formal consultation period from 20 May to 30 June 2016.

Last month in Roma public engagement sessions started. I would like to sincerely thank the member for Warrego for welcoming me to her town and for the very enthusiastic engagement of both the member and the community of Roma. Likewise just last week I was in Atherton and Cairns with the member for Dalrymple and the member for Barron River and many eager locals wanting to have their say on their housing future. Further sessions will be held over coming weeks in Ipswich, Logan, Gold Coast, Caboolture, the bayside, Mackay, the Sunshine Coast, Rockhampton, as well as in Maryborough, Bundaberg, Townsville, Mount Isa and here in Brisbane. I strongly encourage all members of the House to engage with their constituents and get involved in building our new 10-year housing strategy.

Commonwealth Games Association Open Day

Hon. SJ HINCHLIFFE (Sandgate—ALP) (Minister for Transport and the Commonwealth Games) (2.40 pm): Late last month I had the pleasure of meeting Commonwealth Games Association delegates on the Gold Coast. The delegates were here for a Commonwealth Games Association open day which was organised and delivered by the Gold Coast 2018 Commonwealth Games Corporation, the organising committee for the Gold Coast 2018 Commonwealth Games, better known as Goldoc. This event took place on the Gold Coast on 28 and 29 April and was an important part of our preparations for the games.

The Commonwealth Games Association open day is a new Commonwealth Games initiative implemented by Goldoc designed to help other Commonwealth countries understand the environment, infrastructure and opportunities of the host city. The Commonwealth Games Association participated in joint meetings and presentations from Goldoc's functional areas. The workshops and venue tours helped open dialogue on planning challenges and solutions. In total, eight Commonwealth Games Associations with 11 delegates from two regions, the Caribbean and Oceania, participated in the Commonwealth Games Association open day.

I am pleased to confirm and advise the House that the Commonwealth Games Associations were very happy with the progress and preparation for the games. In fact, many Commonwealth Games Associations expressed great interest in organising pre games training for their teams in Queensland in the lead-up to the April 2018 games. Pre games training camps bring a range of economic and social benefits to host communities, representing another great opportunity for the people of Queensland to benefit from the games.

The next Commonwealth Games Association open day will occur in April 2017 and we anticipate that the delegates will be able to visit completed venues and get a full picture of what the Gold Coast, Queensland and Australia will have to offer athletes, officials, tourists and delegates in 2018.

COMMITTEES

Membership

Hon. SJ HINCHLIFFE (Sandgate—ALP) (Leader of the House) (2.42 pm), by leave, without notice: I move—

That the member for Barron River, Mr Crawford, be discharged from the Finance and Administration Committee and the member for Bundamba, Mrs Miller, be appointed to the committee.

That the member for Lytton, Ms Pease, be discharged from the Infrastructure, Planning and Natural Resources Committee and the member for Barron River, Mr Crawford, be appointed to the committee.

Question put—That the motion be agreed to.

Motion agreed to.

LEGAL AFFAIRS AND COMMUNITY SAFETY COMMITTEE

Report

Mr FURNER (Ferny Grove—ALP) (2.43 pm): I lay upon the table the Legal Affairs and Community Safety Committee report No. 27, titled *Subordinate legislation 2015 No. 172*, *Child Protection (Offender Reporting) Regulation 2015.* I commend the report to the House.

Tabled paper: Legal Affairs and Community Safety Committee: Report No. 27—Subordinate legislation 2015 No. 172: Child Protection (Offender Reporting) Regulation 2015 [663].

AGRICULTURE AND ENVIRONMENT COMMITTEE

Report

Mr BUTCHER (Gladstone—ALP) (2.43 pm): I lay upon the table the Agriculture and Environment Committee's report No. 18 titled *Subordinate legislation tabled on 16 February 2016*. I commend this report to the House.

Tabled paper: Agriculture and Environment Committee: Report No. 18—Subordinate legislation tabled on 16 February 2016 [664].

REPORTS

Office of the State Coroner; Queensland Law Reform Commission

Hon. YM D'ATH (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (2.43 pm): I table the Office of the State Coroner's annual report 2014-15 and the Queensland Law Reform Commission report No. 72, titled *Review of the Neighbourhood Disputes (Dividing Fences and Trees) Act 2011*.

Tabled paper: Office of the State Coroner—Annual Report 2014-15 [665].

Tabled paper: Queensland Law Reform Commission: Report No. 72—Review of the Neighbourhood Disputes (Dividing Fences and Trees) Act 2011, December 2015 [666].

NOTICE OF MOTION

Border Protection

Mr MANDER (Everton—LNP) (2.44 pm): I give notice that I shall move—

That this House sends a strong message to people smugglers by confirming the support of the Queensland parliament for a policy of turning back the boats as part of Australia's border protection.

PRIVATE MEMBERS' STATEMENTS

Carbon Tax

Mr HART (Burleigh—LNP) (2.44 pm): It is great to see those opposite awake this afternoon because lately they have been completely asleep at the wheel, just like half the members were last night. Last night and this morning there seems to be a great deal of confusion in those opposite. There

has been a series of press releases going this way, that way; those opposite changing their minds, changing their positions. That is typical of this government. They are flip-flopping all over the place. This morning we had the Deputy Premier talking about infrastructure that had already been built as part of her infrastructure plan. We had the Treasurer talking about his economic plan. But the biggest issue comes from the Minister for Energy.

Opposition members interjected.

Mr SPEAKER: Members of the government, there are too many disruptive comments. I would urge you to consider your comments or you will be warned.

Mr HART: This morning I listened intently to the Minister for Environment when he stood up and said that he is taking this state towards a low-carbon future. As the new shadow minister for energy I sat here yesterday, as members can appreciate, and I listened to the points that were being made by the Minister for Energy when he answered a Dorothy Dixer from the member for Logan. In that Dorothy Dixer he said—

We are in the process of transitioning from a low carbon energy sector, and as a result energy supply is undergoing transformational change ...

Who is right? One of our ministers is saying we are transitioning to a low-carbon emission system and the other one is saying we are going from it. As part of that reply the minister tabled this document. I turned quickly to page 19 and what did I see? A carbon tax! That is what this government is proposing.

Mr BAILEY: I rise to a point of order. The member is misleading the House. The document does not mention the words 'carbon tax'.

Mr SPEAKER: That is not a point of order.

Mr HART: On page 19 it says—

Fossil fuel generation levy.

Imposing an additional levy on coal and/or gas generation would act as a de facto carbon price ...

Is that a carbon tax? We have had a conga line of ministers stand up here this morning and none of them have had the intestinal fortitude to do what the former prime minister of this country did. Prime minister Gillard stood on the Kangaroo Point cliffs with Brisbane in the background and said, 'There will be no carbon tax under a government I lead.' Has anybody opposite said that this morning?

Electricity Prices

Hon. MC BAILEY (Yeerongpilly—ALP) (Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply) (2.49 pm): I was going to take some notes on my predecessor, but there was nothing to write down—not a word. For the second year in a row in Queensland, under the Palaszczuk government we have seen the price of electricity stabilise with only a 0.6 per cent increase, which is less than half the inflation rate. After a 43 per cent increase—

Opposition members interjected.

Mr SPEAKER: Minister, one moment. Leader of the Opposition, I give you notice: if you persist, you will be warned under standing order 253. I do not think that is a good look.

Mr BAILEY: We have seen an increase of less than half the inflation rate—

Mr Bleijie interjected.

Mr SPEAKER: Minister, one moment. Member for Kawana, you are now warned under standing order 253A.

Mr BAILEY: At the moment under the draft Ergon price we see an increase of 0.6 per cent, which is less than half the inflation rate. The opposition would have killed for those numbers following double-digit price increases year in, year out under the LNP. That was a massive failure. Why are prices so low? Because this government directed Ergon and Energex to accept the regulator's decision. We are not in the same position as New South Wales, where privatised electricity assets have meant price increases following the success of the energy company appeals. For two years in a row, electricity prices have been stabilised under this government.

I wish to talk about the issues paper released by the independent Renewable Energy Taskforce, which was another election commitment kept by the Palaszczuk government. The panel is made up of five eminent people, and I say 'eminent' deliberately as its members include some very heavy hitters from the private sector, Amanda McKenzie from the Climate Council and Paul Meredith from UQ. They

canvassed a whole range of policy options for achieving the 50 per cent renewable energy target by 2030. The independent panel has looked at nine options. However, all we get is nitpicking and politicking from opposition members trying to portray this as being some new government tax, which it is not. We have made it very clear that we have ruled out a fossil fuel levy, because we made a commitment to Queenslanders that there would be no new taxes, charges or fees. We will keep our election promises, unlike the member for Clayfield, who brought in 43 per cent increases having promised to reduce electricity prices by $120. How did he go with that? We saw a 43 per cent increase with $440 surges under the administration of the member for Clayfield. Of course, under a Nicholls-led government we would see asset sales, because that is what he believed in only seven months ago.

This report highlights the inherent contradictions when government is the owner of a business. My very firm view is that governments should be regulators. We should have the power, without the conflict, to regulate these companies. Once Strong Choices, always Strong Choices.

Palaszczuk Labor Government, Performance

Mrs FRECKLINGTON (Nanango—LNP) (Deputy Leader of the Opposition) (2.52 pm): It is no wonder that in Queensland business confidence is so low when, as we have heard, this Labor government is so inept that it cannot keep even one policy from breakfast to lunchtime. That is absolutely incredible. Business confidence is so low because this Labor government has absolutely no plan. They did have a plan at breakfast time, but already it has been taken over. Yesterday we saw the Labor government introduce a policy to bring back some form of state carbon tax, which is also absolutely incredible. It is a job-destroying carbon tax that will skyrocket the cost of living and tax businesses throughout Queensland. What a sneaky plan!

As the member for Burleigh has pointed out, we have heard two contradictory statements. This morning on radio, the Minister for Environment announced that he was not going to rule out this sneaky plan to tax Queenslanders. Just after that, the Minister for Energy tried to cover it up. Who could trust this Labor government? We have seen a previous prime minister of this country stand just over there on the cliffs—I think she was about to jump off the cliff—and say, 'There will be no carbon tax in a government that I lead.' Who in the community would believe this Labor government when only yesterday they bring out a policy that has already been ditched? They stand in this House and say, 'Five eminent people have worked on this plan. We trust those people. They are wonderful good people. But we are going to throw their information out.' It was interesting to hear the minister build them up and then say, 'Thank you very much for your hard work, but, by the way, we're going to throw out that plan'. That is incredible.

We need Queensland industries to be confident. We need investment in Queensland. We need industries to grow. We do not need any more taxes. This is an absolute kick to business confidence in Queensland. Industries and businesses that are looking to invest in Queensland have seen this as a major knock.

An opposition member interjected.

Mrs FRECKLINGTON: They do know it is coming; I take that interjection. It is a job-destroying plan. Those industries have no trust in the plans and policies of this government. They are so inept that they have no policies. Even when they announce the one plan that they do have, within a couple of hours they take it out. That is incredible. This decision by those opposite has sent shock waves through the business community.

Small Business

Hon. LM ENOCH (Algester—ALP) (Minister for Innovation, Science and the Digital Economy and Minister for Small Business) (2.55 pm): Once again, we hear the opposition talking down the economy. That is all they have. They have no plan for the economy; they just talk it down.

Opposition members interjected.

Mr SPEAKER: Order! Member for Aspley and member for Moggill, you are walking a very tight rope at the moment.

Ms ENOCH: In stark contrast, the Palaszczuk government is committed to working with small business in Queensland. Last night, the Premier, the member for Morayfield and assistant minister and I hosted nearly 300 small business representatives at a Queensland small business leaders' reception here in Parliament House. The reception was the largest of its type that the Palaszczuk government has held at Parliament House, and the buzz and the energy in the room was absolutely incredible. All

small businesses that were invited accepted our invitation. They wanted to be there. They want to be part of the conversation going forward about Queensland and our economy. They want to be part of that positive conversation and help plan for our economy into the future. They were very engaged and very confident about where the Palaszczuk government is headed.

The evening provided a fantastic opportunity for small business owners to speak directly with the Premier, the Deputy Premier, the Treasurer, many ministers and members of parliament about the challenges they face and the opportunities that they see in our economy. They were talking up our economy. I was particularly happy to see some amazing small business owners from my own electorate of Algester take part in what was a wonderful celebration of small business in our state.

In a further boost for small business, yesterday the Queensland parliament passed the Retail Shop Leases Bill 2015, and I congratulate the Attorney-General for that. The legislation will enhance protection for retail tenants. The new legislation places safeguards around lease agreements and will make it easier for small businesses to compete with major retailers, ensuring a more level playing field in retail hot spots around the state.

The Palaszczuk government understands the importance of supporting small businesses, from cafe owners and electricians to app developers and beyond. Through our Advance Queensland innovation and jobs plan and our Advancing Small Business strategy, which is in the final stages of co-design and consultation, we are committed to fostering an environment in which small businesses can start, grow and employ.

Next week I will take this message to the Queensland regions, engaging with small businesses right across our state as part of Queensland's Small Business Week celebrations. Queensland's Small Business Week promises to be a huge success. The Palaszczuk government is partnering with a wide range of Queensland organisations to make more than 100 registered events available to small businesses across the state. I encourage all members to get involved. We are supporting small businesses as part of a positive plan for our economy into the future.

Palaszczuk Labor Government, Carbon Tax

Mr EMERSON (Indooroopilly—LNP) (2.59 pm): Today we see another job-destroying initiative, another job-destroying policy by the Palaszczuk government, a state carbon tax, a carbon tax that will increase electricity prices for every Queenslander across this state, a state carbon tax that will increase the cost for every business and make them more uncompetitive against their interstate rivals.

What we saw today is the energy minister try to sneak this out hidden away in an issues paper. He got caught out and then the panic set in within the Palaszczuk government. We know that it was there. The Premier's office would have been in crisis.

What did we see earlier today? Yes, it was an option, but now it is not an option. This morning this was an option. This afternoon it is not an option. That is what we have seen. Then we saw the environment minister, the green whisperer from Mount Coot-tha, do a train wreck of an interview with Steve Austin's today. What a debacle. What was the reality? What did he tell Austin today? Austin said—

Well here's your chance! You can call up Mark Bailey and say 'mate this is a ripper. Let's get this done. I'm worried about the environment and climate change, let's do it.

What did the green whisperer from Mount Coot-tha say? He said—

Well, I think the message here is, if the Commonwealth continues to refuse to do what it should do, then the states will have to look at their options.

There he is. Out there in Mount Coot-tha he is talking to the greens. What is he saying to the greens? He is saying, 'Bring on the carbon tax. Bring it on.' Back here in parliament he is saying, 'Yes. No. Maybe not.' We have seen this before. We have seen it with Adani. What did he say in Mount Coot-tha? He said, 'Let's kill off the coalmines. Let's scrap the coalmines.' What did he say back in here? 'Let's tick off the environmental approvals for Adani.' That is what we see from the green whisperer. He says one thing in Mount Coot-tha and back here he says another thing.

The reality is that this is a job-destroying policy by the Palaszczuk government—this state carbon tax. The reality is that this is a party and a government that is asleep at the wheel, except for one thing—a state carbon tax. They have no ideas except a state carbon tax. The reality is that it is only the LNP that will get Queensland moving.

QUESTIONS WITHOUT NOTICE

Mr Hinchliffe interjected.

Mr SPEAKER: Thank you, Leader of the House. You will be warned if you persist. Question time will conclude at 4.02 pm.

Palaszczuk Labor Government, Carbon Tax

Mr NICHOLLS (3.02 pm): My question without notice is to the Premier. In relation to Labor's proposed carbon tax, the Minister for Energy is quoted as saying, 'There will be no new taxes,' while this morning on radio Labor's Minister for Environment said, 'If the Commonwealth continues to refuse to do it then the states will have to look at their options.' Premier, which one of your ministers is wrong?

Ms PALASZCZUK: I thank the Leader of the Opposition for the question. I state from the outset that under the government that I lead it is very clear that there is no state based carbon tax—full stop. The Leader of the Opposition has mentioned that—

Mr HART: I rise to a point of order, Mr Speaker. There was a lot of noise and I did not hear what the Premier said.

Mr SPEAKER: The noise was coming from your side, member for Burleigh. There is no point of order. Resume your seat.

Ms PALASZCZUK: We do know that Malcolm Turnbull has a plan for a tax in Queensland. That is a backpacker tax. That will hurt the tourism economy in this state. We do not hear anything from those opposite about Malcolm Turnbull. They are afraid to say his name in this state because he is not delivering for Queensland at all.

He has been up here this week taking selfies and having pictures taken at the Rocklea markets. What is he doing for Queensland? He is doing absolutely nothing. Queenslanders should be very disappointed in this Prime Minister for not delivering for Queensland—

Mr SPEAKER: Relevance.

Palaszczuk Labor Government, Carbon Tax

Mr NICHOLLS: My second question today is to the Premier. In relation to Labor's proposed carbon tax, will the Premier tell the House when she was first informed that it would be in the issues paper released yesterday?

Mr HINCHLIFFE: I rise to a point of order, Mr Speaker. In his first question the Leader of the Opposition asked the Premier a question about a proposed carbon tax. The Premier answered that question by ruling out any concept of a carbon tax. She ruled out a carbon tax. Therefore, his question that now refers to the 'proposed carbon tax' is an imputation and is incorrect. I ask that you rule the question out of order.

Mr SPEAKER: I will allow the question. The Premier is at liberty to answer the question in the way she chooses.

Ms PALASZCZUK: I answered the question in my previous answer.

Sheep Industry

Mr PEARCE: My question without notice is to the Premier. Will the Premier update the House on the government's plan to revitalise the sheep industry?

Ms PALASZCZUK: I thank the member for Mirani for raising this very important issue in relation to a very important industry in Queensland. I had the opportunity to go to Barcaldine last weekend with the Minister for Health, the Minister for Transport, the member for Logan, the member for Ipswich West and the Minister for Employment. We had the opportunity to talk at length about a critical issue facing those people living in Western Queensland. That is the impact that wild dogs are having on the sheep industry in this state.

When I visited a sheep station just outside Barcaldine I had the opportunity to announce that I would be appointing two wild dog commissioners to deal with revitalising the sheep industry in this state. The wild dog commissioners are well-respected former mayor Mark O'Brien, who resides in Charleville, and Vaughan Johnson, the well-respected former member for Gregory. He is very well known out west.

Mr Dick: A National Party member.

Ms PALASZCZUK: A very strong former National Party member. He was so engaged with this announcement because he knows how important it is to revitalise the sheep industry in Western Queensland.

My government announced an allocation of $5 million—that is a doubling of funds—to eradicate the wild dogs that are causing a huge issue out there. It was a pleasure to stand there with Vaughan Johnson, the former member for Gregory. He said during the press conference, 'It took the Premier of Queensland to inject life back into the wool and sheep industry here in Central and Western Queensland.' Not only did he say that, he also said, 'The government I was a member of paid lip-service to us out here.'

I think that sums it up. Obviously, the former member for Gregory had been raising these important issues with the government that he was a part of and was given no satisfaction. It took a Labor government to deliver for those families living out there. I have sat around kitchen tables with those families. I have listened to what the families have said to me. They have said that if we put money into eradicating wild dogs we can revitalise the sheep industry. I call on Malcolm Turnbull to match that funding and together we can revitalise that industry.

Renewable Energy, Issues Paper

Mrs FRECKLINGTON: My question without notice is to the Minister for Energy. In relation to the carbon tax as proposed by your Minister for Environment, when was the minister first made aware that this proposal would appear in the options paper released by the minister yesterday?

Mr BAILEY: I thank the honourable member for her question. She clearly has not read the issues paper. It is always a good idea before you speak in this House to be aware of what you are talking about. May I refer the honourable member to page 17 and the lead-in to the policy options under this issues paper issued by an independent expert panel when it comes to renewable energy. I know they are hostile to renewable energy on that side.

Ms TRAD: And science.

Mr BAILEY: And science, but let us look at the facts. It is very clear. It states—

> The purpose of this section is to seek feedback on policy options that might be suitable ... To assist in guiding stakeholder feedback, this section identifies the various policy options that are available to incentivise renewable energy investments, and outlines the key policy measures implemented in other Australian jurisdictions that aim to attract renewable energy investment.

This government is unashamed about attracting renewable energy investment in Queensland. We have a short-list of large-scale solar projects in North Queensland longer than my right arm—and I tell you, Mr Speaker, that that is pretty long! They are located at places like Proserpine, Kidston, Collinsville and Hughenden. There are 'hectacres' of these renewable energy projects ready to start a large-scale renewable energy industry in Queensland under the Palaszczuk government—something that was never attempted or supported by the member for Nanango and never attempted or supported by the member for Clayfield. All we got from the opposition leader when he was the treasurer was hostility towards solar users, hostility to renewable energy.

Ms TRAD: What did he say?

Mr BAILEY: He called solar users latte sippers and champagne drinkers. That is how in touch he is. That was less than two years ago. I have known the member for Clayfield since 2000. The member for Clayfield was extolling Campbell Newman to me in 2002—2002 he goes back with Campbell Newman. He should know better than to support renewable energy and the jobs that go with it. The opposition are a 20th century opposition. They are stuck in the Bjelke-Petersen era. We will get renewable energy large-scale projects going in Queensland within a year. We will have achieved more this year in a minority government than they achieved with their record majority over three years. That is what we are going to do. That is our record. We support renewable energy, unlike the member for Clayfield and the member for Nanango.

Townsville Stadium

Mr STEWART: My question is to the Premier and Minister for the Arts. Will the Premier update the House on funding commitments for the Townsville stadium, the future home of the NQ Cowboys?

Ms PALASZCZUK: I thank the member for Townsville for that very important question because we know that here in Queensland this government supports a brand-new Townsville stadium for the people of Townsville. Unfortunately, we do not have an LNP position when it comes to building the

stadium. We know that the stadium will create jobs in Townsville. I have been to Townsville. The members tell me regularly that Townsville is hurting. They are hurting. We have seen what has happened with Queensland Nickel. It has had a devastating impact on the Townsville community. That is why we have brought forward our accelerated works program. The Minister for Main Roads and the Deputy Premier are working very hard to make sure that we roll those programs out and get those traineeships locally.

I note that Bill Shorten has also been in Townsville talking about his commitment of an extra $100 million to get that stadium built. Unfortunately, we get silence from those opposite—silence from Malcolm Turnbull.

Mr SPEAKER: Thank you, Premier. Your time has expired.

Ms PALASZCZUK: It has not been three minutes. I will wind it up, Mr Speaker.

An honourable member: It seemed like an eternity.

Ms PALASZCZUK: Thank you.

Mr Nicholls: We've got the energy and enthusiasm.

Ms PALASZCZUK: I did not see it this morning. We did not see it this morning.

Mr SPEAKER: Premier, I am not sure what is happening with our clock. Maybe we will go back to the sand timer.

Ms PALASZCZUK: I am nearly finished. What we need to see very firmly from Malcolm Turnbull is a commitment of that money to the stadium in Townsville because fundamentally it means jobs for families. I make no apologies to the people of Queensland for delivering as many jobs as we possibly can in stark contrast to those opposite. I will say it again: the record of the Leader of the Opposition is that his first budget that he delivered as treasurer cut 14,000 jobs throughout Queensland. That is a record that will haunt the Leader of the Opposition for many, many years to come.

Renewable Energy, Issues Paper

Mr EMERSON: My question is to the Minister for Energy. I refer to the options paper released by the minister yesterday which outlined the proposal for Labor's new carbon tax, and I ask: will the minister now reissue this options paper with the state based tax proposal removed?

Mr BAILEY: I thank the member for Indooroopilly for his question. He really is grasping at straws here, isn't he, Mr Speaker?

Mr Emerson interjected.

Mr SPEAKER: Minister, I do not want to interrupt your speech. Member for Indooroopilly, you have asked the question. You are now trying to talk over the top of the minister. You will be warned if you persist. I give you notice.

Mr BAILEY: What we have here is a substantial piece of policy work by a very high-powered group of very talented and skilled people who I would like to personally thank for being involved in helping us with this very important policy work. All we get from the opposition are twists and turns and nitpicks. That is their vision. There are nine different policy options being proposed in this issues paper from other jurisdictions. It is a broad based policy document. It is a solid piece of work. It is not designed for all of us to agree with every single section. It is about examining options and pathways towards our 50 per cent renewable energy target by 2030—something that I am very proud this government is committed to. I know the opposition has not committed to any renewable energy targets or any measures. There is no policy. All they can do is nitpick and distort what is a substantial piece of policy work by five very eminent people. The contrast is very clear between this government doing the hard yards on policy, doing the hard yards in terms of bringing us to a clean energy future and the opposition's petty, negative, nitpicking approach to policy.

The member for Indooroopilly would do better to come in and start telling us what he supports. What does he support when it comes to renewable energy and protecting our environment? He supports assets sales; we know that. When it comes to protecting the environment the LNP mouth the words, but when it comes to policy they run a million miles. That is what they do. They do not commit in terms of renewable energy. Look at what we have achieved already in this term by partnering with agencies like ARENA and partnering with private firms like Sunverge—a Silicon Valley US renewable energy company which opened an office in Brisbane just last year under the Palaszczuk government. Why did they do that? Because we are world leaders in solar PV on rooftops—nearly 30 per cent of houses. People ask: how did we do it in such a short amount of time?

What we need to do in Queensland is start the large-scale renewable energy industry to create those jobs, to create jobs in North Queensland. The opposition should be supporting our solar farms and wind farms in North Queensland instead of opposing them and nitpicking this policy and giving us 1988 versions of what the world should be. That is what we get from the opposition. If they support North Queensland, they should be supporting our target and our support for the renewable energy sector, instead of giving us their Bjelke-Petersen style view of energy policy.

Infrastructure

Mr HARPER: My question is to the Deputy Premier. Will the Deputy Premier update the House about the federal infrastructure funding for Queensland? Is the Deputy Premier aware of any alternative approaches?

Ms TRAD: I thank the member for the question. I do not think there is anyone in Queensland who does not know that the members for Thuringowa, Townsville and Mundingburra are fierce advocates for more infrastructure for North Queensland, and particularly for the Townsville stadium. Malcolm Turnbull gave many Australians high hopes when he came to office as the new Prime Minister after deposing Tony Abbott. It was a bit like the new leadership team of those opposite—high hopes from last Friday until yesterday morning. With their first parliamentary performance, those high hopes were dashed considerably.

If we have a look at Malcolm Turnbull's commitment to Queensland to date in the area of infrastructure, we know why Queenslanders quite rightly feel let down by Malcolm Turnbull. The federal budget that was released last week had no new money for Queensland infrastructure—I repeat: no new money for Queensland infrastructure. There was no financial commitment to the Townsville stadium—none, not a single dollar. Even after they had the business case provided by the Minister for State Development late last year—so they have been sitting on the business case now for many, many months—there was not one single dollar to the Townsville stadium, as the Premier has outlined already this morning.

There was no money for the Gateway-M1 merge. There was no money to finalise the planning of Cross River Rail, even though we extended the hand of bipartisanship to depoliticise this project and we asked the federal government to partner with us in the delivery authority. As the Minister for Transport would know, there was not a single word, not a single cent. There has been not a single word and not a single cent when it comes to infrastructure for Queensland. I do note that Western Australia got about $490 million—an infrastructure slush fund—and they did not have to do anything for that. They just bleated a little bit about their GST carve-up and they got $490 million.

I am incredibly pleased that at least we have one leader in the federal arena who is prepared to talk about infrastructure for Queensland. We have in Bill Shorten someone who has already committed dollars to the Townsville stadium and someone who said in his budget reply speech that he will help Queensland deliver Cross River Rail, our No. 1 infrastructure priority in Queensland.

Mr Pitt interjected.

Ms TRAD: Yes, I take that interjection from the Treasurer. He even mentioned Queensland in his speech. I note that when the Prime Minister was in Queensland he did a whole press conference in Queensland and he did not mention Queensland once. He is there for the photo opportunities but not here when we need him.

Renewable Energy

Mr HART: Surprisingly, my question without notice is to the Minister for Energy. In relation to Labor's proposed carbon tax, the minister originally issued a statement saying that the Palaszczuk government would carefully consider the recommendations as per normal process, before he issued a second statement allegedly ruling out a fossil fuel levy. Will the minister say who advised him to perform this backdown and issue the second statement?

Mr BAILEY: I thank the honourable member for his question. I am responsible for all of my media statements and I take absolute responsibility for all of them. What we have here is another piece of nitpicking from the opposition. They do not want to discuss policy. Their hostility to renewable energy is still very clear to Queenslanders, judging by the comments from right across the opposition here today.

What we have out there at the moment is an issues paper. We have asked Queenslanders to submit and tell us what they think about our target and the policy options. This is a government that consults Queenslanders. We do not pick fights with Queenslanders, like the Newman government did.

We consult them; we involve them. That is what we are about. We want to hear what their views are on a renewable energy future for Queensland, and they have until 10 June to do so. There will be a range of forums right across Queensland, starting in Townsville, for people to engage with this government about a renewable energy future for Queensland. We will work with Queenslanders.

However, when it comes to options papers, the only options paper we are aware of from the LNP is this one I am holding—the Strong Choices paper. It is a very interesting document. I love this other publication too; it is my favourite book. On page 22 of *Can Do*, we see Can-do revealing his old mate being even more hard line on asset sales than he was—I repeat: even more hard line. Not content with the member for Clayfield and the member for Callide predetermining all of the cabinet decisions with Campbell Newman beforehand, as revealed in the book, if you were in the cabinet and you thought you had made any real decisions—

Mr SPEAKER: Minister, one moment. We do not need props at this stage. I think your message is clear. Can you put your props down? Do you have anything further to add?

Mr BAILEY: No.

Infrastructure

Ms FARMER: My question without notice is to the Treasurer. I refer to opposition comments yesterday in this House about infrastructure spending and ask: will the Treasurer update the House on issues surrounding infrastructure spending in Queensland?

Mr PITT: I thank the member for Bulimba for her question. I start by saying that it was great we finally got some questions from the Leader of the Opposition. He outsourced his usual Leader of the Opposition spot during private members' statements, just like he outsourced his first budget to Peter Costello and then, of course, he tried to outsource everything that was not tied down. What really got me was the fact that there has been an outsourcing of the two motions we have seen this week—the first one was about the ABCC and the second one was about people smugglers. I could not miss the opportunity to congratulate him on taking the position.

When we start looking at the infrastructure spending under the previous government, we know that there was a real problem with anything that was outside South-East Queensland. In fact, there was a real problem with anything that was not 1 William Street. All the eggs were put into one basket, and 1 William Street was it. If we go through and look at how bad a deal 1 William Street was, we could remind the member for Clayfield, now that he has taken on this new responsibility, about what not to do if he were ever in the same position again—and goodness me if that were to be the case.

With 1 William Street, he was backed in very strongly by the member for Indooroopilly. We know that. He sold off seven office buildings for $237 million less than their book value. He then turned taxpayers from landlords to tenants overnight. He signed taxpayers up to lease the seven buildings back that they used to own at a cost of $1.2 billion over 10 to 15 years.

A government member interjected.

Mr PITT: Wait, there is more. There is $1.2 billion in rent on 1 William Street. This is a serious fiscal disaster, and he very rightly got absolutely hammered by the Auditor-General. When we came to government, we found out there was even more to this deal, which was already a bad deal. The member for Clayfield—

Mr Nicholls interjected.

Mr PITT: He should listen, Mr Speaker. The member for Clayfield had not allocated any money for ICT fit-out. There is an additional $100 million which we are going to have to pay for an ICT fit-out. He had not allocated any money for the difference in rents between what departments pay now and what they will be paying in 1 William Street. He also had not allocated any money for vacant spaces and break-lease fees for existing buildings. I can say that 1 William Street for the member for Clayfield goes from bad to worse.

In stark contrast, we have a $35 billion infrastructure plan which has been fully funded in the first four years on this budget last year. This year we are budgeted to spend $10.1 billion. Just to be clear, of the $10.1 billion which we have got budgeted for this year, $4.8 billion will be going into regional areas of our state. The difference could not be clearer. This is a government which talks Queensland up and is getting on with the job. Those opposite have not learned from the last election, and that is why they are going to have a very long road ahead of them.

Renewable Energy

Mr POWELL: My question is to the Minister for Energy. Given the government alleges it is no longer Labor policy to introduce a state based carbon tax, will the minister now direct the panel to cancel its tour of Queensland that seeks to promote the carbon tax as an option?

Mr BAILEY: I thank the honourable member for his question. Here they are, the LNP, and they do not want to talk to Queenslanders. They do not want to listen to Queenslanders. They are trying to shut down the renewable energy task force. How dare they!

Mrs Frecklington interjected.

Mr SPEAKER: Member for Nanango, you are warned under standing order 253A for your continual interjections. I will not have hesitation in naming other members.

Mr BAILEY: Here they are trying to shamefully shut down the renewable energy task force and their consultation program with the people of Queensland. How dare they! They are showing their true spots when it comes to renewable energy.

Mr Seeney interjected.

Mr SPEAKER: Member for Callide, if you persist you will be warned.

Mr BAILEY: They are trying to shut down the expert panel of eminent people working on the renewable energy target and pathways towards achieving that. That is very clear from the opposition member's question. That really shows their spots when it comes to this key issue. They are stuck in the 20th century. The issues paper covers a whole range of policy areas that other jurisdictions have looked at. It is a comprehensive piece of policy work. I know that is a foreign idea to the opposition. I know they cannot cope with that. They are trying to nitpick and trying to distort what is going on.

The reality is that there is a whole range of matters in there. It is a very comprehensive piece of policy that is being drafted by an independent task force of very, very skilled people. It should be discussed. It should be considered. I have been very clear about this government being consistent with our election commitments. That is another thing that the opposition do not like. They did not keep their election commitments. That is why they are in opposition—because they did not keep their election commitments. We will do so. We said we would put a task force together; we have done that. We have said to them, 'Give us all of your views,' which they have done. We will now consult with the people of Queensland. We will hear their views. We will ask for their points of view. We will go out there and engage with them. If the LNP had done only a little bit of that they might have got through, but they did not. They treated people terribly. They picked fights everywhere they went. They had policies that were a century behind. That is what the LNP is about, and the question reveals absolutely that point of view.

Fortunately, the member for Glass House has been giving praise to the Palaszczuk government. I discovered on his YouTube channel that he had been fighting for seven years for a 40 kilometre an hour zone at Montville State School. That must have been very frustrating to not be able to get a little speed zone outside Montville State School with a record majority. There he is on video—

Mr SPEAKER: Minister, we do not need a prop.

Mr BAILEY: I thank the member for Glass House very much for his praise.

Mr Hart interjected.

Mr SPEAKER: Member for Burleigh, you are now warned under standing order 253A for your continual interjections. If you persist, you will be invited to leave the chamber.

PrEP Trial Expansion

Mr KELLY: My question is of the Minister for Health and Ambulance Services. Can the minister inform the House how the Palaszczuk government is providing access to HIV prevention medicine in Queensland?

Mr DICK: I thank the member for Greenslopes for his question and his longstanding work as a nurse and his advocacy for HIV prevention for many years. I know the honourable member for Greenslopes was working in this field in the 1980s when HIV first became a public health issue and the then Queensland government refused to acknowledge the severity of the issue. Those of us who are of a certain age, including the member for Greenslopes, would recall the very great suffering that many Queenslanders with HIV and their families faced during the 1980s, suffering that was amplified by being ostracised and, on many occasions, vilified because of their sexuality and their illness including in particular gay men.

The Palaszczuk government recognises that HIV prevention still remains a major issue. I am pleased to inform the House that the Palaszczuk government will provide more Queenslanders with access to HIV prevention medicine with the expansion of the Pre-Exposure Prophylaxis Demonstration Project. The Pre-Exposure Prophylaxis, or PrEP, is a way to stop the transmission of HIV. The Queensland project has been led in Cairns by the Cairns and Hinterland Hospital and Health Service. It began last September, making daily treatment available to 50 Queenslanders. The success of this trial led to the establishment by me of a working group and they recommended an extension of the Queensland PrEP project. I was delighted to visit the Queensland AIDS Council—and I acknowledge publicly the work of the Queensland AIDS Council over many years in this space—along with the Deputy Premier, the member for South Brisbane, my ministerial colleague the member for Brisbane Central and the member for Greenslopes, where I announced a major expansion of this project, a $6 million investment over four years. That will increase 40-fold the number of Queenslanders who will be able to obtain PrEP treatment.

Our government will fund up to 2,000 Queenslanders accessing this very important pharmaceutical treatment. I am delighted that as a government we are able to deliver this for Queenslanders in an age when everything has changed when it comes to human sexuality and also HIV and AIDS. We have a comparatively low rate of infection by world standards—approximately 4.3 new cases per 100,000 people. However, in 2014 we still had 203 new cases of HIV in Queensland.

Our government is committed very clearly to stopping the transmission of HIV by 2020. That is a commitment we make as a government. It is a commitment I make as the health minister of this state. It is something that I hope has bipartisan support, so that we can all work to stop the transmission of HIV. If we can do this in our nation by 2020, we can take that example to the rest of the world where we know that HIV continues to ravage many populations. Let that be our target so we can help not only Queenslanders but all people around the world.

Carbon Tax

Dr ROWAN: My question is to the Minister for Environment. I ask: given the minister's support for both federal and state based carbon taxes, has the minister been briefed on how much more the average Queensland electricity consumer will have to pay?

Dr MILES: I am happy to take the question, although the shadow spokesperson has explicitly misled the House. I do not support a state based carbon tax, and I ask that he withdraws that.

Federal Budget, Tourism

Mr SAUNDERS: My question is of the Minister for Tourism. Will the minister outline what impact the Turnbull government's federal budget has on tourism in Queensland?

Ms JONES: I thank the honourable member for the question. I thank him once again for his passion to grow tourism and tourism jobs in the Maryborough electorate. Indeed, all members on this side of the House stand up for the tourism industry in Queensland against the very real backpacker tax coming in under Malcolm Turnbull. Do members opposite want a figure? It is $540 million. That is how much Malcolm Turnbull has accounted for in his budget that will be derived from the backpacker tax. That is half a billion dollars straight out of economies right across this country, ripped out of tourism towns in this state. What do we get from the LNP in Queensland?

A government member: Crickets.

Ms JONES: Crickets. That is exactly right. Right now in our state at a time when we are fighting really hard to create new jobs and new opportunities in regional Queensland, we have a genuine and real threat. The backpacker tax is real. It is being proposed by their LNP colleagues in Canberra—in actual fact, their mate is going to fight in Canberra—and they say it is going to raise half a billion dollars straight out of tourism economies and rural economies right across this state and this country. It is shameful. It is a backward step and it is going to hurt regional Queensland. I say to the party that stands in here day in, day out lecturing me, lecturing my colleagues about standing up for rural and regional Queensland that here is their chance to put their money where their mouth is and start truly fighting. Instead of scaremongering, they can fight against a tax that their colleagues are fighting for. I know Malcolm Turnbull does not want to stand next to any of them, but next time he comes to Queensland—and who knows when that is going to be; he might say the word 'Queensland'—I call on the new Leader of the Opposition here in Queensland, who believes in small government, who believes in low taxes, to put his money where his mouth is and fight against the LNP's backpacker tax. Half a billion dollars will be ripped out of regional communities right across this country and there is deathly silence from the LNP.

I want to thank the members of the Katter party, who have made representations to me, who have talked to me about how terrible this is going to be for their economies and the communities they represent—and also the member for Cook. However, there has been deadly silence from the LNP. They should not come in here and lecture us about—

An opposition member interjected.

Ms JONES: I would not get too cocky over there. The Leader of the Opposition only got up by three votes. In actual fact, the member for Southern Downs got more votes than him in the first round, so he should not get too cocky. If members opposite want to stand up and fight, why do they not stop fighting amongst themselves and start fighting for Queensland, start fighting for regional Queensland and start fighting for tourism jobs and regional communities, just like the honourable member Shane Knuth is going to do?

Lotus Glen Correctional Centre, Laundry Services

Mr KNUTH: My question without notice is to the Minister for Police, Fire and Emergency Services and Minister for Corrective Services. The Lotus Glen prison laundry provides businesses and nursing homes on the Atherton Tablelands with deliveries of fresh clean linen. This service keeps prisoners occupied, creates employment and assists the community. Will the minister reverse the recent decision to slash the Saturday service, which was made with limited consultation and which heavily impacted local businesses?

Mr BYRNE: I thank the member for his question and his interest. It is important to reflect on the history of previous governments in terms of their attention to prison industries. Those members who were in the last parliament remember my concerns about the closure of dairies et cetera in my own region.

Opposition members interjected.

Mr BYRNE: I can remember the conversations that we had across the chamber about the closure of prison industries and the dairy at Capricornia. We understand the importance of trying to reintegrate prisoners into the community through work programs, and we are doing everything that we possibly can to give prisoners an opportunity to normalise their lives in advance of their reintegration into the community. Many of the initiatives that we are working on are principally to that effect. When you look at recidivism rates and you see that over 40 per cent of prisoners are returning to the system after two years of absence, you understand that the efforts which have been made by previous governments have not been effective in addressing reintegration to the degree that we would expect.

Pertaining to the issues at Lotus Glen, I am advised that in March 2009 the Lotus Glen Correctional Centre commenced contracted laundry services to the Ozcare aged facility from Monday to Saturday. Services were also provided on an informal basis from Monday to Saturday for local motels in the Atherton Tablelands. Increasing demands on staffing in January 2013 made it unviable for the centre to maintain this service due to the overtime costs of delivering clean laundry on a Saturday. In January 2013 the costs to deliver the linen on Saturdays were greater than any of the revenues that could be derived from the laundry service. In October 2015 the Lotus Glen Correctional Centre notified motel customers that the Saturday service would be ceasing as of 11 January 2016. The centre continues to provide these services for local businesses from Monday to Friday. No changes were made to the Ozcare service, as the contract remains in place for the provision of service to this facility.

I will simply say that that particular element of the service was a decision taken at a management level because of cost, and it is as simple as that. We could not derive the benefit necessary. The work undertaken by prisoners continues, and we are working very hard as a government to make sure that work opportunities for prisoners trying to reintegrate into normal civil society are maintained—unlike our predecessors, who did everything in their power to tear such institutions down.

Carmichael Mine

Mrs GILBERT: My question is of the Minister for State Development and the Minister for Natural Resources and Mines. Will the minister advise the House what action the government is taking to progress the Carmichael mine project in the Galilee Basin?

Dr LYNHAM: I thank the member for Mackay for her question. I know the people of North and Central Queensland will be pleased to hear of progress on this $21.7 billion mine, rail and port project. The Palaszczuk government is committed to the sustainable development of the Galilee Basin for the potential jobs and economic development that it offers. As I informed the House in early April, I have approved the grant of three mining leases for the Carmichael Coal Mine and Rail Project. Since then

the independent Coordinator-General has approved a material change of use application for works at the company's proposed Abbot Point T0. This decision allows Abbot Point to lift its capacity to handle additional throughput as the Galilee Basin is opened up to mining. Adani is proposing to develop T0 to ultimately have the capacity to handle 70 million tonnes of coal a year. The Coordinator-General is also currently assessing two remaining material change of use applications from Adani relating to rail infrastructure in the Galilee Basin State Development Area.

There has also been some positive progress with traditional owners and native title claimants, the Wangan and Jagalingou people. At an authorisation meeting on 16 April 2016, the Wangan and Jagalingou voted in favour of the terms of an Indigenous land use agreement which will now be lodged with the Native Title Tribunal.

While Adani still requires a number of approvals, each of these steps brings the project closer to fruition. We will uphold our election commitment to the people of Queensland not to fund rail lines for private commercial projects or dredging at Abbot Point with taxpayers' dollars. Can the new opposition leader say the same? As treasurer under the previous Newman government, the member for Clayfield was perfectly happy to commit taxpayers' funds to the $2.2 billion rail line at the Carmichael coalmine. By contrast, this government will not spend taxpayers' funds on a private commercial project. Only a Palaszczuk government will continue to work with Adani to realise jobs, opportunities and economic benefits for Queensland without using any taxpayers' dollars.

Member for Pumicestone

Mr MANDER: My question is to the Premier. I refer to the investigation into the member for Pumicestone which the Police Commissioner advised on 4 March had now been referred to an independent QC following 10 months of investigations. Given that it has now been two months since that matter was referred to the QC, can the Premier say if either she or her office has been advised of the progress or any potential outcome?

Ms PALASZCZUK: I thank the member for the question. I have not been advised of any outcome and nor should I. It is a police matter and we await the outcomes of that police investigation.

Education and Training

Mr FURNER: My question is to the Attorney-General and Minister for Justice and Minister for Training and Skills. Will the minister inform the House of the important role that training plays in helping disadvantaged Queenslanders and how this can be supported in years to come.

Mrs D'ATH: I thank the member for Ferny Grove for his question. I know that he is extremely passionate about training and understands that you cannot invest in jobs without investing in education and training, and that is what the Palaszczuk government is doing: we are reinvesting in training and we are reinvesting in TAFE. It was wonderful to see Bill Shorten, the opposition leader in the federal parliament, talk about training and the importance of training in his budget reply speech. He pointed out that, unlike the Liberal Nationals, who have cut $2.5 billion from vocational education, Labor will make training and skills a national priority, creating jobs in our regions, retraining adult workers and helping modernise our industries and technologies. He said—

> Tonight, I declare the pendulum has swung too far to private providers—Labor will be backing public TAFE. We will restore integrity to the training system, by cleaning out the dodgy private colleges who have been ripping Australians off for too long.

He goes on to talk about the number of providers who have gouged the VET FEE-HELP system and he says—

> In 2014, the ten largest private training colleges in Australia received $900 million in government funding. Yet less than 5 per cent of their students graduated.

I am very proud that federal Labor is standing up with the Palaszczuk government and supporting our TAFEs. I was very pleased to see a great photo in the paper today with the caption, 'Queensland, we're going six star'. This is promoting the six-star training that is happening in hospitality and the partnership between Star Entertainment and TAFE Queensland. This is about providing the workforce for now and into the future for our growing tourism sector and the jobs that will be created in hospitality not just with the Commonwealth Games but, of course, also with Queen's Wharf. There are also other opportunities with extra flights with the trade missions.

What concerns me, though, are the views on the other side. I think we are looking at a comeback. The 'can-do' principles are back, because last night when the shadow minister was talking about his new shadow portfolio of training and skills he said—

> The LNP can do something about it. We can start where we left off with the economic policies of the former government that were working ...

That must have been scrapping Skilling Queenslanders for Work and cutting training funding that he was talking about.

Last night the shadow training minister criticised this Labor government for bringing bureaucracies back. I can tell members one bureaucracy that does not exist anymore: the Queensland Training Assets Management Authority. We have saved a bucketload of money not propping up those board members with the nice, juicy salary they were getting. This government is committed to training. We will get on with delivering training for this state, unlike those opposite.

Mining Industry

Mr LAST: My question without notice is to the Minister for Environment. I refer to a recent interview with Labor's federal climate change spokesman, Mark Butler, who said that 'there is little prospect of new coalmines commencing operations in Australia in the foreseeable future'. Given that the minister personally supported a motion of the House supporting the Adani approvals, does the minister support his federal Labor colleague's view?

Dr MILES: Does that—

Mr SPEAKER: Do you understand the question, Minister?

Dr MILES: Can he repeat the question?

Mr HINCHLIFFE: Mr Speaker, I rise to a point of order. I missed the last words of the question, but I did think that he was asking the minister whether he supported something, so he was seeking an opinion. That is out of order in terms of questions.

Mr SPEAKER: Member for Burdekin, could you repeat the question, please?

Mr LAST: I refer to a recent interview with Labor's federal climate change spokesman, Mark Butler, who said that 'there is little prospect of new coalmines commencing operations in Australia in the foreseeable future'. Given that the minister personally supported a motion of the House supporting the Adani approvals, does the minister support his federal Labor colleague's view?

Dr MILES: The Minister for Mines has already given a very fulsome explanation of the steps the Queensland government has taken with regard to that project and also the steps the Queensland government has taken to protect taxpayer funds and to protect the Great Barrier Reef. We can go over it again if those opposite want to. It might help them to understand.

First of all, the Labor Party will not use taxpayer funds to prop up what is a private sector investment. The Labor Party will ensure that all projects go through an appropriate process. They will not be fast-tracked, as the former leader of the opposition demanded. They will go through an appropriate process, informed by the science. The Great Barrier Reef will be protected. We will not allow the dumping of capital dredge spoil on the reef. We will not allow the dumping of capital dredge spoil on the Caley Valley Wetlands.

Just a few minutes ago the Minister for Mines gave great detail to the House about where this project is up to. Obviously the member for Burdekin was not listening. He was working on his question—

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

Dr MILES:—trying to get the words right, trying to pull a selective quote from the radio interview—

Mr SPEAKER: I think you have answered.

Dr MILES: Thank you, Mr Speaker. I think I have answered it well!

Advance Queensland, Innovation and Jobs Plan

Mr PEGG: My question is of the Minister for Innovation, Science and the Digital Economy and Minister for Small Business. Will the minister update the House on any alternative policies to the Palaszczuk government's Advance Queensland innovation and jobs plan?

Ms ENOCH: I thank the honourable member for the question. I know that the member for Stretton has a keen interest in innovation in our state, with Brisbane Technology Park in his electorate, home to some of Queensland's most innovative businesses.

The Palaszczuk government has implemented a comprehensive plan to transition Queensland into the new knowledge based economy. Our plan is called Advance Queensland, and it is a comprehensive, $180 million package of initiatives to support Queenslanders in all corners of the state to innovate in our traditional industries and turn new ideas and technologies into the jobs and industries of the future.

Through Advance Queensland we are also supporting our state's world-leading scientists and researchers by providing pathways for them to collaborate with industry and entrepreneurs to take their ideas out of the lab and turn them into commercially viable products and services. Through Advance Queensland we are also building our start-up ecosystem and helping our entrepreneurs to take their ideas to the global market.

What have we seen from those opposite over the past 15 months when it comes to the plan for Queensland in this critical time of global economic transition? We have seen absolutely nothing. We have not seen one policy or one announcement—nothing to indicate that the LNP members have been thinking about any jobs in Queensland other than their own or to indicate that there is a commitment to Queensland's future economy. While the Palaszczuk government has been positioning our state to grasp the opportunities offered by the innovation movement, what has the LNP been focused on? They have been focused on themselves. They have been talking down the economy and only focused on themselves.

At this point I acknowledge the former shadow minister, the former member for Toowoomba South, for his bipartisan approach to this agenda. He did postpone his leaving parliament so that he could create a new LNP innovation policy. That was his reason for postponing his departure. Right now, while he is out on the hustings, we have not seen any LNP policy. I am not sure he got around to it before he left. Now that the deals have been done and jobs have been sorted, we have a new shadow minister for innovation in the LNP but still no LNP innovation policy and no plans from the opposition for the jobs of the future.

The Palaszczuk government has a plan for jobs now and jobs for the future. We are implementing that plan through our funding for 42 research fellowships, compared to just 14 approved by the LNP in their entire three years of government. We are delivering our agenda through our $8 million Knowledge Transfer Partnerships Program. We are delivering on our agenda through the Advance Queensland Women's Academic Fund. We are delivering on our whole Advance Queensland agenda. The Palaszczuk government is delivering on our innovation and jobs plan. I invite the opposition to join in the innovation conversation.

Mining Industry

Mr COSTIGAN: My question is to the Premier. Given that the federal Labor Party has declared there will be no new coalmines in the foreseeable future, is it the Premier's understanding that the position of the federal Labor Party includes Adani's Carmichael coalmine?

Ms PALASZCZUK: I thank the member very much for his question. Perhaps he should be starting to lobby the federal government and Malcolm Turnbull for money for this state to grow jobs and the economy. We do not see those on the other side of the House standing up.

We on this side of the House are firmly focused on jobs. Whether that is approving new coalmines or approving renewable energy projects, my government will get the balance right. We are fundamentally about jobs for Queenslanders, unlike those opposite. Their track record says it all in terms of the downturn in regional economies when it came to the slashing of jobs in front-line services that my government has had to repair.

We are focused on jobs. Bill Shorten is focused on jobs. Unfortunately, Malcolm Turnbull is not focused on jobs. It is about time those opposite started putting forward a clear case for jobs in this state, creating infrastructure by seeking out support from Malcolm Turnbull, who has ignored Queensland. We will not ignore Queensland. We will stand up and fight for Queensland. That is what the public expects from us. It is about time we saw some policies from those opposite—

Mr SPEAKER: Thank you, Premier.

Ms PALASZCZUK: This is a lazy LNP—

Mr SPEAKER: Thank you, Premier. I think you have answered the question.

Federal Budget

Mr RUSSO: My question is of the Minister for Communities, Women and Youth, Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence. Will the minister please outline for the House how the federal budget will impact the minister's portfolio?

Ms FENTIMAN: I thank the member for the question. It gives me no pleasure to say that the federal budget disappointed me but, of course, did not surprise me. Once again we have seen some of our country's most vulnerable left by the wayside. In fact I have heard that the federal budget has been

described as the budget for blokes and, looking through the budget papers, it is not hard to see why. I had such hopes that, when the Prime Minister came to Queensland last month with the Minister for Women, Michaelia Cash, we were going to see real change for women in this budget. What did we see instead? An estimated 80 per cent of women missing out on the announced tax cuts. While these tax cuts might benefit women with higher paying jobs, they offer absolutely no relief to women in lower paid jobs. I have to say that working mums fared even worse. In fact, it is probably more appropriate to say they were forgotten. There was no mention of child care in the budget speech and then in the budget papers there was confirmation that childcare reform is once again delayed. There was no mention of paid parental leave in the budget speech and then going back to the budget papers confirmation that cuts to paid parental leave will continue.

Not only will these changes severely impact women economically; they can also increase the risk of domestic and family violence, and it is not just cuts to child care that are going to impact. It is appalling to see that cruel cuts to our community legal centres across Australia will continue to go ahead. It has been a move that has been widely condemned by service providers, academics and survivors of violence alike. Cutting funding to these legal centres will mean fewer resources to help vulnerable women, meaning less vulnerable women are able to leave violent situations. I am completely fed up with this all talk, no action federal government on domestic and family violence. I will be continuing to talk to my federal counterpart about how vital this funding is and I hope that the member for Mudgeeraba will be doing the same. I want to extend my sincerest thanks to Bill Shorten and the federal opposition for promising to restore these cuts and for putting gender equality at the centre of their agenda, because in the meantime here in Queensland across the chamber we still only have five women out of 18 members in the shadow cabinet and there is still no shadow minister for women. Every other state has a Minister for Women and a shadow minister for women. Why today in Queensland do we still not have a shadow minister for women? Every other state has a shadow minister for women. We on this side of the chamber know that gender equality is an important issue. It underpins tackling domestic and family violence and women's economic security. There are huge issues facing women in Queensland and I would encourage those opposite to think about finally having a shadow minister for women.

Stretton Community Cabinet

Mr McEACHAN: My question is directed to the Deputy Premier. Can the Deputy Premier please advise when she will fulfil her promise made during the 2015 Stretton community cabinet to visit the southern Moreton Bay islands?

Mr SPEAKER: Members, question time has expired.

CHILD PROTECTION REFORM AMENDMENT BILL

DIRECTOR OF CHILD PROTECTION LITIGATION BILL

Child Protection Reform Amendment Bill resumed from 16 February (see p. 59) and Director of Child Protection Litigation Bill resumed from 16 February (see p. 56).

Second Reading (Cognate Debate)

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) (4.02 pm): I move—

That the bills be now read a second time.

I introduced the Child Protection Reform Amendment Bill 2016 into parliament on 16 February 2016. On the same day the Attorney-General and Minister for Justice and Minister for Training and Skills introduced the Director of Child Protection Litigation Bill 2016 into parliament. The bills were referred to the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee and the committee tabled its reports on both bills on 28 April 2016. I want to thank members of the committee for their examination of the bills. I table copies of the Queensland government's separate responses to the committee's reports on the Child Protection Reform Amendment Bill 2016 and the Director of Child Protection Litigation Bill 2016.

Tabled paper: Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee: Report No. 16—Child Protection Reform Amendment Bill 2016, government response [667].

Tabled paper: Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee: Report No. 17—Director of Child Protection Litigation Bill 2016, government response [668].

The Child Protection Reform Amendment Bill 2016 amends the Child Protection Act 1999 to strengthen child protection court processes and encourage the voices of children and families in child protection proceedings. The bills support the establishment of a new court work model for the Queensland child protection system which will comprise the Office of the Child and Family Official Solicitor within my department and the Director of Child Protection Litigation as an independent statutory body within the Justice portfolio. The committee made four recommendations in relation to the Child Protection Reform Amendment Bill 2016 and 10 recommendations in relation to the Director of Child Protection Litigation Bill 2016. I will address each of the committee's recommendations specific to each bill in turn. First I will address the committee's recommendations in relation to the Child Protection Reform Amendment Bill 2016.

The committee's first recommendation is that the bill be passed, and I thank the committee for this recommendation. The second recommendation is that the minister consider whether the bill needs to be amended to remove the word 'significantly' from proposed section 51VA and advise any decision in the House. The government has considered this matter in detail. The word 'significantly' will be retained in clause 5 of the bill as it currently informs the interpretation of section 51VA(5). Section 51VA of the Child Protection Act 1999 applies to children who are subject to long-term guardianship orders made by the Childrens Court. For these children, the Childrens Court has made the finding that there is no parent willing or able to protect the child within the foreseeable future and that the child's need for emotional security will be best met in the long term by making the order. Currently, this section of the Child Protection Act 1999 allows a child or the child's long-term guardian to request that their case plan be reviewed. This will not change. The proposed amendments will additionally allow a child's parent to request that the child's case plan be reviewed if it has not been reviewed in the previous 12 months.

Currently, the Child Protection Act 1999 provides the chief executive with a broad discretion to refuse such a request if satisfied that it would not be appropriate in all the circumstances. The bill proposes to insert a new subsection 51VA(5A) into the act to provide additional guidance that the chief executive may exercise this discretion on the basis that the child's circumstances have not changed significantly since the plan was finalised or previously reviewed or if, for another reason, it would not be appropriate in all the circumstances. The use of the word 'significantly' in this provision recognises that there may be minor changes in an individual child's circumstances and arrangements from time to time that do not warrant the review of the child's case plan. Under schedule 2 of the Child Protection Act 1999, if the chief executive decides not to review the case plan, the person requesting the review may apply to the Queensland Civil and Administrative Tribunal for an administrative review of the refusal decision.

The third recommendation is that, given the concerns raised, the minister responds in the House to the issue raised by the Bar Association of Queensland that the term 'materially' is not necessary in clause 32. Clause 32 of the bill replaces section 191 of the Child Protection Act 1999 allowing the Director of Child Protection Litigation or another person to refuse to disclose personal information that is not materially relevant to the proceeding. The wording of this section is consistent with the current section 191 in the Child Protection Act 1999 as well as the disclosure obligation in the Criminal Code Act 1899 which the Queensland Child Protection Commission of Inquiry proposed as a model for the recommended duty of disclosure under the Child Protection Act 1999. Requiring information to be materially relevant to the proceeding effectively balances the need to protect the privacy of a child or anyone else involved in a child protection proceeding with the need to ensure the parties have access to information that is relevant to the grounds upon which the application is made. I have therefore made the decision to retain the word 'materially' in proposed section 191. The fourth recommendation is that the minister considers the protection afforded to children in court as part of the Child Protection Act 1999 review process. The government accepts this recommendation and protections afforded to children, including throughout Childrens Court proceedings, will be considered as part of the comprehensive review of the Child Protection Act currently being conducted by my department.

I will now address the committee's recommendations in relation to the Director of Child Protection Litigation Bill 2016. The committee's first recommendation is that the bill be passed, and I thank the committee for this recommendation. The committee's second recommendation seeks clarification about how the Brisbane based director's office will work across Queensland. There are a number of benefits in having a Brisbane based model. It will ensure appropriate professional supervision and support for the director's staff, promote consistency of approach and drive practice improvement. This will help to embed a new culture, particularly in the early stages of the new office. Personal appearances at mentions, trials and court ordered conferences will be the preferred mode of attendance and the director's lawyers will travel across the state when required. In the event that a personal appearance is

not possible, video and telelink facilities will be used by the director's lawyers to remotely attend child protection proceedings. The director may also engage agents to attend matters or instruct counsel to attend at court. The Queensland government will closely monitor the effectiveness of this model, particularly in the first 12 months, so that improvements can be made in response to any issues that arise.

The committee's third recommendation noted stakeholder concerns that clause 6 may result in short-term orders being favoured over a long-term order and sought clarification about how clause 5 and clause 6 of the bill ensure the best outcomes for children. The director will be required to take into consideration the existing principles for the administration of the Child Protection Act 1999. These are the same principles that the court must take into consideration during a child protection proceeding.

The principles in the Child Protection Act 1999 include that the safety, wellbeing and best interests of the child are paramount. The director's lawyers will at all times be guided by the paramount principle that the safety, wellbeing and best interests of the child are paramount when deciding which actions are warranted in the circumstances of the case. The example given of least intrusive order in clause 6(1)(b) applies as far as it is consistent with this principle.

The fourth recommendation of the committee report was that the Attorney-General assess whether clause 13 of the bill, which states that, in performing its functions and exercising its powers, the director is not under the control or direction of the minister, strikes the right balance. Clause 13 of the bill makes it clear that, in performing their functions and exercising their powers, the Director of Child Protection Litigation is not subject to the direction of the minister. This provision makes it clear that the Director of Child Protection Litigation is an independent statutory office. This approach is also consistent with the chief executive functions and responsibilities under the Child Protection Act 1999. The government considers that there are appropriate safeguards in place to ensure proper oversight of the director and the director's staff.

The director will be accountable to parliament through the minister, who is required to table the director's annual report, which is to include details of the administration of the director's functions and powers during that year. The Queensland Family and Child Commission will have oversight of the director's functions as part of the child protection system. The bill also amends the Child Protection Act 1999 to expand the jurisdiction of the Child Death and Serious Injury Review Panel to include the director.

The committee's fifth recommendation is that the Attorney-General consider the appropriate mechanism to ensure that the director has experience in child protection. Although the bill provides the general eligibility requirements for appointment as the director, it is more appropriate that the specific qualities being sought for the director be set out in the role description. This has occurred in the current recruitment process for the director, which has stated that the ideal applicant will possess qualities of integrity, independence and fairness and have high-level management experience in managing a complex service provider organisation within an evidence based management approach. They should also possess a comprehensive understanding and knowledge of the law and professional practice relevant to child protection and other welfare matters and significant litigation experience in a protective jurisdiction.

The sixth recommendation of the committee report requests that the Attorney-General consider reducing the term of office for the director from five years to three years. The government does not accept this recommendation and considers that the period of five years is appropriate. This approach is consistent with the position of many other statutory officers within the Justice portfolio who may also be appointed for a term of up to five years, such as the Public Guardian, the Public Trustee, the Public Advocate, the Ombudsman and Chair of the Crime and Corruption Commission. However, in acknowledgement of the concerns raised by the committee, the government will consider a shorter term for the first appointment to the directorship.

The government accepts the committee's seventh recommendation that the Director of Child Protection Litigation Act be reviewed after three years, rather than five. An amendment will be made during the consideration in detail stage of the bill's progression through the Legislative Assembly to amend clause 41 to provide for that.

The committee's eighth recommendation requests that the director publish the director's guidelines. The government does not accept this recommendation, as the bill already provides for a process for the publication of the director's guidelines through the tabling of the annual report.

The ninth recommendation of the committee seeks advice about why the department's right of review of decisions made by the director do not have an external right of review. It is unusual for a government agency to be given the ability to apply to an external body, such as QCAT, seeking a review

of a decision made by another government agency as this is usually preserved for non-government entities. There are other mechanisms to review decisions, including an internal review, the process that is intended to be included in the director's guidelines. The Department of Justice and Attorney-General is working closely with the Department of Communities, Child Safety and Disability Services in the development of these guidelines.

The committee's final recommendation seeks clarification on the grounds on which a request from the department to the director to apply for a child protection order can be refused. Section 59 of the Child Protection Act sets out the matters that the Childrens Court must be satisfied of before making a child protection order. The director will have regard to the provisions of section 59 in determining whether there is sufficient, relevant and appropriate evidence available to make an application for a child protection order to the Childrens Court.

In conclusion, these bills form an important step in our ongoing reforms to Queensland's child protection and family support services. Through *Supporting families changing futures* we are delivering on a wideranging reform agenda that will transform the way Queensland keeps children safe and promotes their wellbeing and best interests. These bills will make important changes to the way in which child protection proceedings are conducted in the Childrens Court. These changes will better enable the voices of children and their families to be heard when decisions that affect them are made and improve the quality of information and evidence before the court.

The establishment of the Office of the Child and Family Official Solicitor within my department will ensure that Child Safety staff have access to accurate legal advice when they need it to help them make the best decisions for children and families. The establishment of the Director for Child Protection Litigation within the Justice portfolio will improve the quality of evidence brought before the court. It will create an important separation between litigation and child safety casework so that our Child Safety staff can focus clearly on the work of supporting families and meeting the needs of children.

These are important reforms that will drive improvements for Queensland children and families. It is also important to acknowledge that these reforms and their implementation will change many roles at the front line of child protection in Queensland. We are committed to supporting our staff through this transition period. Importantly, no positions will be lost as a result of the implementation of these reforms.

I would like to acknowledge the contribution of the Together union in working with my department on these reforms and its representation on behalf of its members through the committee process. At the end of the day, we all want families to be better supported and children to be safe. These reforms are squarely aimed at making that happen. The Palaszczuk government is committed to continuing to work with the Together union to implement our child and family reforms, including these important court work reforms.

Again, I would like to extend my thanks to the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee for its examination of the bills. I would also like to thank the research staff of the committee for their work in assisting the committee in its consideration of both the Child Protection Reform Amendment Bill 2016 and the Director of Child Protection Litigation Bill 2016. The bills continue the Queensland government's significant *Supporting families changing futures* child and family reform efforts. They will ensure that court processes are enhanced to enable better decision-making and outcomes for children and families involved in the statutory child protection system. I commend the bills to the House.

Ms BATES (Mudgeeraba—LNP) (4.17 pm): I rise to make a contribution to the debate on the Child Protection Reform Amendment Bill 2016 and the Director of Child Protection Litigation Bill 2016. As the shadow minister for communities, child safety, disability services and the prevention of family and domestic violence, I will focus my contribution on the Child Protection Reform Amendment Bill 2016 and the personal experience that I bring to this portfolio. As a former member of the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee, which considered these bills, I will also add some reflections on the Director of Child Protection Litigation Bill 2016.

I contribute to this debate not only as the shadow minister or as a former member of the committee but most importantly as a survivor of family violence. The Child Protection Reform Amendment Bill 2016 implements the recommendations of the Queensland Child Protection Commission of Inquiry, which confirmed that the child protection system was under enormous stress and made a series of recommendations aimed at addressing the systemic failure in this system to create a more effective system for protecting our children for the next decade. This is a significant task, but one that must be undertaken to secure a brighter future for children throughout this state.

I would like to place on record my thanks to my friend and predecessor, the member for Aspley, for her role as an advocate who fought for children throughout Queensland not only as the shadow minister in the 55th Parliament but also as the former minister for communities, child safety and disability services. It was the member for Aspley during her tenure as minister who brought the issue of child protection to the forefront of public debate through the establishment of the Child Protection Commission of Inquiry, the recommendations of which we continue to see introduced in a partisan manner under this government. I also acknowledge the minister for her effort to introduce the appropriate legislation to get the commission's recommendations passed by this parliament. As the minister said when she introduced this bill earlier this year, children need stability and security. It is my hope that we can help bring this about by implementing the commission of inquiry's recommendations.

Last year in this House I recounted Barb's story. I told her story through the eyes of a child, the eyes of the middle child, who was me. But you never actually heard Ros's story. Unfortunately child safety often goes hand in hand with domestic violence and substance abuse. In my case maybe if the services were available to help both of my parents then my and my sisters' childhoods would have been vastly different. Like all children we loved our parents. We could not understand why they hurt each other. We could not understand why we were in the middle. We could not understand why for most of the week we had a relatively normal family because we did not know any different.

In my speech last year I showed a glimpse of what our lives were like, but I left a lot out—things like as a child I learnt very quickly to pick up on the signs and when the switch would be flipped over, when no amount of reasoning with my father would make any difference. My older sister always tried to be the peacemaker and tried to de-escalate the impending violence and was always bewildered, and still is, when it did not work. As a child I learnt that when the fighting started that the best place to be was in a confined space such as a passageway. I learnt well before I took up karate that you are less likely to be hurt if the fight is in the passageway because even if you are thrown up against a wall the momentum was not as great as if you were in the lounge room. I learnt that the worst place to end up was on the floor where it was more difficult to protect yourself from the blows and the kicks. I learnt to be aware of my surroundings and to be alert to the fact that my father would often come from one of two directions and that you literally had to watch your own back. I learnt to always have another exit so I could run if I had to. These are considerations that no child should ever have to think about.

When I was a child there seemed no way out. In my childhood, children's services were very different. I learnt that making a complaint meant that you would be taken away from your family—from your sisters, from your mother—supposedly for your own safety, and made a ward of the state. I know this from firsthand experience. I recounted in my last speech running three miles to the nearest telephone booth, bloodied and bruised, to call for help. I can still see myself: earrings ripped out of my ears, with blood matted through my hair, my favourite jumper ripped and having trouble breathing due to broken ribs, my nose streaming blood, my lips bleeding because my teeth had been smashed through them and still just running on sheer adrenalin to get away. This time though it was different. This time instead of ringing an uncle for help I rang my sister's old boyfriend who lived just up the road from the telephone booth. I can remember sitting on the concrete sobbing when he arrived and he picked me up and he said, 'No more. No more. Not ever again. This time we have to end this.' I was 14.

We went straight to the police station and for the first time in my life I made a formal complaint because I truly believed that I would never survive another attack like that one. The interview with the police is still a blur. I think now that I was concussed because I do not remember all of the beating, I just remember thinking I was going to die. They did not take me to the hospital. They asked me if he was still at home and I knew he was not because I had seen him drive past the telephone booth while I hid so he could not see me. He had driven to his mate's place to drink even more alcohol and the police picked him up outside the home and booked him. His blood alcohol was 0.25. I went home and the police brought him back and everyone just went to bed.

The next morning the police and child safety officers arrived. They interviewed my mum and me and then informed mum that they were going to take me away, that I was to become a ward of the state. I remember mum screaming at them, saying, 'Why are you punishing her? She is the victim. Why aren't you punishing him?' The rest is a blur. I do recall recanting my statement to the police and I refused to cooperate with the police or Child Safety. I remember having to go to a psychiatrist like there was something wrong with me and mum again saying, 'Why are you doing this to us? He is the one you should be taking away, not her.'

Many years later all three sisters realised that we still bear scars that we believed had been buried so deep that now as older women were coming back to haunt us. I remember telling the House that there were no family holidays or friend stayovers, but there were also no birthday parties and

Christmases were horrendous. These memories that I think we had all suppressed were actually beginning to affect us all in direct ways so we did something that I would never have thought of doing: I found a regression hypnotherapist. The regression hypnotherapist sessions were startling. Suppressed memories which ensued from these sessions were brought to the surface. My older sister's earliest memory was crawling over the tea rose carpet and around overturned furniture to my mother who was sobbing behind the couch. She must have been 12-18 months old if she was crawling. My earliest memory was standing at the back door trying to open the door and I could not work out why it would not open. I remember saying, 'I'm too little. Jos will have to open it.' That was the day that we had been to the picture theatre and returned home to a locked house. I recall mum putting me through the bedroom window so I could open the door. I remember her saying, 'Open the door, love.', and me saying, 'I can't, Mum, the door has nails in it.' My father had nailed the door shut. My younger sister Cath, who we thought we had done the right thing by by protecting her, felt that her two older sisters did not like her and could not understand why we sent her down the paddock in the dark. Her memories were, 'Why do the girls leave me out? The only friends I have are my dog, my horse and the cows.'

After those sessions we realised that our parents were not the same people they were in our childhood years. I know people who contacted me after my first speech could not understand how we could forgive our parents, but the truth is as a child you love your parents and even when things were bad the alternative of being made a ward of the state was more horrendous and frightening a prospect to us than was staying. My older sister cannot stand having doors slammed behind her even to this day. I cannot stand anyone shouting in my face because I am still that seven-year-old girl who was thrown up against a wall, but I am also the 14-year-old girl who was ready to stand and fight.

I wish that services had been available back then. We stayed together because it seemed there was no way out, but we also became very strong women because of our experiences. Alcohol and drugs play a huge role in domestic violence and child safety is inextricably linked to homes where this is the norm. I often wonder if the services had been available to help my father with his drinking problem, to help with anger management and to have been able to recognise why he felt his life was not what he had wished it to be, whether all of the trauma that we endured would have been negated. I am pleased that this bill will in some way go to address some of these issues. I am proud that I am a survivor of my own childhood and I am particularly pleased that in my new role as shadow minister in such an important portfolio that my understanding, empathy and sympathy in my deliberations will also help others.

This bill aims to achieve better outcomes for families and children involved in child protection court proceedings and generally improve the functioning of the Childrens Court and the quality of applications for a child protection order. To do this, this bill implements 10 court related recommendations of the commission of inquiry and one from the Court Case Management Committee which was established as a result of recommendation 13.1 of the commission of inquiry. It reforms court processes and strengthens our ability to assist children through the courts by giving children and their families a voice in legal proceedings, improving efficiency by reducing delays and improving decision-making and evidence provisions when the court makes decisions in relation to domestic violence orders.

The bill also provides clarity in relation to various roles and entities when applying for orders, as well as facilitating the creation of the Office of the Child and Family Official Solicitor within the Department of Communities, Child Safety and Disability Services. The bill is complemented by the Director of Child Protection Litigation Bill which implements the commission of inquiry's recommendation to establish an independent statutory agency within the justice portfolio to make decisions about which matters will be the subject of an application for a child protection order and what types of child protection orders will be sought, as well as litigate the applications in the Childrens Court.

I would like to thank my colleagues on the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee for their hard work in reviewing this legislation, particularly the members for Moggill and Buderim and the chair, Leanne Linard, who does a fantastic job. I know that she personally, with her two young children, certainly has a very keen interest in child safety and I thank her for that.

I note that first and foremost the committee recommended that this bill be passed. It is wonderful to see the continuation of bipartisan support for strengthening the child protection system in Queensland. There was general support for the bill and submissions from a range of stakeholder groups, which included the Queensland Alliance for Kids, Protect All Kids Today, the Queensland Family and Child Commission, the Queensland Law Society, the Together union and the Bar

Association of Queensland. However, whilst welcoming the introduction of legislation pursuant to the recommendations of the Child Protection Commission of Inquiry, some stakeholders such as the Bar Association raised some concerns, which I will allude to. I am sure that my colleague the shadow Attorney-General will cover them in more detail in his contribution.

In relation to clause 5 of the Child Protection Reform Amendment Bill, which states that the chief executive of Child Safety may decide not to review a case plan if they are satisfied that the child's circumstances have not changed significantly, the Bar Association noted that '... it seems an unnecessary impediment to the ongoing supervision of, and accountability for, a child's best interests ...'. The Bar Association noted that—

A significant change in the life of a child is a concept so protean and ambiguous as to risk being meaningless.

In essence, the Bar Association suggested that opinions can differ as to what constitutes a significant change and a significant change could be too high a threshold before the chief executive's statutory obligations can be enforced. As a result, the committee's second recommendation was that the minister consider whether the bill needs to remove the word 'significantly' and I have heard the minister's contribution on that.

The Bar Association also took issue with the use of the word 'materially' when considering the level of relevance required for a court order to disclose the evidence containing personal information in child protection proceedings. Again, I note the minister's contribution. They added that the insertion of words like 'materially relevant' adds nothing to the purpose and effect of the provision. In brief, they argued that evidence is either relevant or it is not, and that should be considered. As a result, the committee recommended the minister make those changes.

Another stakeholder, Protect All Children Today, suggested that children giving evidence in the Childrens Court should be afforded the child witness provisions of the Evidence Act 1997 as adopted by the District Court in criminal court proceedings. Protect All Children Today argued that the government should consider enforcing legislation that affects children giving evidence to ensure a consistent approach across criminal jurisdictions. In turn, the committee made those recommendations to the minister.

As a then member of the committee, during our consideration of both this bill and the Director of Child Protection Litigation Bill I raised concerns in relation to the ability of the Director of Child Protection Litigation to engage appropriately qualified lawyers to assist them in carrying out their functions. During committee proceedings, I stated that it was unclear whether those lawyers would be regionally based or would work on a fly-in fly-out basis, whether they would be specialised and what costs would be involved in having a director who is able to commission appropriate legal assistance at his discretion. My main concern was that there was no real explanation of the cost or business model provided in relation to potential fly-in fly-out lawyers being provided for the director. I remain concerned about the costs associated when lawyers could, instead, be regionally based.

I asked those appearing before the committee—

Are you aware if these positions are to be based regionally, or will they be fly-in fly-out positions? Cause 11 also talks about procuring lawyers externally. How do you think that the director could ensure that a local lawyer would be a specialist in child protection? What costs might be involved in this model?

Ms Wilson from the Bar Association of Queensland advised me that the director is engaged in this space and that she would fully expect the director to be aware of appropriate lawyers to be able to service areas. She opined that there would not be many regions where you would not find appropriate lawyers within a stone's throw. Ms Pennisi from the Queensland Law Society added—

I believe that we have a database from which a person can find a speciality—child protection, family law matters. So I think that the accessibility component has been covered.

Similarly, Mr Dunn from the Queensland Law Society said—

Certainly, a large portion of that will be an implementation matter for the director in setting up their offices and for the department as to how the services will be delivered. There is also the opportunity to take local lawyers and train them in some of these particular areas to provide some extra experience and skills. There are a number of different things that could be done in that space, but I think that it would be very difficult for the Bar Association or the Law Society to really map out the implementation process of the director's office.

Since my concerns about how lawyers will be sourced and what the cost implications will be had not really been addressed, I clarified my concerns for the committee, saying—

Currently, the director supplies lawyers, whether they are regional based or they are fly-in fly-out. My concern is that, in this bill, there is no allocation of what cost and business model whereby locally based lawyers were provided.

Ms Wilson from the Bar Association then said—

> I do not think that we can comment in terms of costs at this point in time. The interesting thing is that, in terms of appropriate qualified lawyers, in any of the courts around this state there are some matters that do not raise novel issues, but there will be matters that raise novel issues. It may be appropriate in those circumstances to go further afield to get lawyers who have that extra speciality to deal with those matters. There is a sliding scale, too, of expertise—about what you need to obtain to be able to provide a service. If you look at that provision, that is the director. So, from looking at that provision, I would think that that would be in exceptional circumstances.

While I appreciated Ms Wilson's argument for specialised lawyers to assist the director in certain circumstances where it may be required, I do remain concerned about the cost implications and the lack of a business case for this provision.

However, broadly speaking these bills are another important step forward in our effort to keep children safe and to ensure our child protection system is modernised for the coming decade. As shadow minister, I am pleased to be able to continue the good work of the member for Aspley and all that she has done to reform our child protection system and ensure that we address systemic failures in that system for the coming decade. The opposition will be supporting this bill.

Ms LINARD (Nudgee—ALP) (4.36 pm): I rise to speak in support of the Child Protection Reform Amendment Bill and the Director of Child Protection Litigation Bill 2016. These were the first child protection bills to come to the reconstituted Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee and were considered concurrently. The purpose of the amendments is to achieve better outcomes for families and children involved in child protection court proceedings, improve the functioning of the Childrens Court and the quality of applications for a child protection order, and clarify the role of various entities in applying for orders under the Child Protection Act. The Director of Child Protection Litigation Bill seeks to concurrently establish the Director of Child Protection Litigation, an independent statutory officer, and provide greater accountability and oversight for child protection order applications by ensuring applications filed in court are supported by good quality evidence.

Both bills give effect to recommendations contained in the Queensland Child Protection Commission of Inquiry's report, *Taking responsibility: a road map for Queensland child protection*. The commission of inquiry's report makes the point that child protection law, by its nature, is intrusive. It is an area of law that involves resolving the tension between, on the one hand, the superior power and resources of the state and, on the other hand, the private needs of individuals, many of whom have one or more characteristics of social disadvantage or vulnerability and who often feel powerless in a confusing and frightening system.

The commission made 121 recommendations, 28 of which relate to improving the way child protection proceedings are conducted in the Childrens Court. The Child Protection Reform Amendment Bill and the Director of Child Protection Litigation Bill, concurrently before the House, will implement 11 of those recommendations and an additional recommendation made by the Court Case Management Committee to introduce new processes for managing applications for child protection orders in the Childrens Court.

The Palaszczuk government is committed to building a sustainable and effective child protection system in Queensland. The Childrens Court, which is an integral part of that system, makes decisions that can and do have far-reaching implications for families and children. The court reforms before the House will ensure that the voices of children and their families are heard on decisions that affect them. Further, the reforms seek to minimise delay and improve the quality of information and evidence before the court.

The Child Protection Reform Amendment Bill amends the Child Protection Act to: support the establishment of the Office of the Child and Family Official Solicitor within the Department of Child Safety and clarify the roles of the department and other entities in Childrens Court child protection proceedings; allow a parent to request the Department of Child Safety review a case plan for a child who is the subject of a long-term guardianship child protection order if the case plan has not been reviewed in the previous 12 months; clarify that a parent's attendance at a family group meeting or agreement to a case plan cannot be used against them in court proceedings; give the court discretion to allow significant people in a child's life to participate in proceedings; clarify the different roles and duties of a direct legal representative for a child and a court appointed separate legal representative for a child during proceedings; allow the court to join and hear two or more child protection proceedings if it is in the best interests of justice to do so; and introduce a general duty of disclosure on the litigation director in child protection proceedings, in addition to a number of other amendments that the minister has already outlined.

The committee received six submissions to the Child Protection Reform Amendment Bill inquiry, which were generally supportive of the bill, from the Queensland Alliance for Kids, Protect All Children Today, the Queensland Family and Child Commission, the Queensland Law Society, the Bar Association of Queensland and the Together union. The committee made four recommendations, including that the bill be passed.

The remaining three recommendations sought further information from the minister in regard to: clause 5, the circumstances giving rise to a review of a case plan; clauses 31 and 32, refusal to disclose documents or information containing personal information to protect the privacy of someone involved in a child protection proceeding—what is and is not materially relevant; and discussion of whether children giving evidence in the Childrens Court should be afforded the same child witness provisions of the Evidence Act. I thank the minister for her considered response to these matters earlier.

The Director of Child Protection Litigation Bill provides for a new independent statutory officer, the Director of Child Protection Litigation, who will report to the Attorney-General and Minister for Justice. The main function of the director is to decide which matters will be the subject of a child protection order application, the type of child protection orders to be sought and litigate the child protection order application itself.

The bill provides that when the chief executive of the Department of Communities, Child Safety and Disability Services is satisfied that a child is in need of protection and a child protection order is the most desirable and appropriate order to protect the child, it must refer the matter to the director. The director will then be solely responsible for deciding whether or not an application for a child protection order should be made and the type of order that should be sought. If an application for a child protection order is made, the director will be responsible for conducting the legal proceedings in the Childrens Court.

During our inquiry the committee received seven submissions, many from those bodies mentioned earlier. Most were generally supportive of the bill, with the exception of the name suppressed submission which did not support the premise of the bill or indeed the premise of many of the recommendations contained in the Carmody report.

The Queensland Alliance for Kids and the name suppressed submissions both raised concerns about the potential inconsistency of clauses 5 and 6, balancing the best interest of the child with applying for the least intrusive order. Clause 5 sets out the main principle for administering the bill, which is ensuring the child's best interests, while clause 6 contains principles that those administering the bill should have regard to, including that the Director of Child Protection Litigation apply for the least intrusive child protection order.

The concerns raised by both submitters was that when deciding which order a child should be placed on, proposed section 6(1)(b) may be used as a reason to place a child on a short-term order when a long-term order may be in the child's best interests. This could result in a young child being placed on a succession of short-term orders throughout their life, leading to a lack of stability for the child. Both submissions stated that research shows that when permanency is identified as the best solution for the child, it is best for the child that they are placed on a permanent order as soon as possible. A number of additional matters were raised by submitters, including oversight of the Director of Child Protection Litigation, the qualifications and qualities required of the DCPL, the term of office, the DCPL's power to make guidelines and review of the director's decision, which the minister outlined and responded to earlier.

The committee made 10 recommendations arising from the issues raised in the submissions. While the committee sought additional information from the minister for the benefit of clarity and confidence in the proposed reforms, the committee was of the opinion that the bills will enact reforms that will better serve vulnerable children and families in Queensland and, as such, that the bills should be passed.

I would like to thank those individuals and organisations who lodged written submissions and appeared at the committee's public hearings on both bills. I would like to acknowledge the assistance provided by the Department of Communities, Child Safety and Disability Services, the Department of Justice and Attorney-General, the Scrutiny of Legislation Secretariat staff, the committee secretariat and my fellow committee members—I mention particularly the outgoing deputy chair, the member for Moggill; the outgoing former deputy chair, the member for Mudgeeraba; and the member for Buderim—for their contributions to this bill and all health committee inquiries over the past 12 months. I wish each of them well in their new roles.

The establishment of the director and the other court reforms in the Child Protection Reform Amendment Bill and the Director of Child Protection Litigation Bill and the Childrens Court rules seek to improve outcomes for children and their families by providing greater accountability and oversight, minimising delay in court proceedings, promoting efficiency and ensuring the voices of children and families are heard in decisions that impact them. These reforms seek to ensure that applications for child protection orders filed in the Childrens Court are supported by good quality evidence and that evidence based decision-making forms part of the litigation process.

As I quoted earlier, child protection law by its nature is intrusive. It interferes with and sometimes reallocates rights and responsibilities. Child protection is above all about its name sake. It is about making the safety, wellbeing and best interests of the child paramount. We must always seek, as a state, to be for those vulnerable children what others can or will not.

I thank my colleague the Minister for Communities and Minister of Child Safety for her stewardship of these important reforms. I know she has great heart and great clarity of vision in regard to the operationalisation of these reforms in the best interests of vulnerable children in Queensland. I thank the minister and Attorney-General for their fulsome consideration of and response to the issues raised by the committee. I commend the bills to the House.

Mr WALKER (Mansfield—LNP) (4.44 pm): I rise to support the contribution from the shadow minister for communities, child safety, disabilities services and the prevention of family and domestic violence. I congratulate her on her new role as part of the LNP team to get Queensland moving. I pay the acknowledgement of all members of the House to her sharing some deeply personal matters as she spoke about these bills. I at least have the good fortune not to have such instances to share. Those in this House who do really make it something that lies upon our hearts as we debate this very serious issue.

I am going to address my comments to the Director of Child Protection Litigation Bill which is part of the double act of important child protection reforms. At the 2012 state election the LNP promised to establish a new Forde inquiry to review progress and chart a road map for the future of child protection in Queensland over the next decade. The Queensland Child Protection Commission of Inquiry, led by the Hon. Tim Carmody QC, was established on 1 July 2012. On 28 June 2013 the commission published its report titled *Taking responsibility: a roadmap for Queensland child protection,* which made 121 recommendation, all of which were accepted.

In 2014 we announced a funding package of $406 million over five years as part of the 2014-15 budget. That included $25 million in 2014-15: firstly, $2.9 million to implement new community based intake and referral services in the first six locations across the state; secondly, $6.5 million to increase secondary family support services targeting vulnerable families with multiple and complex needs; thirdly, $3 million to develop and implement a new child protection practice framework for front-line child protection staff to better support families to take care for their children at home and to avoid out-of-home care; fourthly, $2.5 million to improve the support for young people transitioning from out-of-home care to independence, including targeted post-care support up to the age of 21 years; and, finally, $1.5 million to work with key partners to reform Indigenous family support services and $1.4 million for culturally appropriate child protection practices. I am fortunate to be sitting next to the current shadow education minister who, in her time as minister, supervised the rollout of these matters. I acknowledge her tremendous role in doing that.

On top of those specific matters, we committed $6.5 million towards employing more than 70 child safety officers to address workloads and to assist in the vital reform work. The key elements of the reforms recommended as part of the commission of inquiry focused on early intervention and more prevention. This Director of Child Protection Litigation Bill implements recommendation 13.17 of the Queensland Protection Commission of Inquiry, established by the former LNP government, with two key objectives: firstly, establishing the Director of Child Protection Litigation, an independent statutory officer reporting to the Attorney-General and Minister for Justice; and, secondly, improving outcomes for children and families and providing greater accountability and oversight for child protection order applications that are being proposed by the CEO of child safety by ensuring that those applications filed in the court are supported by good quality evidence, promoting efficiency and evidence based decision-making.

Commissioner Carmody zeroed in on the fact that it was absolutely necessary to ensure that this supervisory nature of the prosecutions and the applications, more to the point, that were being made were being made appropriately. The whole idea of setting up the Director of Child Protection Litigation is to ensure that the applications made are done in a timely, efficient and effective way.

The Office of the DCPL has a budget of $19.068 million for 2016-17, 2017-18 and 2018-19 and, if passed, the act will commence from 1 July this year. While we support all of the 10 recommendations made by the parliamentary committee, I do want to speak in more detail about recommendation 2. Recommendation 2 states—

The Committee requests that the Minister provide a response to the House addressing stakeholder concerns in regard to basing the Director of Child Protection Litigation staff in Brisbane, given staff will regularly work across Queensland.

Key stakeholders raised concerns during the committee review regarding practical concerns involving staff who are Brisbane based travelling to attend matters throughout the state. I note that the member for Mudgeeraba in her speech drew attention to this issue as well. She was well involved in it during the committee hearings. We share the concerns in relation to that recommendation. The response by the minister has, I think, only mildly addressed those concerns.

I was fortunate to attend with the member for Warrego only some months ago a lunch with a number of local legal practitioners in Roma. The case that was put by them about the difficulty in ensuring that there was access to all services that relate to child protection and family law matters and sufficient expertise not only in legal but also in counselling areas was a very prominent part of our conversation that day. I am sure that lawyers right across Queensland know the difficulty of funding and staffing with the necessary expertise. The point was made by a number of the earlier speakers in the debate that that expertise is needed. Not any lawyer can really know that they have the tools sufficient to do this sort of work.

I note the budgetary concerns of the new statutory office. It is always the case that you cannot beat local knowledge and local support. It is important to remember that this is all about protecting vulnerable children and ensuring that they have the best support system that the state can provide.

The minister gave us an assurance that there would be a monitoring of this after 12 months. That is, I expect, the least that can be offered. As has been pointed out in this debate, we are concerned to adopt a bipartisan position on this bill, and we do not intend to make any amendments to put our concerns into effect. I do want to note them for the benefit of the House and for the benefit of the minister. We will certainly be watching and asking for the report on that 12-month operation to ensure that in fact our concerns have not arisen and that rural and regional Queensland is being properly serviced by the new director's office.

Other key considerations raised during the committee's consideration of the bill included the lack of oversight of the new DCPL; qualifications and qualities required when appointing the DCPL; the term of appointment—three years rather than 'not more than five years'—as is specified in the bill; a review clause and the need for guidelines to be used by the DCPL that promote greater transparency in outlining decision-making processes.

In relation to the consultation to the development of the bill, we note that exposure drafts were released for consultation with key stakeholders and comment sought and that comment has been incorporated where appropriate. We also note that the Together union, the key union which represents child safety workers, had also been consulted on the bill and matters identified in their submissions had been raised through further departmental consultation.

I finally want to thank the committee members for their thorough examination of the bills and the recommendations. I am sure that those recommendations will provide greater clarity to some of those key issues that have been raised.

I also want to acknowledge the contribution of key stakeholders in the development of this bill, particularly organisations like PACT, Protect All Children Today, and QAK, Queensland Alliance for Kids, for the tremendous work they do in supporting vulnerable children and young people and witnesses throughout Queensland in the criminal justice system and also for more broadly advocating for the rights of children in care. I commend the bill to the House.

Mr KELLY (Greenslopes—ALP) (4.53 pm): I am speaking in support of the Child Protection Reform Amendment Bill 2016 and the Director of Child Protection Litigation Bill 2016. These bills reflect the Palaszczuk government's commitment to implement the recommendations of the Queensland Child Protection Commission of Inquiry. These recommendations are aimed at providing the guidance to build a sustainable and effective child protection system over the next decade.

Before I get into the specifics of the bill, I would like to say that I am pleased that we have achieved bipartisan support on these bills and I am sure the bills will receive the support of all members of the House. In my professional career I have had limited interactions with children who have been abused and also some interactions with adults who have done the harm. This is extremely distressing

for all involved, but my sympathy remains with the child. Like all members of this House, I remain determined to do all that I can to ensure that all Queensland children grow up in an environment that is safe and provides them with the opportunity to grow and to thrive.

The changes in the Child Protection Reform Amendment Bill are extensive and cover many areas. They aim to make sure that the voices of children and their families are heard in decisions that impact on them, minimise delay, improve the quality of evidence presented to support applications for child protection orders and improve decision-making by ensuring that the court has access to relevant information.

During the hearings I was particularly interested in the provisions of the bill aimed at maintaining the family involvement in the decision-making processes affecting their child, if the child is in fact in long-term care. Quite frankly, I was initially quite perplexed by this. Surely these children come from a family situation which had potentially or actually done the child some harm. What could possibly be the benefit of involving the family? Mr Ward, the Children's Law Committee representative of the Queensland Law Society, pointed out that it gives the parents a reminder that things need to be organised for the child who is in the long-term care of the department of child safety. It gives them the opportunity to become involved again and encourage some sort of relationship, albeit in a very controlled environment.

Perhaps the most compelling reason he gave though was that it is in the interests of the child that they have some kind of understanding about where they have come from and who they really are. For me, that is the essence of these bills. They operate on the basis of what is in the best interests of the child. The involvement of the family not only is in the interests of the child but also provides an opportunity for the parents to move towards resolving their own issues. I think this is important. To really fix these problems we have to help not just the child—that should be our No. 1 priority—but also the families.

The provisions of this bill that allow the court to give people who are significant to the child the opportunity to participate in proceedings are incredibly important. This is an important recognition that the nature of families does not always fit the stereotypical nuclear family model. It also recognises that where a family is struggling and a child is being potentially or actually harmed, it is in the interests of the child to allow other significant people who have an interest in the safety of that child to be involved in the proceedings. Again, these provisions are focused on the best interests of the child.

The best interests of the child also drive the creation of the Director of Child Protection Litigation Bill. The bill is aimed at improving the efficiency of child protection litigation. Litigation processes that are delayed, complicated and ineffective ultimately are not in the interests of the child. We must keep the interests of these children at the forefront of our thinking and our actions. Again, there are many aspects of this legislation but all are aimed at promoting the interests of the child. This approach is new and the minister is to be commended for taking a brave new path. Our committee, while acknowledging that this novel approach is well thought out, has recommended that the act be reviewed after three years rather than five. I thank the minister for considering this recommendation.

I would like to thank the committee chair and the other committee members. I would like to thank the many individuals and organisations that took the time to make submissions. In particular, I would like to thank those workers in the front line of child safety for their contribution to this process. They do a job that few of us could cope with and I thank them for their service to the children of Queensland.

I would also like to congratulate the ministers responsible for both of these bills. They have produced bills that focus in all respects on the best interests of the child. I trust that these bills, if passed, will help in achieving the ultimate objective of building a sustainable and effective child protection system, a system that is more capable of protecting children so they may grow and thrive safely in our state. I commend the bills to the House.

Ms DAVIS (Aspley—LNP) (4.59 pm): I rise to contribute to the cognate debate on the Director of Child Protection Litigation Bill 2016 and the Child Protection Reform Amendment Bill 2016. As the shadow minister, the member for Mudgeeraba, has indicated, the LNP will be supporting these bills. It has been a tremendous honour to serve both as a minister for child safety and as shadow minister. In handing over the baton, I know that the member for Mudgeeraba will do a stellar job in the role. With her passion in this area alongside her lived experience, the shadow minister will be an outstanding advocate for all Queensland children. I know she will be watching closely how the operations of the legislation are implemented.

These bills represent the second stage of legislative amendments in the child and family reform agenda that was initiated by the LNP. They build on the groundwork that we laid as part of a suite of legislative changes to reform Queensland's child protection system. Before I discuss the bills, I want to

highlight the importance of the overall program of work involved in the child protection reform. I have had the privilege of getting to know many young people who have been through the care system—children removed from abusive or neglectful parents whose safety and protection needed to be secured by the state. Their consistent narrative has always been that they wanted the system to care about them and make decisions that were in their best interests—a system that is more responsive to their immediate needs and more nurturing towards their longer term wellbeing and care. There are many things the system got right for these young people, but there are many more aspects that could be improved. This reform is so important to get right and it must begin with acknowledging the failures of the past so they are never repeated.

There had been many signs that the system was broken and failing the very children it sought to protect, so the commission made recommendations to acknowledge the past to make for a better future for children and families involved. What we had seen during a decade of previous Labor government terms was a child protection system failing—with child protection intakes tripling, the rate of Aboriginal and Torres Strait Islander children in out-of-home care also tripling, the number of children in out-of-home care more than doubling and children in care staying there for longer periods. On top of this, the budget for child protection services had more than tripled over the course of a decade.

It was a system entrenched with deep-rooted failure, and when the LNP took government we did something that Labor had failed to do—we made it our priority to fix it. Families were struggling because their only avenue of support was through the front door of Child Safety. By the time we left government, we had seen some steady improvements to building a stronger, more responsive child protection system. We changed the landscape so that children and families had a better future. We established the new Queensland Family and Child Commission and delivered the first community education campaign to strengthen families. We commenced the first round of statewide coverage of Family and Child Connect and intensive family support services. We began the implementation of the new child safety practice framework.

Something I am personally very proud of was progressing support for young people transitioning from care until they reached the age of 21. We completed the first audit of children in care to ensure their child protection order remained in their best interest. We gained solid improvements in the department's response time frames and case planning processes. We were highly encouraged by the downward trajectory of statistics that had previously plagued the system. A very different child protection system was handed to the Palaszczuk government from the one that we inherited.

The bills before the House today address a number of recommendations contained in chapter 13 of the Queensland Child Protection Commission of Inquiry report. They propose new arrangements for the way child protection proceedings are determined and conducted in the Childrens Court so that families are supported and vulnerable children are protected. These bills have critical importance because we know that court processes can have far-reaching effects on a child's life. As the commission noted in its report, the policy rationale for this new proposed structure for legal advice and representation is to establish greater accountability and oversight for the applications that are being proposed by the individual child safety service centres and particular regions to ensure that only necessary applications are being made and those that are made are managed appropriately.

When I became minister, one of the things that really disturbed me was the passage of time it took to take a typical child protection application through the courts. There are examples of when applications are contested that the period between the date a child is removed and the trial date stretches to two years. This is a lengthy and somewhat arduous process of securing the protection of a child and we must do better. It has been an adversarial system for far too long.

We must acknowledge that, historically, the child safety staff have been the ones responsible for taking matters through the courts, which has put further strain on front-line services. These staff members, our child safety officers, team leaders, court coordinators and senior practitioners in child safety service centres across the state have done a sterling job under the very challenging circumstances, and they ought to be commended.

The commission highlighted a number of factors of relevance to making the recommendations pertaining to these bills. Of importance, the commission believed that there was a blurring in the role of child safety workers. It highlighted the need for professional separation of the department's internal processes linked to child protection proceedings and the need for early independent legal advice in matters being considered.

The commission was of the view that a two-pronged approach was needed to improve outcomes for children and families involved in the child protection system and to provide greater accountability and oversight for child protection order applications proposed by child safety. Thus it recommended

that a team of dedicated legal officers and specialist support officers be established within a separate office in the child safety department to be known as the Office of the Official Solicitor, who will work with child safety staff in preparing briefs of evidence.

Secondly, it recommended that a new independent statutory office be established—the Director of Child Protection Litigation—which will sit within the Justice portfolio. This is a very important enhancement to the child protection system, as the director will be charged with making decisions on the future safety and wellbeing of children. It will be their role to receive the briefs of evidence from the office of the chief solicitor and then determine which matters progress to a child protection application in the courts, the type of order that will be sought and the management of applications made through the court system.

As the commission noted, the policy rationale for this new structure for legal advice and representation is to establish greater accountability and oversight for the applications that are being proposed by individual child safety service centres and particular regions to ensure that only necessary applications are being made and those that are made are managed appropriately. Further, while the intention is that the director will make the decision as to whether an application is brought before the court, the emergent nature of some of the proceedings and the dispersed nature of the state will mean that the department will need to retain the capacity to apply for certain interim orders where it is not practical for the Director of Child Protection Litigation to make the necessary application.

I would like to thank the committee members for their consideration of this bill. They made a number of recommendations. As the shadow minister has indicated, we will be accepting those recommendations. Whilst the minister and the Attorney-General have addressed most of these issues, the real test of these enhanced functions will be in their ability to oversee the new arrangements and manage the cost involved in administering the operations of the Director of Child Protection Litigation and the office of the chief solicitor. The commission pointed out that it is expected that the Director of Child Protection Litigation would have offices across the state, building on existing infrastructure, such as being co-located with other Justice related bodies, such as the offices of the Director of Public Prosecutions which are spread throughout Queensland.

I was very pleased to see that the committee examined the cost of implementation, resourcing and the ability to deliver services across Queensland of this new statutory body, as I had concerns that it would be a very centralised model—in essence, it would be fly-in fly-out. In addition, I was informed that, where the Director of Child Protection Litigation was unable to attend a matter due to logistics and other resourcing issues, they would be telelinking into the proceedings or procuring the services of a private solicitor to attend on their behalf.

Whilst the stakeholder submissions in the main supported the bills, some expressed similar concerns to the committee so it was pleasing to see that the Attorney-General has been called on to address the basing of the Director of Child Protection Litigation staff in Brisbane, given staff will regularly work across the state. In closing, in addition to calling on the minister and the Attorney-General to stay close to the changes that will result because of these bills, we will be very interested in the coming months to see the full costs covered in the budget papers.

Mr HARPER (Thuringowa—ALP) (5.09 pm): I rise today to speak in support of both bills—the Child Protection Reform Amendment Bill 2016 and the Director of Child Protection Litigation Bill 2016. From the outset can I say that it is a great day as parliamentarians to find bipartisan support on such an important issue.

As we know, the aim of these bills is to amend the now outdated Child Protection Act 1999 in child protection proceedings. The 121 recommendations came about as a result of the Queensland Child Protection Commission of Inquiry. The bill aims to reform the way that the child protection proceedings are conducted in the Childrens Court, but it does so much more. It ensures those children who sometimes, through no fault of their own, find themselves in that situation are looked after by our Queensland government and departments like Child Safety.

The commission of inquiry noted there is no legislative duty of disclosure on parties to child protection proceedings. This means that child protection proceedings are conducted largely on the basis of affidavit evidence that relies heavily on hearsay. The amendments will facilitate more equitable processes by enabling parties to be aware of such evidence which will be relied upon during court proceedings. We know that these important court reforms will ensure that the voices of those most affected—and, of course, I speak of the children and their families—are listened to. These changes and amendments will also ensure they will be heard on any decisions that may affect them. They will also improve the timing, quality of evidence and information that may go before the Childrens Court.

The bill aims to provide families and children with greater support during the child protection court proceedings and generally improve the functioning of the Childrens Court and the quality of applications for a child protection order. The bill also supports the establishment of the Director of Child Protection Litigation and the Office of the Child and Family Official Solicitor. We know that decisions made by the courts in child protection proceedings have far-reaching consequences for a child and their family. The amendments and the resulting new court work model are designed to ensure more timely and informed court processes for child protection matters that will ultimately result in better and more just outcomes for vulnerable children and their families.

As we know, the bill is based on a number of recommendations from that commission of inquiry which consulted extensively over 12 months, informing its 10-year road map for Queensland child protection. To develop the bill, the Department of Justice and Attorney-General conducted targeted consultation with child protection and legal stakeholders in December 2014 and again in July 2015. Some of those key stakeholders were Foster Care Queensland, Bravehearts, the Bar Association, Youth Advocacy Centre and the Chief Magistrate. Stakeholders were indeed very supportive of the new duty of disclosure and the new court model involving the Office of the Child and Family Official Solicitor and Director of Child Protection Litigation.

Allowing cases to be heard together, particularly those involving children living in different households who do not share the same set of parents such as step siblings, will mean that people from different families will be coming into one courtroom. It is possible in some circumstances that there may be safety concerns if all of the parties are present in the one courtroom. This is particularly relevant where there has been a history of domestic and family violence. These are factors that the court can now consider when determining whether children's cases should be joined as it may be that, due to the specific and complex history and personal safety of people, the court can determine whether it would be appropriate for the cases to be joined.

It is also acknowledged that the documents that will be disclosed in child protection proceedings are likely to contain extremely sensitive and personal information about children and families. There are now a number of safeguards in place under the new disclosure regime to ensure the privacy of parties and those linked to child protection proceedings. Now the Childrens Court will have the power to control how highly sensitive information about the child and family are disclosed to each other. Under the bill, the director may also object to disclosing a document if it is not in the best interests of the child and the proceedings.

The Palaszczuk government is committed to implementing the recommendations of the Queensland Child Protection Commission of Inquiry through the Supporting Families Changing Futures reform program. The child protection reform amendments respond to 11 recommendations made by the commission of inquiry which simply aim to improve the way the child protection proceedings are heard in the Childrens Court.

The bill reflects the vital importance of child protection court work in ensuring the support of families and, of course, protecting those at the very core: those vulnerable and affected children themselves who end up in the Childrens Court. I acknowledge the work of the department and the previous and current committee members, respective secretariats, Minister Fentiman and the Attorney-General for their desire to ensure that we get the balance right in regards to dealing with children and their families who find themselves before the Childrens Court.

The journey of life offers its twists and turns and we get to meet some fine people. Since my election to this place, I have found a number of people in this House who have inspired me with their shared stories. Shared stories and experiences are extremely powerful. Listening earlier to the member for Mudgeeraba, Ros Bates, retelling her tale certainly sparked some things in my mind about the importance of what we are doing here today. I say nothing more than that it is good to know there is another survivor in this House. I commend the bills to the House.

Dr ROWAN (Moggill—LNP) (5.15 pm): I rise to make a contribution to the debate on the Child Protection Reform Amendment Bill 2016 and the Director of Child Protection Litigation Bill 2016. Unfortunately, it seems that legislators are having to do more and more with respect to dealing with the abuse and neglect of children not only in Queensland but across Australia and throughout the world.

I often ask myself: what is happening when children, some of our most vulnerable community members, have become the victims of abuse, neglect or dysfunctional, social and/or family circumstances? Whilst the definition of child neglect can be very broad, in general child neglect is considered as the failure of parents or caregivers to meet the needs that are necessary for the mental, physical and emotional development of a child. Child neglect is one of the most common forms of child

maltreatment and, unfortunately, it continues to be a serious problem for many children right across Queensland. Child neglect can substantially impact upon the physical development, the mental development and the emotional development of a child causing long-term consequences such as poor academic achievement and the development of psychiatric disorders and personality dysfunction. Unfortunately, as a doctor, I have seen these outcomes and consequences firsthand.

Such consequences can also impact on our broader society since it is more likely that children who have suffered from childhood neglect will have an increased propensity to developing drug and alcohol disorders, have poor educational outcomes and potentially have an impaired capacity to maintain stable employment and generate individual wealth when they reach adulthood.

Clearly, certain forms of child abuse can also occur as a consequence of neglect. Revelations in recent times about the extent of physical, sexual and emotional abuse in some of our key institutions, within certain families and by supposed trusted individuals leaves me at times confused and angry but also determined to address this as one of the many elected representatives to this Queensland parliament. The saying 'it takes a village to raise a child' is still as true today as it was when it was first enunciated. Parents, family relatives, friends, neighbours, social groups, and political and community leaders all play a vital role in preventing child abuse and neglect.

Under the former LNP government, the Queensland Child Protection Commission of Inquiry, otherwise known as the Carmody review, released its report *Taking responsibility: a roadmap for Queensland child protection*. This commission of inquiry found that our child protection system was in need of major reform due to the significant stress it had been under. A total of 121 recommendations were made in order for the Queensland government to enhance and deliver a sustainable child protection system for many years to come. The Child Protection Reform Amendment Bill 2016 implements a number of recommendations related to the functioning of our Childrens Court proceedings involving children and specifically addresses a number of issues with respect to child protection orders. Ensuring all relevant information is available in legal proceedings, minimising delays and enhancing the quality of material that is available to ensure robust, transparent and fair outcomes is a must for all concerned. From our committee hearings, it must be noted that ensuring that there is absolute clarity in relation to the terminology, language and/or nomenclature used in the legislation is extremely important. This is critical to ensuring and achieving absolute legislative intent at the operational level.

I am also of the view that the creation of a new independent statutory officer—the Director of Child Protection Litigation—in the child protection litigation bill 2016 has the capacity to increase accountability and appropriately oversight child protection order processes. There certainly needs to be further consideration of performance criteria and professional experience in the role of Director of Child Protection Litigation to ensure the best possible outcomes for children within the child protection system. Appropriate oversight of this role is also paramount.

In evaluating these pieces of legislation it was also clear to me that the interests of any child must be above and beyond all other interests, even if that means family unification is unable to be maintained, and adoption or other permanent placement alternatives need to be expedited as long-term solutions. Whilst concerns have been raised during the committee hearings on this legislation about the impacts on front-line staff with respect to some of these changes, I believe that adequate resourcing will be allocated by this government given the seriousness of the issues we are discussing within these dual pieces of legislation. In my opinion, confidentiality provisions and protections with regard to the rights and liberties of individuals have been well considered.

I conclude by acknowledging and thanking my fellow committee members, our secretariat and technical scrutiny staff, and those individuals and organisations that provided submissions and attended the relevant hearings. I would also like to specifically acknowledge the chair of the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee, Leanne Linard MP, the member for Nudgee. It was certainly a pleasure to work with her and her colleagues on the committee, and I commend the legislation to the House.

Ms BOYD (Pine Rivers—ALP) (5.21 pm): I rise today to speak in support of the Child Protection Reform Amendment Bill 2016 and the Director of Child Protection Litigation Bill 2016. Some three years ago the Queensland Child Protection Commission of Inquiry released its report *Taking responsibility: a roadmap for Queensland child protection* which confirmed what many in the field already anecdotally knew. Along with the 121 recommendations the message was clear: the system was under immense stress and direct action was necessary. To build an effective child protection system, action needed to be taken to address systemic failings. The Palaszczuk government is committed to implementing the

recommendations of the commission of inquiry as part of the child and family reform agenda. This reform will ensure that children get the best possible future, are cared for, protected and provided with a safe environment.

These bills aim to reform the court process for the better. We now know how important it is to ensure that the voices of children and their families are heard in the decisions which impact them. We know how important it is to minimise delay through these distressing times. We know how important it is to ensure that quality evidence is presented and that this evidence supports applications for child protection orders. We know how important it is for the court to make the right decision, and the measures in this bill will lead to improved outcomes.

These bills do many things, but the critical thing that I take away from this and the one that I hear about most in my community is the ability to allow for a review of a case plan. The child or long-term guardian may ask the chief executive to review the case plan if it has not been reviewed in the last 12 months. This is not a provision which is currently available to a parent or guardian. This will allow for reconsideration and potential change if there has been a change to the child's circumstances, therefore achieving the best outcome for the child at the time. Further, this clause will allow for, encourage and facilitate ongoing participation and input to case plans from guardians. The chief executive will take into consideration a request to review a case plan taking into account all factors and the best interests of the child.

We know that there are often varied and changing circumstances, and these bills aim to reform and improve the function of the Childrens Court and the quality of applications on child protection orders. They provide families and children with greater support during child protection and court proceedings; they improve the functioning of the Childrens Court; they improve the quality of applications for a protection order; and they support the establishment of the Director of Child Protection Litigation and the Office of the Child and Family Official Solicitor. The Office of the Child and Family Official Solicitor will result in child safety officers being able to access earlier and more independent legal advice. I too would like to echo the sentiments of the member for Greenslopes in acknowledging the fantastic work that child safety officers do in a very difficult space.

The net positive outcome of this will be the high-quality material and evidence which is presented to support these applications, a higher level of compliance with model litigant principals and the ability to separate front-line case management from legal work. An independent statutory agency in the Justice portfolio like the Director of Child Protection Litigation will establish greater accountability and oversight of applications being proposed by the Department of Child Safety.

There is much good that these pieces of legislation do and many reforms and initiatives that other members have covered in their speeches today that I will not have the time to cover in mine. Ultimately these bills ensure that we will have better processes through the child protection system and better evidence, efficiency, decision-making and litigation which will result in children throughout our communities being better cared for, protected, safer and in a position to be the best that they can be. That is where we need each and every child to be so that they can be future leaders of tomorrow. I commend the bills to the House.

Mr DICKSON (Buderim—LNP) (5.26 pm): I rise to speak on the Child Protection Reform Amendment Bill 2016 and the Director of Child Protection Litigation Bill 2016. As both bills implement the recommendations of the Queensland Child Protection Commission of Inquiry report, the committee considered these bills together but reported on them separately.

On 1 July 2012 the previous LNP government established the Queensland Child Protection Commission of Inquiry after inheriting a child protection system that was overburdened and unsustainable. In comparison to previous inquiries, the commission had far broader terms of reference and was asked to review the entire Queensland protection system and chart a road map for the system for the next decade to come. On 28 June 2013 the commission published its report *Taking responsibility: a roadmap for Queensland child protection.* The inquiry found that the perception of a system under stress is justified, and identified three main causes of system failure: too little money spent on early intervention to support vulnerable families; a widespread risk-averse culture that focused too heavily on coercive instead of supportive strategies and overcompensated for hostile media and community scrutiny; and a tendency from all parts of society to shift responsibility onto Child Safety.

The report underlined that wherever possible it is better for a child, family and the community if the child can stay safely in their own home. The report also detailed that over the last decade child protection intakes had tripled; the rate of Aboriginal and Torres Strait Islander children in out-of-home care had tripled; the number of children in out-of-home care had more than doubled; and children in care were staying there for longer periods of time. The report concluded that the child protection system

was under stress and made 121 recommendations for improvement. The LNP in government accepted all recommendations, six of which were in principle, and invested $406 million over five years to implement the reform road map.

On 16 February 2016 the Minister for Child Safety and the Minister for the Prevention of Domestic and Family Violence introduced the Child Protection Reform Amendment Bill 2016 into the Legislative Assembly. The bill aims to achieve better outcomes for families and children involved in child protection court proceedings and generally improve the functioning of the Childrens Court and the quality of applications for child protection orders. The bill implements 10 court related recommendations from the report and one from the Court Case Management Committee. It also facilitates the creation of the Office of the Child and Family Official Solicitor within the department. The OCFOS will provide early and independent legal advice to department staff and prepare evidence when a child protection order should be sought.

The bill will reform court processes to ensure that the voices of children and their families are heard in decisions which impact them; minimise delay; improve the quality of evidence presented to support applications for child protection orders; and improve decision-making because the court will have all the relevant information it needs to make a decision.

The bill also clarifies the role of various entities in applying for orders under the Child Protection Act 1999. The bill underlines the importance of child protection court proceedings in supporting families and protecting vulnerable children. The amendments contained in the bill are aimed at improving court processes to achieve the best possible outcomes for children and also their families.

The committee has made four recommendations including that the bill be passed. The committee has requested that the minister respond to a number of issues raised by stakeholders during the course of the inquiry, and I look forward to the response to those issues raised.

On the same day as the Child Protection Reform Amendment Bill was introduced, the Attorney-General and Minister for Justice and Minister for Training and Skills introduced the Director of Child Protection Litigation Bill 2016. This bill implements recommendation 13.17 of the commission. The Director of Child Protection Litigation Bill 2016 establishes the Director of Child Protection Litigation, the DCPL, as an independent statutory officer. The commission proposed a model for better legal advice and representation for the department and an independent DCPL to vet and make child protection applications instead of the department. The DCPL will prepare and apply for child protection orders and conduct child protection order proceedings in the Childrens Court. The DCPL Bill sets out the responsibilities of the DCPL and the chief executive of the Department of Communities, Child Safety and Disability Services and how they will work together.

As set out in the explanatory notes, the director will be appointed by the Governor in Council on the recommendation of the minister for a term of up to five years and can be reappointed for a further term. To be considered suitable for appointment, the director must be a lawyer who has been admitted to practice for at least 10 years and has demonstrated qualities of leadership, management and innovation in a senior government or private sector role. The main function of the director is to decide which matters will be the subject of a child protection order application and the type of child protection order to be sought and to litigate the child protection order application.

In addition to the establishment of the DCPL, the policy objective of the bill, as outlined in the explanatory notes, is to—

> improve outcomes for children and families and provide greater accountability and oversight for child protection order applications that are being proposed by the chief executive (child safety) … by ensuring that applications filed in court are supported by good quality evidence, promoting efficiency and evidence-based decision making.

Entities such as the Queensland Law Society and Legal Aid Queensland support the principle of earlier access to independent legal advice for departmental officers. The Queensland Law Society believes that the department would benefit greatly from the provision of early and independent legal advice so that any intervention is evidence based, litigation is conducted in a manner consistent with model litigant principles and any conflict of interest issues can be resolved. Legal Aid Queensland agreed, stating that the quality of applications and supporting affidavit material would benefit from the receipt of proper legal advice and forensic support at an early stage in the litigation process.

In its report the commission underlined that the policy rationale for this new proposed structure for legal advice and representation is to establish greater accountability and oversight for the applications that are being proposed by individual child safety service centres and particular regions to ensure that only necessary applications are being made and that those that are made are managed appropriately.

The committee has made 10 recommendations including that the bill be passed. The committee has requested that the minister respond to the issues raised by stakeholders during the course of the inquiry. I look forward to the response of the minister to the issues raised.

In the report Commissioner Tim Carmody reflected that child abuse and neglect are distressing and intractable social problems made worse by avoidable failures in the very systems set up to protect children at risk from harm. It was sobering to hear that after 12 months of careful deliberation the commission concluded that the child protection system, despite the hard work and good intentions of many and the large amount of money invested in it since 2000, is not ensuring the safety, wellbeing and best interests of children as well as it should or could. Continuing in that way was clearly unsustainable as well as contrary to both policy intent and reasonable community expectations.

Finally, as changes have been made to committee membership I take this opportunity to thank the research director, Deborah Jeffrey, and the staff from the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee for their support and dedication over the past number of months. I also personally thank the chair and all other committee members for the hard work, dedication and bipartisanship that was shown within committee meetings. I look forward to that being the case on the next committee I am involved in. I hope that all committees demonstrate the sort of cohesive working together that I saw in that committee. I do commend the bill to the House.

Mrs GILBERT (Mackay—ALP) (5.35 pm): I rise to contribute to the debate of the Child Protection Reform Amendment Bill 2016. Sadly, not all children in our communities are living in safe homes and environments. As a community, we must all take responsibility to ensure no child is exposed to unsafe living conditions and environments.

This bill recognises the findings from the 2013 Queensland Child Protection Commission of Inquiry report *Taking responsibility: a roadmap for Queensland child protection*. This report found that the child protection system was under immense stress and made 121 recommendations aimed at addressing the risk of systemic failure and building a sustainable and effective child protection system.

While working as a teacher I sadly came across children who needed support and protection. For one reason or another, the adults in their lives were unable to stand up for them, protect them or make the best decisions for them. Some children's lives are very complicated and very sad. This bill will give children a voice by reforming the court process for child protection proceedings. It also gives families an opportunity to be heard.

The bill implements 10 specific court related recommendations of the commission of inquiry. The bill aims to achieve better outcomes for families and children involved in child protection court proceedings and generally improve the function of the Childrens Court and the quality of applications. Children and families will be provided with greater support during child protection court hearings, improving the functioning of the Childrens Court.

I recently met with Jean. Sadly, Jean's daughter passed away earlier this year. As a grandmother she is too ill to care for her granddaughter. Unfortunately, Jean's family is affected by a lot of mental illness. Jean's granddaughter is already in foster care. She truly loves her granddaughter and is desperate that the decisions made for her future are the best ones for her. These changes to court procedures are good for Jean and her granddaughter. All Jean wants is to ensure her granddaughter has a happy and stable life and to be able to stay in touch with her, to make sure she gets the best possible care.

Where there is more than one child involved in a family requiring a child protection order, this bill allows, in section 115, for two or more applications to be heard together without the need to rely on an application by a party. This change allows children to be treated as individuals when they have different care needs and different orders need to be made. The amendments in this section also recognise that family structures can be complicated, with blended families. Children do not need to be related as siblings to be considered at the same time. This provision also allows a court to not hear cases together where bringing together different family members with a history of violence would be dangerous. Their cases can be heard separately. The decision to hear cases jointly will be made in the best interests of the children. This bill supports the needs of children.

Children need stability. For some children, stability is achieved through long-term guardianship orders with case plans. Amendments address the situation where parents are able to request a review of the case plan where their child is under a long-term guardianship order. Previously, parents were unable to request this review. Parents can only request a review if there has not been a review in the previous 12 months. This provision recognises that a child needs stability and prevents disruption to a child's life. Children need to be able to build relationships. Even in the education system we campaign

and say to parents, 'One school, one year,' so that children do have a chance to learn, so this only makes sense in that children will be able to form those relationships. This bill is good for children and it is good for families. 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) (5.39 pm): Tonight I rise to give my support to the Child Protection Reform Amendment Bill 2016 and the Director of Child Protection Litigation Bill 2016. I note that my colleague the member for Waterford and Minister for Communities, Women and Youth, Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence has already spoken in detail on the contents of both bills, so I will confine my remarks to the Director of Child Protection Litigation Bill 2016. Firstly I thank the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee for its consideration of the Director of Child Protection Litigation Bill 2016 and the Child Protection Reform Amendment Bill 2016 and its recommendation that both bills be passed. I also thank those stakeholders who made written submissions and who appeared at the public hearings on the bills.

The bills before the House are part of the government's ongoing child and family reform agenda that will implement the recommendations of the July 2013 report by the Queensland Child Protection Commission of Inquiry, *Taking responsibility: a roadmap for Queensland child protection*. The Director of Child Protection Litigation Bill implements recommendation 13.17 of the commission's report to establish a new independent statutory officer, the Director of Child Protection Litigation, who will report directly to me as the Attorney-General and Minister for Justice. The establishment of the director will ensure greater accountability and oversight for child protection order applications that are being proposed by the Department of Communities, Child Safety and Disability Services so the community can be assured that state intervention occurs only when necessary. The involvement of lawyers with child protection expertise at an early stage will ensure that applications for child protection orders are supported by good quality evidence and litigation is progressed only when the evidence supports the application.

The director will be supported by the office of the director to help the director perform the director's functions, with staff appointed under the Public Service Act 2008. The director will be appointed by Governor in Council on the recommendation of the minister. The director may be appointed for a period of up to five years. However, in acknowledging the concerns raised by the committee that the five-year period is too long, I will consider recommending a shorter term for the appointment of the inaugural director. However, I believed it was important to maintain the five years in the bill to ensure there is scope to have future employment for that term and it is also consistent with many other significant appointments in my portfolio area.

The recruitment process for the director is currently underway and I hope to announce in the near future the appointment of the person who will be responsible for leading this innovative and significant reform in the way child protection order applications are made by the state. The director will be responsible for deciding which matters will be the subject of a child protection order application and what type of child protection order will be sought, as well as litigating the matter in the Childrens Court. The chief executive of the Department of Communities, Child Safety and Disability Services will be required to refer a matter to the director if the chief executive is satisfied the child is in need of protection and a child protection order is the most desirable and appropriate order to protect the child.

The bill includes the principles the director and the director's staff must follow when administering their functions and exercising their powers under the act, which are consistent with the principles in the Child Protection Act 1999 and the United Nations Convention on the Rights of the Child. The main principle for administering the act is that the safety, wellbeing and interests of a child are paramount. For the success of the court reforms proposed by these two bills, it is essential that there is effective and unimpeded communication between the director and the department. The bill includes various provisions to facilitate a good working relationship. For example, the bill requires the director consult with the department and seek further information if required before making a decision on the referral. If after consulting with the chief executive of the department the director decides to take a course of action that is not consistent with the brief of evidence provided, the director will be required to provide written reasons for the decision. Under the bill, the director will also be able to provide legal advice to and represent the department in other child and family related matters such as family law and adoption matters if instructed by the department.

The director will also have the power to issue guidelines under the bill that will apply to the director's staff, lawyers engaged by the director, the chief executive of the department and relevant staff within the department. I am advised by the Department of Justice and Attorney-General that the guidelines are currently being developed and it is proposed that they will include an internal review

process for the department to seek a review of the director's decision. The Department of Justice and Attorney-General is consulting with the Department of Communities, Child Safety and Disability Services on the internal review process for inclusion in the guidelines. To ensure transparency and accountability, the director will be required to provide an annual report about the exercise of the director's functions, including any guidelines issued in the previous year.

The bill also provides for a statutory review of the act. Noting the committee's concerns about the period for this review to occur, it is proposed the government will move amendments during the consideration in detail stage of the bill's progression through the Legislative Assembly to reduce the period from five years to three years for that review to occur. The court reforms to be implemented by both the Director of Child Protection Litigation Bill 2016 and the Child Protection Reform Amendment Bill 2016 will be supported by a remake of the Childrens Court Rules, which are currently under development by the Department of Justice and Attorney-General and proposed to commence at the same time as the two bills. These reforms will improve outcomes for children and their families by ensuring that applications filed in court are supported by good quality evidence, promote efficiency and evidence based decision making, and improve litigation in the Childrens Court.

Many people have contributed to the development of the two bills and the new rules, and I thank them for their time and input. In particular, I want to thank the dedicated members of the Court Case Management Committee chaired by the President of the Childrens Court and including representatives from the Queensland Law Society, the Bar Association of Queensland, Legal Aid Queensland, Crown Law, the Office of the Public Guardian, the Department of Communities, Child Safety and Disability Services, the Department of Justice and Attorney-General and, more recently, the Queensland Aboriginal and Torres Strait Islander Child Protection Peak Ltd. The Court Case Management Committee has met on several occasions to recommend some of the amendments that are included in the Child Protection Reform Amendment Bill 2016 and to provide feedback on the Director of Child Protection Litigation Bill 2016 and the new rules. In closing I thank the Minister for Communities, Women and Youth, Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence for her strong advocacy in the area of child safety and her work and her department's work on these very important reforms. I commend the bills to the 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) (5.46 pm), in reply: I thank all members for their contributions to today's debate of the Child Protection Reform Amendment Bill 2016 and the Director of Child Protection Litigation Bill 2016. Thanks must also be extended to the Attorney-General and Minister for Justice and Minister for Training and Skills for her leadership in the initial introduction of the Director of Child Protection Litigation Bill and for her support during the passage of both bills. The Director of Child Protection Litigation Bill 2016 implements recommendation 13.17 of the Queensland Child Protection Commission of Inquiry to establish the independent statutory agency of the Director of Child Protection Litigation. The Director of Child Protection Litigation Bill provides for the appointment of the director, a new independent statutory officer who is appointed by the Governor in Council and will report directly to the Attorney-General and Minister for Justice. Overall, the establishment of the director by the bill will provide greater accountability and oversight for child protection order applications filed in the Childrens Court and ensure that applications are supported by good quality evidence which means improved outcomes for children and families.

I will now turn my attention to the Child Protection Reform Amendment Bill 2016. The Child Protection Reform Amendment Bill implements 10 specific court related recommendations made by the Queensland Child Protection Commission of Inquiry and one recommendation made by the Court Case Management Committee. This bill has been developed through targeted consultation with key child protection and legal stakeholders and I am confident it will improve court processes and, most importantly, outcomes for children and families involved in child protection proceedings. Overall, these amendments in the bill strengthen the options for a child to take part in legal proceedings that affect their life. I note many of the issues raised tonight have been covered in the government's response. I note the members for Mudgeeraba, Mansfield and Aspley placed on record their concerns in relation to cost and the statewide operation of the Director of Child Protection Litigation. The director's budget is fully costed and will be closely monitored throughout implementation, and this includes, as I outlined in my second reading speech, the adoption of a Brisbane based model.

These two bills will ensure that the voices of children and their families are heard to allow them to contribute to decisions that affect them, minimise delays in the Childrens Court and improve the quality of information and evidence before the court that makes such important decisions. I acknowledge the bipartisan support for these important court work reforms that have been reflected in the committee's recommendation that the bills be passed.

I would like to particularly acknowledge the contribution of the member for Mudgeeraba to the debate. Her sharing of her personal journey took courage and bravery and I thank her for that. That courage is shared by many members in this House. I also thank the chair of the committee, the member for Nudgee, for her leadership during the committee's consideration of the bills and her contribution tonight. I know that she is a passionate and tireless advocate for child safety.

My department and the Department of Justice and Attorney-General are working hard to implement the recommendations of the Queensland Child Protection Commission of Inquiry report to improve the wider child protection and family support system in Queensland. I thank the many staff from my department and staff from the Department of Justice and Attorney-General who have worked long hours to draft these important reforms. We are committed to working with and providing meaningful support to families when they need it to help them in their important role of keeping children safe.

Lastly, I would like to thank the six organisations and one individual who made submissions to the committee to assist during its consideration of the bills: the Queensland Alliance for Kids, Protect All Children Today, the Queensland Family and Child Commission, the Queensland Law Society, the Together union, the Bar Association of Queensland and Mr Ryan Haddrick. The time taken to make their submissions is truly appreciated. I commend the bills to the House.

Question put—That the Director of Child Protection Litigation Bill be now read a second time.

Motion agreed to.

Bill read a second time.

Question put—That the Child Protection Reform Amendment Bill be now read a second time.

Motion agreed to.

Bill read a second time.

Consideration in Detail (Cognate Debate)

Director of Child Protection Litigation Bill

Clauses 1 to 103—

Ms FENTIMAN (5.52 pm): I seek leave to move amendments en bloc.

Leave granted.

Ms FENTIMAN: I move the following amendments—

1 Clause 15 (When chief executive (child safety) must refer child protection matter)

Page 13, line 16, after 'child protection order'—

insert—

, other than an interim order,

2 Clause 15 (When chief executive (child safety) must refer child protection matter)

Page 13, after line 22—

insert—

(3) In this section—

interim order means an interim order under the *Child Protection Act 1999*, section 67 in relation to a proceeding for a child protection order.

3 Clause 41 (Review of Act and operations of office)

Page 25, line 17, '5 years'—

omit, insert—

3 years

4 Clause 51 (Amendment of s 6 (Recognised entities and decisions about Aboriginal and Torres Strait Islander children))

Page 29, line 8, *'omit,'*—

omit.

5 After clause 51

Page 29, after line 29—

insert—

51A Amendment of s 34 (Extension of temporary assessment orders)

Section 34(4), after 'court assessment order or'—

insert—

the litigation director intends to apply for a

51AB Amendment of s 51AH (Extension of temporary custody orders)

Section 51AH(4), 'officer'—

omit, insert—

litigation director

6 Clause 75 (Amendment of s 246C (Chief executive may seek information from entities))

Page 39, line 17, '*insert*'—

omit, insert—

omit, insert

I table the explanatory notes to my amendments.

Tabled paper: Director of Child Protection Litigation Bill, explanatory notes to Hon. Shannon Fentiman's amendments [669].

There are a number of amendments to this bill, which are technical in nature and which I understand are agreed to. Amendment Nos 1 and 2 amend clause 15 to clarify that the chief executive of the Department of Communities, Child Safety and Disability Services does not need to refer a matter to the Director of Child Protection Litigation where there is an interim child protection order in place. Interim orders can often change based on the circumstance of the child and it would be onerous to require the chief executive to refer each interim child protection order to the director. The chief executive of the department will be able to advise the director of any further information that would require a change in interim orders without going through the formal process of providing a brief of evidence under clause 15 of the bill.

Amendment No. 3 amends clause 41 of the bill to provide that the statutory review of the act is to occur as soon as practicable three years after the commencement of this new section. The period of review is reduced from five years to three years. This amendment implements recommendation 7 of the report of the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee.

Amendment No. 4 makes a technical editorial amendment to clause 51 of the bill to give effect to the amendment and to avoid confusion.

Amendment No. 5 amends the bill to insert new amendments to sections 34 and 51AH of the Child Protection Act 1999 to remove references to departmental officers making applications for child protection orders as they are no longer authorised to do this. This is now the role of the director.

Amendment No. 6 makes a technical editorial amendment to clause 75 of the bill to give effect to the amendment.

Amendments agreed to.

Clauses 1 to 103, as amended, agreed to.

Schedule 1, as read, agreed to.

Child Protection Reform Amendment Bill

Clauses 1 to 34, as read, agreed to.

Third Reading (Cognate Debate)

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) (5.56 pm): I move—

That the Director of Child Protection Litigation Bill, as amended, be now read a third time.

Question put—That the Director of Child Protection Litigation Bill, as amended, be now read a third time.

Motion agreed to.

Bill read a third time.

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) (5.56 pm): I move—

That the Child Protection Reform Amendment Bill be now read a third time.

Question put—That the Child Protection Reform Amendment Bill be now read a third time.

Motion agreed to.

Bill read a third time.

Long Title (Cognate Debate)

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) (5.57 pm): I move—

That the long title of the Director of Child Protection Litigation Bill be agreed to.

Question put—That the long title of the Director of Child Protection Litigation Bill be agreed to.

Motion agreed to.

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) (5.57 pm): I move—

That the long title of the Child Protection Reform Amendment Bill be agreed to.

Question put—That the long title of the Child Protection Reform Amendment Bill be agreed to.

Motion agreed to.

MOTION

Border Protection

Mr MANDER (Everton—LNP) (5.58 pm): I move—

That this House sends a strong message to people smugglers by confirming the support of the Queensland parliament for a policy of turning back the boats as part of Australia's border protection.

Australia has an incredibly proud record of resettling people through its humanitarian program. When it comes to its annual resettlement program, Australia consistently rates among the top three nations in the world. The federal government has committed to increasing the humanitarian program from the current level of 13,750 places up to 18,750 places per annum by 2018-19. That will make the 2018-19 offshore intake the largest in more than 30 years.

Of course, this does not include the extra 12,000 Syrian refugees that the federal government has agreed to receive in response to that humanitarian crisis that we heard about earlier this year. Why are we able to do this? We are able to do this because under the coalition federal government we have secured our nation's borders. Under Operation Sovereign Borders anyone who comes into Australia illegally by boat without a visa will not be settled in Australia. We have sent a clear message to people smugglers that people who travel illegally by boat to Australia will be intercepted, the boats will be turned back and they will leave Australian waters. They will be sent to another country for regional processing. They will not be settled in this country. The success of this policy has been outstanding.

In contrast, Labor's record in this area has been appalling. Labor, under Kevin Rudd, ditched John Howard's Pacific solution that had been so successful in keeping our borders intact. In fact, when this policy was ditched the floodgates were opened. Between September 2012 and September 2013 under Labor there was a total of 401 illegal entry vessels, with over 26,000 illegal maritime arrivals in the year preceding Operation Sovereign Borders. When Julia Gillard replaced Rudd she came up with her own mish-mash of equally unsuccessful policies. We had East Timor, we had Malaysia, we had PNG. Federal Labor's total incompetence with this issue was laid bare for all to see.

When John Howard left government in 2007 there were only four illegal maritime arrivals held in detention and none of them were children. Without any policy foresight Labor proceeded to tear down the successful Howard government border protection policies. This is what happened under Labor: 50,000 people arrived on over 800 boats; over 1,200 deaths at sea that we know of; over 8,000 children were detained while Labor was in government; and at the height of Labor's policy failure in July 2013 there were 10,200 people in held detention, including 1,992 children. They were forced to open 17 detention centres to deal with the influx of illegal arrivals and as a result there was an $11 billion border protection blowout because of the failed Labor policies. Under the coalition's turn back the boats policy only one boat arrived in Australia in 2014 and all aboard that vessel were transferred to the country of Nauru for processing. Today there are zero illegal maritime arrival children in detention. Operation Sovereign Borders has been successful.

Today the federal Labor Party claims that it supports the turn back the boats policy, but we are hearing from candidate after candidate—whether it is in Melbourne, Townsville, whether it is five other MPs that are in the Labor ranks—saying they do not agree with this policy. Where does the Queensland ALP sit with this? Does the member for Yeerongpilly, the member for Mount Coot-tha and the member for South Brisbane support turning back the boats or do they not?

Mr RYAN (Morayfield—ALP) (6.03 pm): I rise to contribute to the debate on this motion. It is important for me to first acknowledge the contribution that migrants and refugees have made to Australia. Australia is a better, richer nation because our story is built on migration and multiculturalism. Our country is what it is today because of our people, including those who came to Australia as refugees and asylum seekers.

In 2013 the former federal Labor government implemented the Regional Resettlement Arrangement which significantly undermined the ability of people smugglers to trade on people's misery by effectively selling a boat journey to Australia. I note that federal Labor has consistently stated that it will stand firm on this policy to keep that perilous boat journey shut. Since the last federal election it is important to note that the combination of offshore processing and regional resettlement, together with the policy of turning back the boats, has stopped the flow of people smugglers from bringing vessels to our shores. On their own these things could not have been successful, but combined they have stopped the repugnant, inhumane practice by the people smugglers of trading on people's desperation and misery. Combined these things have ended a human tragedy.

The experience over the last few years shows that so long as it can be done safely it is important for a federal government of any political persuasion to retain the option of turning boats around. Whilst for many this is a difficult policy to accept, it has been shown that this policy has stopped the people smugglers from bringing vessels to our shores and has ultimately saved lives. I note that federal Labor has stated on the public record that it understands this policy can be hard for some people to accept, but federal Labor has also stated that we cannot allow human tragedies to ever happen again, where desperate people lose their lives at sea at the hands of greedy people smugglers.

Federal Labor also believes that Australia can do more to address the global refugee crisis. Australia needs a compassionate approach to asylum seekers which allows people seeking asylum to have their claim for asylum assessed safely and respectfully. At last year's ALP national conference opposition leader Bill Shorten unveiled Labor's immigration policy which incorporated a humane and compassionate approach to asylum seekers whilst maintaining appropriate deterrence to prevent people smugglers from profiteering from people's desperation and misery. Federal Labor's policy includes Australia playing a more important role in the world with respect to asylum seekers. I note that a Shorten Labor government would increase the Australian government's annual contribution to the UNHCR for its global work program and its work in South-East Asia and the Pacific. I also note that a Shorten Labor government would increase Australia's annual humanitarian intake to 27,000 by 2025. Currently the Turnbull LNP government has an annual humanitarian intake of 13,750. In other words, federal Labor's policy almost doubles the current annual humanitarian intake and demonstrates Labor's commitment to addressing this global humanitarian challenge.

In keeping with Labor's record of transparency and accountability in government, a Shorten Labor government will also empower the Commonwealth Ombudsman to provide independent oversight of Australia's onshore detention network and will continue to ensure that those working in the immigration system enjoy the benefit of whistleblower protection to speak out about any maladministration and corruption.

In addition, more must be done to protect children who are seeking asylum. To that end, I am pleased that a Shorten Labor government will appoint an independent advocate to pursue the best interests of those children, including the power to bring court proceedings on a child's behalf. A Shorten Labor government will also legislate to impose mandatory reporting of child abuse in all offshore and onshore immigration detention facilities. Bill Shorten and federal Labor have a plan to ensure Australia plays a larger role in responding to the current global refugee crisis, whilst at the same time preventing people dying at sea and preventing the people smugglers from profiteering.

Dr ROWAN (Moggill—LNP) (6.08 pm): I rise to speak in support of the LNP's motion on border protection as moved by the shadow minister for police and emergency services, the member for Everton. All of us support sensible immigration and the valuable benefits of multiculturalism. Operation Sovereign Borders is one of the most compassionate public policies that the Australian government has ever implemented. How can any Australian forget the failed Rudd-Gillard-Rudd years when Labor lost control of our borders with some 1,200 people losing their lives trying to come to Australia on leaky boats. During that time 50,000 illegal immigrants arrived on some 800 boats and today Australia is still dealing with the significant legacy of those failed Labor years.

The Turnbull government is strengthening Australia's borders and helping the economy through efficient border control processes. During the Rudd-Gillard-Rudd years Australia, and Queensland via its jurisdictional association with the Commonwealth, paid billions of dollars as a result of approximately

50,000 uncontrolled illegal arrivals. One of the greatest outcomes of the Australian government's border protection policies is the restoration of integrity to our refugee and humanitarian program. This means that Australia can now offer an additional 12,000 places to resettle people displaced by conflicts in Syria and Iraq.

The Australian Border Force plays a vital role in protecting Australia's borders from those intending to commit immigration fraud, those who threaten our national interests or criminal gangs who participate via the illegal drugs trade or firearms trafficking. It is vital to prevent biosecurity risks related to animal and plant species and infectious diseases, particularly entering Australia via Cape York. Like the federal Labor Party, the Queensland state Labor government is soft on crime, soft on criminal gangs, weak on law and order, and is a supporter of union thuggery and criminality.

Operation Sovereign Borders was established to ensure a whole-of-government effort to combat maritime people smuggling. It is a central part of the current policy pursued by the federal government and represents an intensified effort aimed at deterring illegal maritime arrivals. Under Operation Sovereign Borders, it is the policy and practice of the Australian government to intercept any vessel that is seeking to enter Australia without authorisation and remove it to beyond our territorial waters when safe to do so.

To understand the importance of border control, a little bit of history is needed. The original island detention centre was opened by the Howard government in 2001 and closed in 2004. At that time, only one detainee was inside the centre. That the boats were stopped is a great legacy of the Howard government. After that, under Labor some 50,000 boat arrivals occurred, leading to detention centres being reopened. Today, 13 of the 17 detention centres on the mainland have been closed and what the LNP—

Mr SPEAKER: One moment, member for Moggill. Pause the clock. Members, it is a bit disrespectful to have private conversations in here. You have ample opportunity and time to have conversations outside. I would urge you to do so, otherwise I will have to warn someone and then we will see what happens.

Dr ROWAN: What the LNP is most proud of is that the issue of children in detention centres is well and truly being addressed. Today we are told that there are approximately 14,000 people waiting in Indonesia to catch a leaky boat bound for Australia. The people smugglers say that they are waiting for a change of federal government to restart their illegal trade. We hear about those in our country who protest against Operation Sovereign Borders and that Australia should do more on the humanitarian front.

Mr SPEAKER: Order! The member for Southport is having a private conversation. You are warned under standing order 253A. Your partner in the conversation is also warned. Let that be a notice to all members. On behalf of all members, I apologise for their conversations.

Dr ROWAN: We hear people say that Australia should do more on the humanitarian front, but there is absolutely nothing humanitarian about encouraging desperate people to pay a criminal syndicate to put them on an unseaworthy boat and take the dangerous journey to Australia. That is the reason that we must never allow our borders to become a soft target for people smugglers. We have to remember that protecting our borders is not just about people smugglers. The Australian Border Force works in partnership with a range of intelligence, law enforcement and other agencies. Australia's mission, in collaboration with Queensland, is to protect our borders and manage the movement of people and goods across them. Australia must be safe and Queensland must be safe.

Various federal Labor members and Labor candidates are unclear on their position, particularly Labor's candidate for the federal seat of Melbourne. Labor is deeply divided on border protection. I call upon all members of this House to support the LNP's motion. It is in Queensland's interests and it is in the nation's interests to do so. A failure by any member of this House to support this motion would be a dereliction of their duty as an elected representative of this parliament. This is about leadership—true leadership—and I wonder whether the Labor members on the other side will show that leadership tonight by supporting the motion. I call on the Katter's Australian Party and the Independent members of the crossbenches to support this motion. This motion is fair, it is reasonable, it is balanced and it is the right thing to do. Protecting our borders is important for national security, as well as for health and trade reasons and crime prevention. I commend the motion to the House.

Mr FURNER (Ferny Grove—ALP) (6.14 pm): I rise to speak to the motion moved by the member for Everton. I believe that everyone in this chamber should realise that over the years governments of all persuasions have had to deal with this particular issue from as far back as the White Australia Policy.

I believe that the immigration measures put in place by successive governments have led to a great nation that is built on the back of migrants. Of course, the only people in this chamber who cannot lay claim to that are the Indigenous members, as they are the true traditional owners of this land.

This afternoon when the member for Everton rose to raise this motion, I had a bit of a flashback. I felt that I was back in the Australian Senate, because from time to time we would deal with similar motions relating to immigration and those sorts of things. I really do not know whether the member was punch-drunk from losing his leadership aspirations in the party room or was wishing, like a few others opposite, that he had taken a tilt at federal politics.

Successive Labor governments have always approached the issue of immigration from a pragmatic and sensible perspective. It is an approach that is based on compassion, that works and that sends a clear message to people smugglers that as a party we will not tolerate their scurrilous trade in human misery. However, that has not always been the case for the conservative coalition. I reflect on my time in the Senate under the Liberal and National Party coalition.

In May 2011, the Gillard government announced plans to address the issue of asylum seekers arriving by boat with an asylum seeker swap deal for longstanding genuine refugees in Malaysia. The proposal was subsequently defeated because of a lack of support from the then coalition opposition and the High Court. In fact, as Labor tried to secure UNHCR support for the plan, a motion calling for the proposal to be abandoned was passed by the House of Representatives. The Greens and the coalition—I repeat, the Greens and the coalition—combined to pass a motion opposing the Labor government's Malaysian refugee swap deal and the proposal was similarly defeated in the Senate. In the House of Representatives, the motion by the Greens member of parliament Adam Bandt passed the House 70-68, with the support of the opposition and Tasmanian Independent Andrew Wilkie.

Notwithstanding that, the Labor government introduced plans to tackle people smuggling movements through the Houston recommendations. I wish to remind members of the chamber of those recommendations, which were endorsed by the Labor government. On 28 June 2012, then Prime Minister Julia Gillard and the Minister for Immigration and Citizenship, Chris Bowen, announced that the government had invited Air Chief Marshall Angus Houston, the former chief of the Australian Defence Force, to lead an expert panel to provide a report on the best way forward for Australia to prevent asylum seekers risking their lives on dangerous boat journeys to Australia. As well as offshore processing, the commissioned report recommended that Australia's refugee intake should be increased.

A key point of the recommendations was to establish offshore processing in Nauru and Papua New Guinea, and we know that the current federal government has issues with how it deals with asylum seekers in Papua New Guinea. The report indicated that the government should pursue talks on the Malaysian solution, but seek more reassurances about the treatment of people who are sent there. It recommended increased cooperation with Indonesia on joint surveillance, law enforcement, and search and rescue. As we have heard today from previous speakers, the recommendation was made to increase the humanitarian intake from over 13,000 to 20,000 places a year, rising to 27,000 after five years.

I know that time is getting away, but I want to reflect on my experiences involving the Australian Defence Force and the men and women who work not only on the Armidale-class patrol boats in the northern waters of Australia but also for customs and other agencies. In 2010, the current immigration minister, Peter Dutton, and I boarded HMAS *Bathurst* to gain an understanding of the good work our men and women do in the protection of our shores. Their contribution and efforts to make sure our shores are protected are invaluable. We should never forget their commitment or the time that they spend away from their homes and families to do the good work of the ADF.

Mr CRIPPS (Hinchinbrook—LNP) (6.19 pm): One of the many things that I am proud of as the member for Hinchinbrook in terms of the community that I represent is the ethnic, cultural and religious diversity that exists and the social harmony that we enjoy. The Hinchinbrook electorate very strongly reflects the colourful history of our country.

The Hinchinbrook electorate has a deep, profound and enduring connection to the story of the First Australians, the voluntary and involuntary arrival of British migrants during the 18th and 19th centuries and the post First World War and post Second World War migration from mainland Europe in the 20th century. They came from Italy, Greece, Spain, Finland, many of the fractious states in South-East Europe and in great numbers from places like Sicily and Malta. There remains many families in North Queensland from the great Chinese migrations to Australia during the 19th century.

In more recent decades the Hinchinbrook electorate has a recognisable South-East Asian and a Sikh community from India, which have made a terrific contribution to the diversity of our local communities. We take every opportunity up north to celebrate that diversity and embrace it. What we celebrate most of all about the ethnic, cultural and religious diversity we enjoy in the Hinchinbrook electorate is the peaceful and harmonious nature in which it is shared. There is respect extended to all. We go about our lives without imposing on each other. We are invited to participate and learn.

This all works because we understand that it is not hard to embrace the fundamental values of what it means to be an Australian—a commitment to democracy, a fair go for all and respect for the rule of law. As a representative of my local community with all this diversity and history of migration, I know that we also strongly support robust border protection policies.

For decades Australia has enjoyed a bipartisan immigration policy based on the three pillars of honouring our United Nations commitment of accepting a certain number of refugees, reuniting families separated for a variety of reasons and skilled migration based on periodic assessments of our country's needs. This three-pillar policy has served Australia well and should continue to be supported on a bipartisan basis.

The people-smuggling industry has not, is not and never should be given any legitimacy by being accommodated as part of this policy. People smugglers exploit people for money and risk the lives of those people by attempting to circumvent the established immigration policies of our country. It is extraordinary that some people continue to ignore this blatant exploitation and advocate for policies that give encouragement to people smugglers.

It is perfectly reasonable for the people of Australia to expect that their governments will take all reasonable measures to keep them safe. Certainly, this includes knowing, with a high degree of accuracy, who is coming and going through Australia's borders. Wanting such a level of security is not intolerant or narrow-minded. It is very natural to want these movements to occur in an orderly fashion.

The policy of turning back the boats, those boats being navigated by people smugglers, has been strongly supported by the people of Australia, most notably at the last federal election. The policy of turning back the boats means those genuine refugees seeking to enter Australia through our existing programs are not overtaken by people trying to circumvent those processes. The policy of turning back the boats does not reward the unlawful actions of people smugglers or people who seek to enter Australia unlawfully.

As such, the policy of turning back the boats is clearly democratic. It clearly adheres to the principle of fairness and clearly respects the rule of law. That is why this policy is supported by the overwhelming majority of Australians, including those who come from culturally, linguistically and religiously diverse backgrounds. I am very confident that this is the case for my diverse community in the Hinchinbrook electorate and I am equally confident that this is the case for all Queensland communities. That is why this House and its representatives ought to support this motion.

The longstanding bipartisan immigration policy, based on the three pillars of our UN commitments, family reunifications and skill shortages should be reaffirmed by this House and we should clearly reject the sordid business of people smuggling. Unfortunately, some people obviously continue to be uncertain about how they would like people to enter Australia, but we should send a strong message through supporting this motion.

Hon. YM D'ATH (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (6.24 pm): I rise to speak to the motion moved by the member for Everton and say why I supported the change to federal Labor's policy when it was last in government and why I support its policy now which is to prevent deaths at sea through the combination of offshore processing and regional resettlement together with the policy of turning back the boats to stop the flow of vessels arriving on our shores. To do this is to stop people smugglers and deny them the opportunity to offer an incentive to vulnerable people to board unsafe boats to make the dangerous journey to Australia by sea.

I also support us as a country encouraging migrants. We are all migrants. Unless one is from Aboriginal or Torres Strait Islander descent, we were all migrants at some point. We should be supporting migrants and refugees to this country. I am very pleased with federal Labor's policy to increase the number of migrants and refugees and the decision made by the current federal government and the Palaszczuk government to accept Syrian refugees. That is the right thing to do.

I want to say why when I was a member of the federal Labor government I supported the changes to the policy. I think it is best said by Mr Raymond Murray, a resident of Rocky Point and the first person to arrive at the scene of the Christmas Island tragedy. He told the federal parliamentary committee—

> There was this overwhelming feeling of helplessness. Standing right out on the edge of the rocks, there were times when that boat was closer than you are to me now. I will never forget seeing a woman holding up a baby, obviously wanting me to take it, and not being able to do anything. It was just a feeling of absolute hopelessness. It was like it was happening in slow motion. A wave would pick the boat up and almost hit the rocks and then go back again, and then finally it was like it exploded.

That tragedy continues for that community—and not just for the survivors but for the people on Christmas Island who sought to help. The committee report states—

> The community's trauma is still apparent ...
>
> Every time there is a boat out there you worry if the weather is rough. If the weather is really rough you think, 'Is there a boat out there?' because we do not want to see this happen again.

That is why Labor changed its policy. It is about saving lives. Is it perfect? Absolutely not. Can we do better? Absolutely. Should we do better? Of course we have to. Labor's policy seeks to do that.

I have been on the parliamentary committee on migration. I have visited almost every detention centre in this country. I have been to Christmas Island. They are not nice places. We have to do more globally. In 2015 internationally we hit the highest number of people displaced. The figure exceeds 60 million people. This is the number of people who are displaced.

We have to do more and we have to do it internationally. The only way to do that is to stop things like this. This motion was moved to be divisive, to be a wedge on this side, to play politics. The only way we are ever going to have any change, not just in Australia but anywhere, is to stop playing politics with this issue. This involves people's lives. It is a difficult issue for everyone. It is not fair to wedge people on these issues. It is a difficult issue. To do this at election time is all about playing politics and trying to win votes. Their three-word slogan was 'stop the boats'—enough is enough. We really need to do more. I am pleased with the Liberal government federally which said we would take the Syrian refugees, but we need to do more and Labor's policy does that.

There will be many who do not like offshore processing, who do not like turning around the boats. I do not like that policy either, but I could not ever stand by as a federal member and accept a policy that put lives at risk because women and children and men were getting on those boats with the false hope that they were going to get to land to have a better life and instead drowned. We could never accept that again. You cannot have a policy that does that.

I stand by Labor's policy. I am supportive of it. I am not apologetic for it, but we really have to take the politics out of this if we truly want to make a difference.

Mr SPEAKER: The question is that the motion be agreed to. Those of that opinion say 'aye'.

Honourable members: Aye.

Mr SPEAKER: Those against say 'no'.

Mr Pyne: No.

Mr SPEAKER: I think the ayes have it.

Mr Seeney: Divide.

Mr SPEAKER: A division has been called. Sorry, one moment. Members, I have not declared the call. I have called ayes. I have called noes. The member for Callide has called 'divide'. The ayes have it. A division has been called.

Mr HINCHLIFFE: Mr Speaker, I rise to a point of order. I am seeking clarity as to whether the member for Callide voted no. Standing order 103(2) makes it clear that any member who has voted against the majority as declared by the Speaker may demand a division by calling 'divide'. Did the member for Callide vote no? He needs to make that declaration to make it clear to us. I did not hear his voice as a 'no'.

Mr SPEAKER: Member for Callide, is your vote for the ayes or for the noes?

Mr Seeney: For the ayes, Mr Speaker.

Mr SPEAKER: In that case the only person who can call a division is the member for Cairns. The member for Cairns has not called a division. The question is resolved in the affirmative.

Motion agreed to.

Sitting suspended from 6.33 pm to 7.35 pm.

PLANNING BILL

PLANNING AND ENVIRONMENT COURT BILL

PLANNING (CONSEQUENTIAL) AND OTHER LEGISLATION AMENDMENT BILL

PLANNING AND DEVELOPMENT (PLANNING FOR PROSPERITY) BILL

PLANNING AND DEVELOPMENT (PLANNING COURT) BILL

PLANNING AND DEVELOPMENT (PLANNING FOR PROSPERITY—CONSEQUENTIAL AMENDMENTS) AND OTHER LEGISLATION AMENDMENT BILL

Planning Bill resumed from 12 November 2015 (see p. 2884), Planning and Environment Court Bill resumed from 12 November 2015 (see p. 2885), Planning (Consequential) and Other Legislation Amendment Bill resumed from 12 November 2015 (see p. 2886), Planning and Development (Planning for Prosperity) Bill resumed from 4 June 2015 (see p. 1137), Planning and Development (Planning Court) Bill resumed from 4 June 2015 (see p. 1138) and Planning and Development (Planning for Prosperity—Consequential Amendments) and Other Legislation Amendment Bill resumed from 4 June 2015 (see p. 1139).

Second Reading (Cognate Debate)

Hon. JA TRAD (South Brisbane—ALP) (Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment) (7.35 pm): I move—

That the Planning Bill, the Planning and Environment Court Bill and the Planning (Consequential) and Other Legislation Amendment Bill be now read a second time.

Firstly, I would like to thank members of the Infrastructure, Planning and Natural Resources Committee for their comprehensive and robust consideration of the planning bills. I would like to thank the committee secretariat, including the research director Dr Jacqueline Dewar, and staff. I would also like to take this opportunity to thank those who made submissions to the committee and those who participated in the public hearings held during the committee's inquiry.

I have considered the committee's report, which was tabled on 8 April. I am pleased to advise that the government supports all of the 11 recommendations of the committee and note that the majority of the committee has recommended that the government's planning bills be passed. I now table a copy of the government's response to the committee's report.

Tabled paper: Infrastructure, Planning and Natural Resources Committee: Report No. 23—Planning Bill, Planning and Environment Court Bill, Planning (Consequential) and Other Legislation Amendment Bill, Planning and Development (Planning for Prosperity) Bill, Planning and Development (Planning Court) Bill, Planning and Development (Planning for Prosperity—Consequential Amendments) and Other Legislation Amendment Bill, government response [670].

Planning matters. It provides the basis for securing the livability, sustainability and prosperity of our communities both now and into the future. Just as important is community confidence in planning matters. For too long our planning system has not succeeded in meeting the expectations of the community. The government's bills the parliament will consider tonight are part of restoring confidence so that the community knows that local plans mean something and industry has greater certainty and can invest in jobs.

The Palaszczuk government is committed to delivering, through these planning bills, a planning framework that is good for all Queenslanders, with more transparency, tighter decision rules for councils and greater certainty about development. These bills are better for the community because they will mean more transparency and accountability with new requirements on councils and the state government to publish reasons for development decisions for the first time. It will also mean a greater say for the community with local governments now required to consult for longer on new planning schemes and mandatory consultation on state planning instruments. It will also mean greater certainty through a bounded code assessment, which presumes approval only when an application complies with criteria set out in the code; more rights for community with the ability to appeal decisions without adverse cost orders, delivering on a key election promise made by the Palaszczuk government before the state election; and more critical community infrastructure by providing councils with a greater ability to increase infrastructure charges levied on new developments.

The government is also committed to pursuing a framework that is good for the Queensland economy—where more certainty means more investment, which means more jobs. To achieve this the bill provides for a simpler development assessment process, which will translate to more jobs on the ground and reduce unnecessary red tape in the development application process.

From more than 700 pages in the Sustainable Planning Act, our new Planning Bill is just over 300 pages. The government is also committed to a legislative framework that is better for the environment—one that offers strong heritage provisions and protects those things that we love about our neighbourhoods and our communities. That is why our bills put ecologically sustainable development at the heart of the planning system for future generations, deliver stronger protection for heritage buildings with significant developments requiring examination by the Queensland Heritage Council, and ensure protection of our pristine coastline by reinstating land surrender arrangements and recognition for climate change and the requirement for development to measure potential impacts.

The planning bills propose to repeal the Sustainable Planning Act 2009 and the Sustainable Planning Regulation 2009, replacing them with a new Planning Act and regulation and a separate Planning and Environment Court Act and associated regulation for the Planning and Environment Court with attendant rules. It is important to acknowledge the journey of planning reform to this point. Labor made an election commitment to continue the reform journey which was started under the previous government, but we said we would ensure Queensland's planning laws are open, fair and accountable as well as being efficient and effective.

I acknowledge that the government's planning bills and the private member's bills are similar with respect to some of the key elements of the system. This is not surprising; it reflects a growing consensus amongst the planning profession about the direction of reform. Both sets of bills are based on a package of bills presented to the 54th Parliament which subsequently lapsed. However, upon examination by the Palaszczuk government, the lapsed bills revealed a range of issues about the sufficiency of accountability and transparency measures, as well as the opportunities for genuine community engagement within the proposed planning system. These issues were fundamentally about the fairness and openness of the planning system, and they are carried forward into the private member's bills. For these reasons, I can confirm that the government does not support the private member's planning and development bills 2015. Further, when the committee considered the private member's bills concurrently with the government's planning bills, I note that the majority of the committee recommended that the private member's bills not be passed.

The government's planning bills give effect to policy identified in the Better planning for Queensland: next steps in planning reform directions paper which I released in May last year. In the directions paper, I outlined the Palaszczuk government's view that planning reform can deliver a more efficient system that supports investment and jobs without it coming at the expense of community participation and the role of local government.

It was never the purpose of the reform journey to recreate the planning system from scratch. From speaking with stakeholders, I recognise that many of the fundamental elements of the planning system under the current Sustainable Planning Act 2009 are working well. These have been retained in the Planning Bill, thereby reducing the scope and cost of the transition for state and local government to the new framework. These include: provision in the planning system for state and local planning instruments, an integrated development assessment system, dispute resolution and opportunities for consultation. However, the bill must respond to the concerns of the community, local government and industry that Queensland's planning system had become overly complex, difficult to understand and hard to use. The Planning Bill introduces changes and initiatives to ensure Queensland's planning and development framework will give greater certainty about development for communities, attract investment and create jobs, and protect our environment.

The government's bills establish a simpler hierarchy with fewer regulatory instruments. This responds to stakeholder concerns about the number of instruments and the policy tensions that arise between them. We have retained the single state planning policy and public notification periods for making and amending this document, as it expresses the state interests that are to be protected and enhanced. Maintaining the longer minimum public notification periods of 60 business days for regional plans, and regional planning committees, will continue to encourage real participation and drive collaboration with local governments, industry groups and the wider community to ensure that we prepare and implement regional plans that will achieve outcomes and guide future land use planning that cater for the needs of our diverse regions.

Community engagement in plan making is a fundamental principle of the Palaszczuk government's planning framework. To ensure that the community is provided with better opportunities to be engaged in the planning process, the Planning Bill enshrines: the obligations on local government

to publicly notify their planning instruments, the making of submissions and how properly made submissions are to be considered by local government when making a planning scheme. New plan making arrangements, which will be described in the minister's rules, will include greater flexibility for local government to negotiate a process with the state for plan making to better suit a community's needs.

Our bills also recognise for the first time the important role of Queensland's first peoples. One of the purposes of the bill is to value, to protect and to promote Aboriginal and Torres Strait Islander knowledge, culture and traditions. We also recognise the unique circumstances that characterise Indigenous communities, and we will be working closely with these councils to transition their schemes effectively to the new system. The flexibility in the process will also mean that in the longer term Indigenous communities can have the types of schemes that respond better to their characteristics, customs and traditions.

I have also introduced a requirement for a communication guideline to ensure councils are adopting appropriate strategies for community engagement and improved opportunities for the public to engage in planning scheme making. I am pleased that the Planning Bill finds a better balance between the sometimes competing interests of local government, the community and developers or owners in relation to ensuring communities are better planned for natural hazards. The bill extends relief to local governments from paying compensation for the implementation of land use planning responses in planning schemes to reduce risks to life and property from natural hazards in certain circumstances—where an appropriate methodology set in the minister's rules has been followed in making that planning change. This responds to matters flagged by the Queensland Floods Commission of Inquiry and the Commonwealth Productivity Commission as well as local government feedback that the current planning act's compensation arrangements were hindering plan making to address natural hazards.

The Planning Bill delivers on the government's election commitment to retain the State Assessment and Referral Agency, better known as SARA, as part of Queensland's integrated development assessment framework. The Planning Bill includes a specific reference to SARA as part of the development assessment system. To further support SARA, I have introduced new inspector powers to allow the agency to take appropriate action where unauthorised development is occurring or has occurred. The bill will enliven economic opportunities through clearer, simpler categories of development and levels of assessment, and more efficient decision rules. This will deliver more certain outcomes, especially for the most simple development applications.

The Planning Bill retains the names of 'code' and 'impact' as the categories of assessable development. This responds to calls from local government to retain the existing names to assist in transitioning to the new framework and to keep a continuity of understanding for the community who have become familiar with this terminology. I have also introduced the flexibility for local government and the state to allow for certain planning applications to be assessed by alternative assessment managers, who must of course be appropriately qualified. It will be up to each local government to decide whether to exercise this option, and only code assessable applications will be eligible to be allocated to alternative assessment managers. This will help local government to better focus their efforts on making the decisions for our communities that really count. In particular, this will help our smaller councils that do not have the capacity to resource in-house planners and who rely on consultants for planning services, as happens currently.

To meet stakeholder expectations around this new flexibility and in response to recommendation 9 of the committee, I will move amendments to the Planning Bill to provide a suite of checks and balances to ensure that these decisions are transparent and accountable. These include amending the Planning Bill to include ethical decision-making in the purposive provisions and extending application of code of conduct and conflict of interest provisions for the appointment of alternative assessment managers. This also responds to concerns raised by the Crime and Corruption Commission in their submission to the committee. The Palaszczuk government has taken seriously the comments made by the CCC in their submission to the committee on the bills. I now table a letter I have written to Mr MacSporran QC, the chair of the Crime and Corruption Commission, which outlines the amendments I will move to minimise the vulnerability of local governments to corruption risk due to their range of functions and decision-making powers.

Tabled paper: Letter, dated 3 May 2016, from the Deputy Premier and Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment, Hon. Jackie Trad, to the Chairperson, Crime and Corruption Commission, Mr AJ MacSporran QC, regarding the planning bills 2015 [671].

I know that the community wants decision-making which is open and transparent, decision-making which is consistent, where local plans actually matter. That is why the Planning Bill also includes new provisions requiring assessment managers and referral agencies to publish reasons explaining why an application is supported or approved. This measure responds to community concerns and will apply to all code and impact assessable development decisions. For too long there has been a veil of secrecy over many development decisions. This added transparency will make assessing authorities more accountable.

Real reform can only succeed when all of the stakeholders are committed to working toward a better system. To assist in transitioning to the new planning framework, the government will provide targeted support to local government to ensure they are ready when the new act commences. To facilitate this, I will move amendments to the bill during consideration in detail to include minister's powers to approve planning schemes that have already commenced plan-making processes under the current act but will not be concluded until after the new framework starts. This will enable these schemes to adopt the new terminology of the planning bills and to make a special expedited process for scheme amendments that can be carried out ahead of commencement of the new system where they do not involve policy changes. These initiatives will support councils in preparing for the new framework. I turn now to the remaining recommendations of the committee.

Recommendation 7 seeks the retention of section 68 and section 70 of the Queensland Heritage Act 1992 so that the role of the Queensland Heritage Council with respect to decisions about the demolition or substantial demolition of a state heritage place is in primary legislation. The government is supportive of this recommendation. I am pleased to confirm that non-legislative arrangements to recognise the role and contribution of the Queensland Heritage Council commenced on 22 April this year. This has occurred through an amendment to the state development assessment provisions, which now alert applicants to the circumstances in which the advice of the Queensland Heritage Council will be sought as part of assessing an application for development of a state heritage place. However, to give full effect to the committee's recommendation, I will move amendments to the Planning Bill to carry forward the thrust of sections 68 and 70 of the Queensland Heritage Act 1992 in primary legislation. The amendments will require that the chief executive, working through SARA in assessing a development application that would destroy or substantially reduce the cultural heritage significance of a state heritage place, must: refer the development application to the Queensland Heritage Council; obtain the council's advice about the matter; and have regard to the advice, if any, in deciding the development application or the chief executive's referral agency response. The proposed amendment will also require the chief executive to have regard to whether there is no prudent or feasible alternative to carrying out the development.

These amendments have been drafted in consultation with the Queensland Heritage Council and have their support. These amendments demonstrate this government's commitment to obtaining expert advice both from within the Department of Environment and Heritage Protection, which will continue to provide advice on all applications affecting state heritage places, and from the Queensland Heritage Council to enable us to best protect state heritage places for future generations of Queenslanders.

In response to recommendation 8, I will move amendments to the Planning Bill which will direct the substance of documentation required to be publicly assessable in relation to exemption certificates, including the reason that the request qualified for exemption. This will improve transparency and accountability for local government in using this new planning tool. Recommendation 11 seeks to make consistent and equitable infrastructure charging for both state and non-state schools and exempts both sectors from paying infrastructure charges where the development is undertaken through ministerial designation. To give effect to this recommendation, which would assist and remove barriers to the non-state schools sector establishing schools where there is a demand for such a service, I will move amendments to the bill.

The committee sought clarification on the use of assessment benchmarks in the Planning Bill. The government is committed to the bounded nature of code assessment, which goes to the heart of many of the issues arising in our communities today where people express frustration with council planning decisions where expectations are not matching on-the-ground outcomes and where we wonder how a decision has been arrived at based on the schemes we see in front of us. In particular, the current ability for councils to rely on matters from outside the code seems to be at the heart of many of the outcomes that leave our constituents scratching their heads. That is why the Planning Bill includes bounded decision-making for code assessable application, which accounts for around 80 per cent of DAs. This will mean assessment managers can no longer rely on matters outside the code to justify an

approval. I will also move amendments to provide greater clarity about the use of codes and assessment benchmarks, providing greater powers for the state government to manage the scope and conflict if it proves necessary in the future.

Performance based planning is a key part of our planning system, but this should never be used as an excuse to disregard the codes and assessment benchmarks altogether. The community expects that local plans will matter and this government expects code assessments to respect the assessment benchmarks. Bounded assessments provide certainty for industry as they include a presumption of approval but they carry the responsibility to adhere to the code through stricter decision rules. I am confident this framework will give greater certainty to industry, the community and local government around assessment benchmarks and how they will operate. If they do not, the Planning Bill will give government the tools to act to enforce local plans and keep faith with community expectations. In preparing the planning bills for debate and in consultation on the supporting instruments which has been undertaken by my department, I have identified other policy matters about which I will move amendments to the planning bills.

I turn now to the Planning and Environment Court Bill 2015. This bill creates stand-alone legislation to govern the constitution, composition, jurisdiction and powers of the Planning and Environment Court. The Planning and Environment Court Bill 2015 delivers on the government's election commitment to restore the rights of submitters to appeal planning decisions without the prospect of having costs awarded against them. This is balanced with the discretion of the court to make an order for costs whether for frivolous or vexatious proceedings or for commercial competitor appeals. I am confident that the planning bills deliver on the Palaszczuk government's goal of establishing the best planning system in Australia that responds to the interests of the community, industry and local government. The planning bills are about creating a planning framework that will endure, one that will look beyond the short-term election cycle to develop a long-term vision for our cities, our communities, our people and our environment. I commend the bills to the House.

Mr WALKER (Mansfield—LNP) (7.57 pm): I move—

That the Planning and Development (Planning for Prosperity) Bill, Planning and Development (Planning Court) Bill and Planning and Development (Planning for Prosperity—Consequential Amendments) and Other Legislation Amendment Bill be now read a second time.

I want to say from the outset that the LNP opposition will not be opposing the government's bill. However, I do flag that we will be moving some amendments during the consideration in detail.

For me this is not a very different experience to yesterday in speaking on the Retail Shop Leases Amendment Bill. I have a sense of deja vu in that on yet another LNP initiative the Palaszczuk Labor government has followed through. That is what we have seen today with the package of planning bills that we are currently debating.

I have only recently come into the shadow planning portfolio, but I do know from experience that a significant amount of work and effort has been put into these bills. The fact that we are debating these bills is directly attributable to the work of the LNP government and particularly the member for Callide—

Ms Trad interjected.

Mr WALKER:—who, as deputy premier, initiated this process, myself assisting him initially as assistant minister and also the member for Southport, who was part of the process that got these bills here today. The process of consultation on the bills started way back in 2012 and it was preceded—

Ms Farmer interjected.

Mr WALKER: I hear the objections being raised on the other side, but it is time to pay due credit to where these things came from. In fact, in 2012-13 the initial step on this journey was the introduction of SARA, the State Assessment Referral Agency, to which the Deputy Premier referred. That year the Planning Institute of Australia, at its national congress, awarded SARA the National Process Improvement Award for 2014. That is not a bad start for the first reform made under the then deputy premier's watch.

The second reform that he made in this process which has led to these bills was the introduction of a new state planning policy. That new state planning policy then won the Planning Institute of Australia's National Process Improvement Award for 2015, and these bills that we see here today came from consultation that started with those first two things spinning out of that process and these bills being the result of that. As the Deputy Premier has said, the consultation showed that reform was

certainly needed. The old Sustainable Planning Act was long, complex and unresponsive in some areas. In many places it resulted in an overregulated and burdensome planning system that stifled, instead of facilitated, development.

Simply making amendments to the Sustainable Planning Act was considered too difficult. When the many areas needing reform were considered together, it was apparent that the best way of adopting positive change was through the development of a new streamlined act. That is why in June 2013 the then LNP government announced our intention to introduce new legislation to replace SPA, and another period of consultation then followed. Discussion papers went out to key stakeholders, forums were held, and a consultation draft was released before a package of bills was introduced by the then deputy premier, the member for Callide, in 2014. Those bills did not receive passage before the 54th Parliament was dissolved.

This was seen as a critically important issue for many industry groups, and that is why the LNP opposition started undertaking the work to get the reform process started again by introducing a suite of private member's bills in June last year. On top of this mountain of work that we did, we acknowledge that it spurred the Deputy Premier and the Labor government to start its own process of consultation. That culminated in a package of planning bills being introduced by the Deputy Premier in November last year, and then the committee progress began again. As you can see, this is something that has been widely considered. Many key stakeholders have been consulted and are keen for this to be finally concluded. We acknowledge that the evolution of these bills would not have been made possible without the work and attention of industry groups, community groups, local government and other important stakeholders.

In speaking to these bills it is important to reflect on these words from the member for Clayfield, who also bears some of the credit for bringing these bills to fruition in the time that we were in opposition. In his introductory speech for the Planning and Development (Planning for Prosperity) Bill he stated—

... the LNP is open to further amendments to the bill should they be required and desired after consultation ...

We have just heard the Deputy Premier outline some of the differences between the packages of the planning bills. While the LNP opposition may not agree with every single change that has been made, we do agree that a new overarching Planning Act will provide positive benefits for Queensland. It is important to remember why these bills are so important, and that is because they set the framework for providing the communities we want, they set the framework for the growth of our state—very importantly—and they set the framework for the development of one of our most critical industries. This is precisely why both sides of politics should work together to ensure that, with the passage of these bills, we get the best outcomes for the continued prosperity of Queensland. It is important to balance community concerns about issues such as overdevelopment with the need to build adequate housing to accommodate the state's growing population. With that in mind, I will take the opportunity to turn to some of the specific aspects of the different planning bills. Firstly let us look at what the bills actually achieve.

The bills seek to replace the current planning legislation by creating a new piece of framework legislation. Rather than providing specific measurable outcomes to be achieved according to detailed criteria and guidance, the overarching bill's function is to establish the required foundational benefits of the system. Basically, the rights, roles and responsibilities are embedded in the legislation—where it is subject to parliamentary scrutiny—and the machinery is placed in regulation. Some stakeholders had the view that instead of overhauling the system by implementing new legislation, reform could be achieved through a structured review of the existing legislation. However, as I indicated earlier, the LNP opposition supports the view of the department that there are a range of factors to be addressed, and if all elements were to be done by an amendment to the Sustainable Planning Act, any amending act would be long and complicated with many of the foundation elements of SPA remaining the same. The objectives of the Planning Bill 2015 are stated in the explanatory notes, which state—

The objective of the Bill is to deliver better planning for Queensland by:

- enabling better strategic planning and high quality development outcomes
- ensuring effective public participation and engagement in the planning framework
- creating an open, transparent and accountable planning system that delivers investment and community confidence
- creating legislation that has a practical structure and clearly expresses how land use planning and development assessment will be done in Queensland
- supporting local governments to adapt to and adopt the changes.

In comparison, the objectives of the Planning and Development (Planning for Prosperity) Bill which are contained in the explanatory notes state—

The objective of the Bill is to deliver Australia's best land use planning and development assessment system by providing for:

- simplified plan making arrangements by reducing the complexity of State instruments; and establishing more suitable processes for plan making; and improving infrastructure designation;
- a streamlined development assessment system by simplifying the categories of development and decision rules; and
- an Act that is navigable and easy to use; removing procedural and prescriptive detail, and obsolete and redundant provisions of the Sustainable Planning Act 2009.

Yes, there are differences between the objectives of the two bills but the overarching aim is the same: to improve Queensland's planning system. That is a good thing.

Looking at some specific areas of the Planning Bill, I will turn firstly to the transitional arrangements. Through the committee process there were concerns raised around transitional arrangements concerning both the time frames and the cost to councils for transitioning into the new system. The LNP opposition understands the concerns of councils—particularly small councils—who are worried about the cost of these changes. That is why we have always shown our support for the funding identified in last year's state budget of around $60 million to support this transition.

It is also intended that the bill will commence no less than 12 months from assent to provide time for local governments to examine and update their schemes and adapt their development assessment systems. There is always a debate about whether the transition period is too long or too short. We accept the transitional arrangements as identified in the bill and support the committee's comment in relation to the area. We also note the Deputy Premier's comments in her speech with respect to the assistance to be given to local governments in that transition process, which is most important.

With regard to ecological sustainability, there is a key difference in relation to the notion of ecological sustainability between the two planning bills. The private member's bill states that the purpose of the bill 'is to facilitate Queensland's prosperity, including through ecologically sustainable development that balances economic growth, environmental protection and community wellbeing.'

The government's bill is much more prescriptive, and the concept of ecological sustainability is explored in detail. The purpose of this act is to establish an efficient, effective, transparent, integrated, coordinated and accountable system of land use planning, development assessment and related matters that facilitates the achievement of ecological sustainability.

This comes down to a difference in philosophy. In the LNP's bill the primary purpose is to facilitate Queensland's prosperity taking into account ecologically sustainable development; in the government's bill the focus is on achieving ecological sustainability. The LNP takes ecological sustainability seriously, but the focus is on the prosperity of Queensland by balancing both economic growth and environmental protection through ecologically sustainable development. We do not discard it; we in fact regard it as the primary way that development should occur through ecologically sustainable development.

The government's bill also includes a section called 'Advancing the Act's purpose'. The department's report back to the Infrastructure, Planning and Natural Resources Committee indicates that this inclusion was generally supported, but it also highlights the varying views expressed about the inclusion of the precautionary principle, with industry groups holding the view this worked against the balance between economic, social and environmental outcomes fundamental to planning and expressly sought by the legislation.

Regarding compensation, I will not take up too much time at this stage in relation to the adverse planning change compensation provisions highlighted in clause 30. There are a range of issues identified by industry representatives in relation to sections 4 and 5 of clause 30. The LNP opposition's preference is to maintain the provisions as they currently exist in SPA and carry them over to the new Planning Bill. The LNP opposition notes and agrees with the concerns raised by these key stakeholder groups. We believe that the way the government's bill is drafted could impinge on landholders' rights in that it no longer requires councils to properly consider development conditions before making a planning change of this type.

I turn now to categories of development. Like the LNP bill, the government's bill proposes to change the number of categories of development, from five to three. Those three will now become 'prohibited development', 'assessable development' and 'accepted development'. While some people were in favour of the change, there were others who questioned it. Concerns around the categories of development centred around, firstly, whether with fewer categories local government would elevate the level of assessment of some development and, secondly, the time, effort and cost to local government of changing categories and the omission of 'self-assessable' as a category of development.

We note that only new planning schemes will be required to use the new categories of development. Transitional provisions in the bill ensure that planning schemes made before commencement of the act using categories of development under SPA can continue to operate and function, even if local governments take no action to amend their schemes to reflect the new categories. We note the department's commitment to assisting local government transition to the Planning Act, and we support the changes to categories of development in both the private member's bill and the government bill.

Further on categories of assessment, clause 45 of the bill proposes to establish two categories of assessment for assessable development, as the Deputy Premier indicated: code and impact assessment. That is the terminology presently used in SPA. This is where there was another key difference between the government's bill and the private member's bill. Under the private member's bill, the terms 'standard' and 'merit' are used instead of 'code' and 'impact' assessment. In brief, the difference between the two is that, under the present, code assessment is generally looked at against a standard of criteria and either passes or fails those provisions, while impact assessment is looked at for more major developments in which assessment needs to be made as to the precise imposition or otherwise of the development on the community and the locality.

'Standard' and 'merit' are terms carried over from the bill introduced by the member for Callide in November 2014. The idea behind the change was to encourage a cultural change—not a difference in fact in the way these categories would work—and to signify a move to the new planning framework. Also, as highlighted by the Townsville City Council, the term 'impact assessment' denotes a negative starting point, whereas 'merit' starts to change that perception about the benefits of the development. 'Impact' assessment automatically puts one's mind on a sort of defensive basis in respect of a development, whereas 'merit' I believe is a more even based thing when one is looking at whether development does or does not have merit.

As the committee noted, there were good arguments in favour of both terms. The Deputy Premier has pointed out tonight that, I think largely for the sake of consistency, the government has elected to keep the existing terms. Because of the positive connotations of 'merit' and the negative connotations associated with 'impact', the LNP opposition is of the view that the planning legislation should use the words 'standard' and 'merit' as the categories of assessment.

I now refer to exemption certificates. An exemption certificate is a new feature in this bill although, as it happens, it exists under the heritage act and, from my recollection, was one of the recommendations made under ministers Mickel and Boyle. I chaired the committee which looked at the review of the heritage act at that time, and exemption certificates came in to the heritage act as part of that suite of reforms.

The exemption certificate concept is contained in both the private member's bill and the government's bill. It is intended to exempt development from the development assessment process in particular limited circumstances, where the categorisation of the development is the result of an error or solely due to circumstances that no longer apply, or where the effects of the development would be minor or inconsequential in light of the reasons under which it was categorised in the first instance.

If a categorising instrument is found to inappropriately categorise particular developments as assessable, the most desirable course of action would be to amend the instrument to categorise the development as accepted development instead. However, amendment processes for some categorising instruments may be lengthy and, in the meantime, an assessment manager may be required to accept and assess applications for the development the effects of which really do not warrant assessment. Consequently, an exemption certificate is intended to be used as a tool to address the inappropriate categorisation of development while more permanent measures are implemented. That description is from the private member's bill.

There was a considerable level of debate around the appropriateness of the exemption certificates, as was highlighted in the committee report. We note recommendation 8, and I gather from what the Deputy Premier has said and the briefing that she kindly allowed us to have yesterday that measures in respect of exemption certificates, to tighten up that process and give proper transparency and credibility to it, will be introduced. They are welcome.

I will now look at assessment managers and in particular chosen assessment managers. 'Assessment manager' is the term used for the person responsible for either administering a properly made development application or assessing and deciding part or all of a properly made development application. The 'chosen assessment manager' is the assessment manager under clause 48(3) of the

bill. Clause 48(3) provides that, if a regulation prescribes a local government or the chief executive, each being the entity, to be the assessment manager for a development application in relation to a development that requires code assessment, and the entity keeps a list of people who are appropriately qualified to be an assessment manager in relation to that development, and someone makes a development application in relation to only that development to someone on that entity's list, and the person accepts the application, then that person can act as the assessment manager for the application. It essentially allows councils to outsource that function in strictly regulated circumstances, in particular relating only to code assessable—the simpler end of the development assessment proposals.

Interestingly, I think, this is a facility that will be used by councils at one or either end of the spectrum. It will allow small councils to effectively get the expertise they may need by outsourcing the assessment to a more qualified person than they may have on a very limited staff. On the other hand, large councils which receive a huge bulk of assessments may be able to get some of the lower level assessments off their plate by outsourcing them to chosen assessment managers rather than have full-time staff do those, where often, as members would be aware, development application numbers wax and wane as the economy changes.

As highlighted by the committee, the opportunity for an applicant to select an assessment manager is 'a new tool for the planning framework and is intended to enable low-risk applications to be assessed efficiently and effectively'. It was introduced at the request of local government. This was an area of debate during the committee process. I know that my colleague the member for Burleigh was heavily involved in this process and closely followed many of these debates. It included various views that the applicant should not be able to choose assessment managers, there was insufficient information about how the system worked and there was, of course, scope for conflicts of interest. You would not want an assessment manager externally dealing with a client or a project on which he or she may have worked as a private operator. The LNP supports the chosen assessment manager framework and notes that the Deputy Premier is intending to introduce amendments to deal with those integrity issues.

I move now to deciding development applications that require code assessment. The LNP opposition strongly favours the presumption in favour of approval of code assessable applications, as identified in clause 60(2)(a) of the bill. As highlighted by the Property Council of Australia, this ensures that the new framework is designed to achieve its desired outcomes. We note the committee's support of the presumption in favour of approval. That is a key element of the private member's bill.

I will now look at charges for trunk infrastructure. Clause 111 enables the regulation sitting behind this bill to provide a maximum charge for the supply of trunk infrastructure. Trunk infrastructure is higher order infrastructure that is intended primarily to provide network distribution and collection functions. The massive pipes that go through a subdivision to service it are the trunk infrastructure, and other infrastructure comes off that. A local government plans for the supply of trunk infrastructure as part of its local government infrastructure plan.

The clause provides for a regulation to set a prescribed amount, effectively a base amount, for the maximum adopted charge. The prescribed amount may be different for different types of development. The clause provides that the prescribed amount is automatically increased at the start of each financial year by an amount equal to the prescribed amount multiplied by the sum of all of the three-yearly rolling quarterly average percentage increases in the producer price index, PPI, since the prescribed amount was last prescribed or amended.

The prescribed amount plus the additional amount worked out as described above is the maximum adopted charge. That is fairly technical, but there is a difference between the government's bill and the private member's bill in that the LNP bill gives the minister the power to index the maximum adopted charges in accordance with the moving three-year average of the PPI. The government's bill enshrines automatic indexation in the legislation. The LNP opposition notes the views of the LGAQ and other councils that welcomed the introduction of automatic indexation. We also note the committee's support of this recommendation and therefore the LNP opposition is happy to provide its support for the inclusion of automatic indexation in the overarching Planning Bill.

Some other concerns of the councils were the offset and refund requirements of the legislation. Clause 128 of the Planning Bill requires a local government to give an offset or refund for trunk infrastructure to be provided under a necessary infrastructure condition if the infrastructure will service premises other than the subject premises and an adopted charge applies to the development. This is a circumstance where a developer may be coming in early and provides trunk infrastructure which not

only services the development in question but will in due course service and benefit other developments. Local government stakeholder groups had concerns that offset and refund arrangements are causing uncertainty. Also issues around conversion of particular non-trunk infrastructure came to the fore. Local government submissions did not support the conversion process and some advocated for its removal. I must say that the government and private member's bill in this area are both drafted with the same intent but with very minor wording differences.

With regard to the infrastructure charges exception for non-state schools, there was a point of difference between the government and the private member's bill in relation to the treatment of infrastructure charges for state and non-state schools. The private member's bill provided for the situation which I now understand the government has moved towards and which the Deputy Premier has indicated that she intends to address by way of amendment so that independent or Catholic schools, like state schools, are not required to pay infrastructure charges if the area being serviced has been designated by the minister for school purposes. That gives the state, independent and Catholic systems a level playing field. There are some other points of difference between the government's bill and the bills introduced by the member for Clayfield, more specifically time frames around public notification periods for things like making a regional plan or making a state planning instrument. The LNP opposition is happy to acknowledge the tweaks that are being made to the package of bills developed by us in government. While we will be making some of our own amendments to the planning bills, we are happy to support the passage of these bills because they finalise the good work started by the LNP to improve Queensland's planning framework.

I turn now to the Planning and Environment Court Bill. The purpose of this bill is to provide a separate piece of legislation to govern the constitution, composition, jurisdiction and powers of the Planning and Environment Court and to date that has been embodied in SPA—the primary planning document itself. This bill provides for the legislative foundation for new court rules and procedures to ensure the court's efficient operation. The Planning and Environment Court is presently established under provisions of SPA. They are located in SPA primarily due to the historical establishment of the court in local government and planning legislation over time. It was actually a creature of planning legislation that a statutory court formed out of the District Court. In more recent years the court's jurisdiction has expanded significantly, with it now having jurisdiction conferred on it by approximately 28 different acts in addition to SPA. They cover topics such as planning and development, environmental protection, coastal protection and management, heritage, fisheries, marine parks, transport infrastructure, and vegetation management. Given the wide jurisdiction of the Planning and Environment Court, it is considered appropriate for the provisions establishing the jurisdiction and powers of the court to be transferred out of the state's planning legislation and into its own specialised standalone bill. Having a separate bill for the Planning and Environment Court will enhance the role and visibility of the court as a specialist court to hear planning and environment disputes.

There is one key difference between the private member's bill and the government bill, and that is in relation to cost provisions. The LNP's Planning and Development (Planning Court) Bill establishes that costs of a Planning and Environment Court proceeding are in the court's discretion, with some exceptions. The government's Planning and Environment Court Bill provides that each party pays its own costs, except in limited circumstances. It is fair to acknowledge that there were a range of views in relation to this key difference and those views are outlined in the committee's report. The difference in the LNP and ALP policy is not, as those opposite would have you believe—and the Deputy Premier herself made this point in her speech—because we want to stifle court challenges; it is to ensure that we get the balance right between the right to appeal a development application and ensuring that the court system is not used as a mechanism to frustrate future developments. I refer to the evidence of Mr David Nicholls, a well-respected planning lawyer and Secretary of the UDIA. This is how David Nicholls very capably explained the impact of removing costs from the court's discretion. He said this—

> Okay. Assume you have Mr and Mrs Jones who are building their dream home. They are not wealthy people. They borrowed a lot of money from the bank. They have a site that is suitably zoned and they have a private certifier to approve it. It complies with everything it is meant to comply with. It is on the side of a hill and it has good views. The block behind it has good views as well. It is owned by a very wealthy individual. It has a great big house on it. They have borrowed their money, the frame goes up and Mr Smith behind sees that he is going to lose a bit of his view. So he goes next door and says to them, 'I want you to reduce the height of your house by a metre and a half because I am going to lose my view.' They say, 'But it complies,' and he says, 'I don't care; I want you to reduce it.' He starts proceedings in the Planning and Environment Court for a declaration that their house is unlawful when it is not. They have to engage witnesses and lawyers. They start spending money and their mortgage triples because they are spending all this money. Eventually they get to the court, they go through the process, their expert evidence is accepted and they win. They say to the court at the end of all of that, 'We would like a costs order against Mr Smith behind us for putting us to all this expense,' bearing in mind that cost orders are meant to indemnify people who have to defend themselves when they should not have to. On the basis of the Planning Bill, the court says, 'Sorry, we don't have that discretion anymore.' That is what you are going to do.

When asked by the member for Sunnybank about the cost ramifications of a community group taking on a developer—an important point—Mr Nicholls had this response—

The evidence is that there has been no instance of a community group having costs awarded against it. The Planning and Environment Court has been very cautious about that. I am aware of a case where that has happened. There was a case in the Redlands where a community group took an action in relation to a permissible change, but they were not arguing about the change; they were trying to reprosecute the original case against the development and the court did not like that, but that is not a merits based approach. In a merits based hearing where a community group opposes something and puts evidence before the court, the court has not awarded costs.

I point out a very important protective provision that was put into the cost provisions that we inserted into the act during our time in government: the provisions particularly provide, and the amendments I move tonight will particularly provide, that if the parties actually go to court ordered mediation and resolve their dispute at mediation then costs will not be awarded. That is an incentive for parties to come together to agree and resolve their differences before the court mediator, but if they then decide, 'No, we don't want to accept the outcome of mediation; we want to battle on,' in our view it is fair for the ordinary cost rules to apply from that point forward. We maintain our support for cost provision to be at the discretion of the court.

I move finally to the Planning (Consequential) and Other Legislation Amendment Bill. The objective of this bill is to make consequential amendments required for the proposed enactment of the Planning Bill 2015 and the Planning and Environment Court Bill 2015 and the repeal of the Sustainable Planning Act 2009. The bill amends 68 acts to reflect changes due to the proposed enactment of the Planning Bill and the Planning and Environment Court Bill. The bill includes amendments to do the following: firstly, to update references to the Sustainable Planning Act with references to the proposed Planning Act or Planning and Environment Court Act; secondly, to replace terminology under the Sustainable Planning Act with changed terminology under the Planning Bill such as the new categories of development; thirdly, to omit referral agency and assessment provisions for other state agencies which have been redundant since the establishment of SARA in July 2013; and, fourthly, to remove duplication in other acts of planning processes or requirements which are more appropriately dealt with under the planning legislation.

There is one area on which I would like to focus my remarks in respect of this bill and that is the land surrender conditions for coastal management purposes, which is done by making amendments to the Coastal Protection and Management Act. Clause 145 of the consequential bill enables the Minister for Environment and Heritage Protection to force the surrender of land with no right to compensation. Currently, SARA has the delegated responsibility for administering the land surrender powers of other agencies, a power that it administers through the development assessment process. It was a very important part of SARA—the State Assessment Referral Agency—that it was a State Assessment Referral Agency where all of these matters were considered in a holistic way, not by satellite departments with their particular axe to grind.

As the explanatory notes state, there is no right of appeal against a land surrender requirement and nor is there a right to compensation for land surrendered. That was a significant point of concern to industry stakeholders such as the Property Council. I refer to the Property Council's submission—

Importantly, the land surrender provisions within the CPMA breach fundamental legislative principles, as they do not provide for the right of appeal or compensation for affected landowners.

Amendments that allow for the owner to make submissions in response to a land surrender notice do not provide adequate protections and impinge on property rights.

The Property Council's submission states further—

Consideration of land surrender outside of SARA raises the additional concern that other options for the use of affected lands, or even opportunities to compensate through additional development yield on unaffected parcels of land, may not be taken into consideration.

Given the Government's commitment to delivering a simplified, streamlined planning framework, it is logical that the land surrender powers under the CPMA are delegated to SARA to administer as part of the integrated planning framework.

In conclusion, although there are points of difference, both sides of politics agree that the reform of the state's planning system will produce good outcomes. I again want to acknowledge the foundation work of the member for Callide, the member for Southport and the member for Clayfield on the movement of our side of the House towards a consideration of the bills tonight. I also want to acknowledge the departmental staff who have been actively involved in the different iterations of these bills. Unsurprisingly, these are complex matters. The legislation is substantial and the departmental skill and work that has been put into them needs to be acknowledged and the opposition happily does that tonight.

Mr KELLY (Greenslopes—ALP) (8.31 pm): I support the government's Planning Bill 2015, the Planning and Environment Court Bill 2015 and the Planning (Consequential) and Other Legislation Amendment Bill 2015. I would like to reiterate the sentiments expressed so finely by the member for Bulimba in the debate on the Nature Conservation and other Legislation Amendment Bill when she took umbrage at the stereotyping of people who live in the inner city by those opposite. When we fall into the trap of throwing around labels to support our position in a debate, we have missed the opportunity to truly debate an issue.

The people in my community are not anti development and it would be a brave person who stereotyped them as bunch of whingeing nimbys. In living memory, my community has seen the building of freeways, busways, velloways, hospitals, retirement villages, tunnel entrances and libraries. My community has endured the pain of the development of these pieces of vital infrastructure, most of which are of benefit not just to my community but also to people living well beyond the limits of my community.

I do not go far into a day of doorknocking before I find a person who wants to talk about the future of infrastructure. The people of my electorate want one key thing for their community, and that is to have a say in how it develops. My community is not a place to drive through on the way to somewhere else. My community is not to be labelled just a place for inner-city lefty trendies—although I cannot wait to see my children and tell them that, apparently, I am trendy. My community is not just a place for property speculation without regard for what that means to the lives of the people who live there. It is a place where people like me choose to live, a place where I and other people can safely raise kids with access to good schools, great cultural institutions and open green spaces. It is a place with history and culture. My community is a place where neighbours work together to deliver community services, run sporting clubs, care for the elderly, visit the sick and provide welfare to veterans.

Sadly, over the past few years my community has also become a place where residents have become frustrated and distressed, as they have been cut out of real consultation over the development in their local community. Often, residents find out about a development only when the demolition of an old and locally meaningful building commences. It is then that their journey of frustration under the current local planning scheme starts, usually with a call or a visit to the local councillor, who shrugs his shoulders and provides no assistance whatsoever. Even if residents are aware of the development application, their voices are overridden and excluded.

I have met with so many residents who have taken a path of trying to consult and involve themselves in the planning and the future of their community. I have visited the home of a lady who now has a parking lot ventilator shaft pointing into her back deck and kitchen area. I cannot believe what has happened to a nice quite little cul-de-sac that was once home to people living in about 20 houses. Now, there are hundreds of units plonked into an area where the streets cannot cope. Access for residents and emergency vehicles is now verging on impossible. These residents try to engage in consultation around each development, saying that they are inappropriate and out of step with the council's local planning scheme. Most of all, these residents are speaking from common sense and a desire to ensure that their community remains livable into the future. However, the council says, 'It's only one,' then, 'It's only two,' and then, 'Now, it's the norm. Let's just go for it.'

I have seen residents battle to stop the destruction of an historic house, which was knocked over with no notice to local residents, to be replaced by huge numbers of units. That is going to have a significant impact on the water flow in the local area, which residents believe could cause significant damage to neighbouring properties. All the residents wanted was to receive a fair hearing and a chance to have their say. In among all of this development my favourite has been what I call the Venice of Coorparoo. I acknowledge that private property owners should be able to develop their property, but in this case the council approved a development not just near a creek, but over the top of a creek. In this day and age in a town where the memory of the 2011 floods is still fresh, that defies belief.

Under the Planning Bill, we will see all development decisions made by state and local governments available for the public to view, making decision-makers accountable for their decisions and providing the community with transparency. We will also see an emphasis on community consultation. The residents in my electorate want to be assured that developments will no longer be approved if they vary from the provisions set down in the local government planning scheme. The Planning Bill will deliver that by ensuring that code assessable applications are bounded to the provisions in the codes and nothing more.

Neighbours in my area join together not to fight development but to have a voice in the future livability, sustainability and prosperity of their community. Sadly, after encountering a local councillor who does not care and a council that does not seem to listen, the residents encounter a court system

that they cannot afford and the risk of punitive adverse cost orders, which were so unfairly introduced by those opposite under Campbell Newman. That means that local residents do not access the Planning and Environment Court for fear of costs being awarded against them. Ultimately, that means that often residents do not have the resources to be able to pursue any case against council decisions. I am pleased that, under this legislation, my constituents will be able to pursue a case and will no longer have to fear adverse costs being awarded against them. Under this bill, all parties will bear their own costs.

If our local councillors were doing their jobs properly and the local council was considering the views of local residents, issues would never get to court and we would have developments that improve the community, are supported by the community and are more efficient and profitable for developers. Instead, residents are faced with an unresponsive council administering a non-transparent and confusing system that seems to favour one party over another.

The Palaszczuk government's planning bills will create greater accountability, transparency and community engagement in the planning system. These bills put ecological sustainability back in focus. The new planning system will promote genuine community engagement and practical approaches to consultation so that communities can participate meaningfully in the planning process and shape their neighbourhoods. These bills cover so many issues but, for the people in my community, these changes mean that they can again have fair and equitable access to the Planning and Environment Court without the risk of punitive adverse cost orders. That is the main reason that I am supporting these bills.

The people in my electorate have built a good and vibrant community. They want the opportunity to have a voice in how that community develops. These bills will assist in achieving that. I commend these bills to the House.

Mr SEENEY (Callide—LNP) (8.39 pm): I rise to make some brief comments about the passage of these planning bills through the House tonight. To begin with I commend the shadow minister, the member for Mansfield, Mr Ian Walker, for the contribution that he made to the House; a very detailed and a very knowledgeable contribution that I will try not to emulate or to repeat. I would commend anyone who has a genuine interest in the process that has led to these bills being in the House tonight to consider well the comments that Mr Walker made. I thank him for some of the generous comments that he made about my role in this whole process.

This process started shortly after we came to power in the 2012 election. It was a major reform to the planning process in Queensland. It was not reform for reform's sake. It was not reform to change what the previous government had done, like so much of what this government has done over the last 12 or 14 months. It was not reform that was motivated by spite and a political desire to put things back some other way. It was reform that was motivated by clear messages from the community, from everyone who was involved; clear messages about the restrictive nature of the planning process that was in place that was adding to the cost of housing for young Queenslanders, that was making it difficult for developers to invest the money that was necessary to ensure that there was affordable housing available for Queenslanders, that there was economic growth and that there were jobs involved in the construction sector that were available to young Queenslanders.

This government and its members on the other side of the House talk endlessly about jobs, but it is all words. At the end of the day if you are serious about creating jobs, if you are serious about economic growth, you have to look at the elements that contribute to economic growth. You have to look at those elements that are restricting investment and economic growth. That is what this government has not done in the last 12 or 14 months. Our government had a Governing for Growth strategy. It was all about promoting economic growth and creating jobs; allowing people to invest in the four pillars of the economy and to create jobs for Queenslanders. The planning reform that we undertook was a central part of that Governing for Growth strategy. The bills before the House tonight are the culmination of that planning reform process.

There was so much more that went into that planning reform process over the three years that we were in government that the member for Mansfield, the member for Southport and I were involved in. It was a process that involved an enormous amount of consultation because we wanted to take all of the stakeholders with us. The commitment that I gave to taking all the stakeholders with us was the reason that these bills were not introduced into this House until November 2014. They would have been passed through this House early in 2015 in the first sitting of the House had the House sat in 2015 rather than the parliament being dissolved. It was a culmination of a long process that was about consultation. It was about ensuring that all of the stakeholders were on board, and they were, which is why we have to ask ourselves why it has been 14 months between then and these bills getting to the House tonight: 14 months when these reforms have been not in place, 14 months when investment has

been curtailed, 14 months when jobs have not been created, 14 months where Queenslanders have been denied affordable housing and where Queenslanders have been denied the jobs that are so important to the construction sector. These bills could have been passed through this House 14 months ago.

I understand that a new government might want to look at legislation such as this and apply their own philosophical bent to it, but I know that this is not what happened with these particular bills. These particular bills, like everything else in my department, were put through a microscopic process of examination trying to find something wrong, trying to find a political attack point on me as the minister and on our government. The jobs and the investment that Queensland needed came second, was put aside, while that forensic analysis took place. They turned the department upside down trying to find some sort of political attack point. They could not find anything. They had to manufacture something about the Royalties for Regions and misuse the Coordinator-General's process to produce an affected political attack. That is the reason these bills are before the House tonight rather than 12 months ago when they should have been here.

The bills are, as I said, the culmination of a sophisticated and complex planning reform process that involved a whole range of other steps such as a new single state planning policy. There were 14 different planning policies when we came to government. Some of them were contradictory. Most of them were influenced by the dead hand of DERM. Remember that department, DERM, that killed everything? Most of them came from DERM. They constituted a pile of paper on the corner of my desk that was about 40 centimetres high. We put in place a single planning policy that, as the member for Mansfield said, won national planning awards. We instigated the State Assessment and Referral Agency that, once again, the member for Mansfield referred to and that has been a great success. We developed and put in place some new concepts, such as the priority development areas, that will be critical to this government delivering the stadium in Townsville, for example; that will be critical to delivering the Commonwealth Games village; and that will be critical to delivering the Toondah Harbour development. It was a brand new concept that was developed from the ground up that had to be consulted on and developed. Similarly with regional planning and the concept of priority agricultural areas. They were new concepts that we had to develop and involve stakeholders in in a consultation process and bring them with us to this point where we could have new legislation introduced into the House tonight.

This new legislation is not something that has come from the activities of the current Labor government. They have put their own philosophical slant on it and that is as one would expect. It has taken them 14 months to do that. It has taken them 14 months because they have chosen to play politics rather than to do the job in the way that we did: to do the job of planning reform, to create the jobs for Queenslanders, to ensure that Queenslanders had affordable housing and that investors would invest here in Queensland rather than in other states.

There has been an enormous change to the planning process over that 4½ years. We changed a lot, but what we changed most of all was the attitude towards development, ensuring that the planning process enabled people to invest so that economic growth occurred, so that jobs were created and that affordable housing was provided. I listened to the contribution from the member for Sunnybank and I groaned and I shook my head because that is the sort of nonsense that has permeated the planning process in Queensland for too long. There has to be a balance between the competing interests of all stakeholders. At the end of the day there has to be economic growth, there has to be affordable housing and there has to be jobs for Queenslanders.

Mr PEARCE (Mirani—ALP) (8.49 pm): I rise to speak to the Planning Bill 2015, the Planning and Environment Court Bill 2015 and the Planning (Consequential) and Other Legislation Amendment Bill 2015. I recommend that the bills and subsequent amendments be supported by the parliament. As a short response to the member for Callide, who just spoke, it would be good for him to know that many of the witnesses who appeared before the committee were asked about their preferences with regard to the government bills that we are talking about in the parliament tonight. I can tell the member quite honestly that most witnesses responded that the legislation as put forward by this government is better because it is part of a process of improving legislation and making it better for Queenslanders. I can understand why the member is so upset about this but, to be honest, people were impressed with the legislation and thought that the government bills did more for the state.

Before turning to the bills, I want to say to honourable members and the people of Queensland that the Palaszczuk government is getting on with the job. As a member of the government, it is exciting for me that project announcements and jobs will be a common theme over coming months. I am aware that residents from all over the state were becoming anxious about progress being made. Despite the well-known practices and procedures of the government at work, it takes time.

Mr Costigan interjected.

Mr PEARCE: If the member for Whitsunday wants to sit there yabbering away like he does every other time I get up—

Mr DEPUTY SPEAKER (Mr Furner): Order! Member for Mirani, address your comments through the chair.

Mr PEARCE: I understand what you are saying, Mr Deputy Speaker. I wish that people would come into this place and do the job that they are supposed to, which is to represent their constituency, instead of bagging everybody who rises to their feet. It is very disappointing to see people who are supposed to have brains and a bit of common-sense yabbering away like they do. I think the honourable member for Whitsunday should be very careful. He wants to stay in his own electorate, otherwise I might do some visiting over that way as well.

Mr COSTIGAN: Mr Deputy Speaker, I rise to a point of order. I find those comments from the member for Mirani—

Ms Trad: Accurate.

Mr COSTIGAN: I find the comments of the member for Mirani offensive and likewise from the Deputy Premier. I ask both to withdraw.

Mr DEPUTY SPEAKER: I found no comments disrespectful from the Deputy Premier, but I will ask the member for Mirani to withdraw.

Mr PEARCE: That is not a problem, Mr Deputy Speaker.

Mr DEPUTY SPEAKER: Please withdraw your comments, member for Mirani, unreservedly.

Mr PEARCE: I withdraw.

Mr SEENEY: Mr Deputy Speaker, I rise to a point of order. The member for Whitsunday legitimately found an interjection from the Deputy Premier offensive and, under the normal procedures of this House, the Deputy Premier is required to withdraw.

Mr DEPUTY SPEAKER: Member for Mirani, I made the call on the basis of no reference to the member for Whitsunday, so my order stands.

Mr PEARCE: I have already withdrawn, Mr Deputy Speaker.

Mr DEPUTY SPEAKER: Please proceed with your speech.

Mr PEARCE: The Deputy Premier, Jackie Trad, is doing a really good job. You have to be a part of the government to see how hard she is working, what she is putting in place and where this state will go in the next 12 to 18 months. I congratulate the Deputy Premier. Certainly she is doing all the hard work for infrastructure and planning. The development proposals are coming together, gathering momentum and fast becoming a real thing, which is when members opposite will have an opportunity to look on and wish that they were sitting on this side of the House. What the Deputy Premier is working on will bring those things that we keep talking about—that is, jobs and a massive boost to the state of Queensland.

Queensland has a government that understands the need to make it happen. I repeat: we understand the need to make it happen. We need projects and infrastructure that are sustainable through ongoing public demand. This is about coming up with a project and putting it in place, knowing that it will not have a short lifespan. We need projects that will continue to create jobs and generate revenue for the state. We need projects and infrastructure that change the livability of a city, that build on the confidence of the community and investment in the area and that are good for local business.

Developers and people involved in construction will utilise the services of local businesses and that has a multiplier effect across the community. We all know that bringing jobs into an area has a multiplier effect. Certainly we know that out in the coalfields. If a coalmine that could employ 2,000 workers is about to open up, the first thing that the mining companies will tell you about is the multiplier effect of four to one. That is always the case. It does have that sort of impact. However, they never tell you that when they put workers off, as they do, the same multiplier effect in reverse applies: instead of losing 300 jobs, we can end up losing 1,200 jobs in an area. Therefore, it is good to see local developers calling on local businesses to support them, because that means jobs and a vibrant community.

We understand that appropriate, transparent and accountable processes operating through local governments and the state are necessary and is dependent on legislation, which sets down the rules. If you are going to have good processes in place and set good examples for everybody else, the legislation must have the strength and the ability to do what the government of the day wants it to do.

That is why we as a state and as a community must have in place legislation that is reasonable, consistent and transparent. In this place I am one person who will always argue for those things to happen.

Like everybody else, I talk to people at the grassroots level. People tell me that they are fed up with local governments standing over them, not explaining what they are doing, not engaging in the consultation that they should have and, therefore, always leaving people with the sense that they do not care what the people think and that it is all up to them. The more transparent the process and the more consistent is that transparency, the happier the community will be. That is what the legislation that is before the House is all about. This legislation is about creating opportunities for project proposals to be introduced to the community for discussion so that project proponents can tell their story as to what the proposal is about. It is about considering the fears and concerns of people. Members talk to their communities and they will know that these things do happen when a major development is talked about.

It is about interaction, honesty in discussions and delivering what one promises. These are the things that communities expect when they are confronted by activities that can cause dispute and concern within a community. The way I see it, it is about being fair dinkum and having the guts to tell the community what is being done and not trying to pull the wool over their eyes.

I believe the bills before the House put in place a set of rules and a set of laws that can only add strength to a development approval. The planning bills were introduced on 12 November 2015 in response to a Palaszczuk government commitment to deliver a better planning system. That has been delivered. This is another promise made by our Premier that has been delivered. This is a planning system which is about responsible development, stimulating growth and innovation and ensuring genuine public participation in the planning process.

The Infrastructure, Planning and Natural Resources Committee considered the planning bills and reported on them on 8 April 2016. The committee also considered and reported on the package of private member's bills that were introduced on 4 June 2015. The task of the committee was to consider the policy outcomes and the application of fundamental legislative principles, including whether each bill has sufficient regard to the rights and liberties of individuals and the institution of parliament.

Given my background, I will stand in this House and fight as hard as I can to ensure that the people of Queensland and the people I represent get a fair go. I think they are getting over three years of not getting a fair go. They are starting to see that good government is about talking to people, listening to what they have to say, bringing in legislation and getting on with the job. I think everybody realises that for an infrastructure plan to work it must be backed by good legislation passed in the parliament. It must have the strength and structure to ensure that the Public Service can do its job and put things in place.

The policy objective of the Planning Bill 2015 is delivering better planning for Queensland by: enabling better strategic planning and high-quality development outcomes; ensuring effective public participation and engagement in the planning framework; and creating an open, transparent and accountable planning system that delivers investment and community confidence. I have said this a couple of times, but I will keep saying it. The people whom I represent and the people of Queensland deserve a government that has the courage to put in place an open, accountable and transparent planning system. That is the way the government will win the respect of the community. The community will do the right thing every three years, or every four years in the future, and put good government and good people on the right side of the House.

There are other things that I wanted to talk about, but I will conclude by thanking the committee for the good work they did and the committee secretariat for their true commitment and professionalism. I repeat that it is important for committees to have the ability to talk to the community, to talk to government agencies and to talk to everybody who wants to be involved in the process. I believe this is good legislation because it looks after people's rights and it looks after people who want to have a say. They can come forward without fear and have an input. I commend the bills to the House.

Mr HART (Burleigh—LNP) (9.04 pm): I rise to speak in the cognate debate on the three government planning bills and the three bills introduced by the member for Clayfield earlier this year. Before I commence my speech on the bills can I thank the other members of the committee, especially the member for Mirani. I have a great deal of respect for the member for Mirani. Even though he is on the other side of the House, he does a fantastic job chairing our committee. I usually agree with 90 per cent of what the member for Mirani has to say in the committee. I seriously doubt members will hear me say that about any other member on the other side. We have reasonable government members on our committee. We get on very well. We worked very well together.

The six bills were quite complex. It took us all quite a while to get our heads around them. We were lucky to have the member for Keppel, who has some planning experience, on our committee. She was able to steer us through some of the issues that some of us did not know about. Do not get too used to this conciliatory side to the member for Burleigh. In this case, I would like to give credit where credit is due. I would like to claim some credit for the things that those on this side of the House did.

The opposition will not be opposing the bills tonight, as the member for Mansfield said. Although we oppose the government bills, we support the opposition bills. We do that because these bills are basically the same.

The starting point for the committee was to ask the Parliamentary Library to have a look at both bills. I would ask the member for Bulimba to take note of this part of my speech. These bills have been around for a long time. This was something that the member for Callide and the member for Mansfield started working on soon after we came to government in 2012. The consultation started in 2012. It reached the stage where a lot of people had been consulted and a lot of work had been done in this area and the bills were introduced in 2014.

I was a member of the committee to which these bills were referred in 2014. We started looking at these bills in 2014. If anybody on the other side of the House—and I am particularly referring here to the member for Bulimba's comments previously—would like to look at the Parliamentary Library report that the committee received, they would see that the majority of these bills are exactly the same. Basically, what has happened here is that the Deputy Premier has copied and pasted. These are exactly the same bills with an ideological slant. There have been some minor changes. I will step through some of those later in my speech.

Mr Ryan: Are you saying they are identical?

Mr HART: I will take the interjection from the member opposite. If they would like to have a look at the Parliamentary Library report that the committee received and see what it says about how close these two bills are—

Mr Ryan: So you think they are identical?

Mr HART: They are not identical bills. I did not say that they are identical bills. I said that they are mostly the same with some ideological differences. That is what we are looking at here.

These bills were referred to the committee. At this point, I would like to thank our previous researcher director, Erin Pasley, for the work she did on these bills at the start and for the effort she put in in 2015. After all, members of the committee cannot do the work unless we have the backup of a fantastic secretariat. We have a great secretariat now. I thank them at this stage as well.

The reason that the majority of the committee said they would pass the bills is that those of us on the committee who wanted to support the opposition bills, the non-government bills, voted against the passing of the government bills in favour of the passing of the opposition bills. That is why the first six recommendations state that the majority of the committee recommend that the government bills be passed and that the private member's bills not be passed.

At this point it would be of benefit to thank the member for Callide for the work that he did in changing the way planning happens in this state. I would say it differently than the Deputy Premier in her second reading speech. This was in fact a ground-up start to planning bills in this state. It was a massive change. There were parts of the previous SPA Act that have been brought into this bill. That was a good starting point, but it was a ground-up situation. These bills are the culmination of a lot of work that the department did. I congratulate the departmental officers for the work that they have done on these bills over what is, after all, now four years that these bills have been in gestation.

There were a few matters that the committee worked through. While we did not agree that the government bills be passed, we did realise that that would be the case at the end of the day. The non-government members worked closely with the government members to make sure that these bills reflected something that made a lot of sense. A lot of the recommendations at the start of this report come from non-government members with the support of the government members. That is the reality. I would like to step through a few of those recommendations in the time I have remaining and to talk about some particular matters.

I think the member for Mansfield and the member for Callide both pointed out that the member for Clayfield tabled what were the original 2014 bills in 2015. It then took five months for the Deputy Premier to copy and paste and make those ideological changes. I am not really sure why it took five months for that to happen. As I said, they are pretty much the same bills.

The main difference is that the government bills talk purely about ecological sustainability. If any members care to turn to page 10 of the report, it states that in the government bill 'ecological sustainability' is identified as a core purpose of the proposed act. A large number of submitters who commented on the purpose of the bill were supportive of the ecological sustainability principles of the bill. Some submitters sought a more expansive purpose or additional descriptive content. In fact, many submitters preferred the use of the term 'ecologically sustainable development', which is what the private member's bill puts forward as the key to that bill. There is quite a dramatic difference in terminology there. We have one bill that is looking at developing the state. That is what has led to cranes that we see. When we walk outside and we see cranes everywhere on the skyline, it is what caused that—it was the previous government's view that we should be looking at growth. We should be looking at development, whereas this government is just looking at ecological sustainability—purely ideologically driven.

I would like to move fairly quickly through some of the recommendations that the committee made. The first one I would like to speak about is recommendation 7, which talks about the retaining of sections 68 and 70 of the Queensland Heritage Act. We did hear from the Queensland Heritage Council during our inquiry. They were concerned that SARA was not required to give them a call, write them a letter or find out how they felt about some of the development applications. As a committee, we thought it was a good idea that this legislation put in place a requirement for that. I would like to thank the Deputy Premier for considering that recommendation. I understand that she will be moving some amendments during consideration in detail. I thank the Deputy Premier for that.

I would like to talk briefly about recommendation 8. The committee considered that the giving of exemption certificates must be a transparent process. We heard from some of the councils that they had great concern about that. Again, we have made a recommendation, recommendation 8, that the minister look at whether local government and the chief executive should publish details about exemption certificates. I am glad to hear that the minister has accepted that recommendation and will move the necessary amendments for that as well.

Some of the other councils also raised the issue of choosing assessment managers. I would like to quote from the report. The department stated—

> What we have found over time is that many councils are looking at ways of dealing with the more straightforward and, one could call them, simple applications as expeditiously as possible.

That is why they are looking at assessment managers. The LGAC, however, stated—

> The fundamental issue is who is responsible for the decision and the consequences that flow from that decision in terms of appeals and related costs. Is the council, notwithstanding the fact that is has nothing to do with that decision, going to be held responsible or will the alternative development manager be responsible?

You can understand from the councils' point of view why they would be worried about that. The committee also heard from the EDO. I do not always take account of what the EDO had to say. In this case they said, 'Assessment managers should not be able to be chosen by the applicant.' I agree with that. They went on to say, 'At the moment this is possible in all frameworks.' The committee has made a recommendation to the minister, and I understand that she is looking at that. I do not have a note as to whether that is to be amended or not, but I am sure the minister will advise us of that in the fullness of time.

One issue that we quite heavily discussed in the committee was the infrastructure charges that might be exempt for non-state schools. The committee heard evidence from the Queensland Catholic Education Commission and Independent Schools Queensland regarding the inconsistent treatment of infrastructure charging for non-state sectors, between the provisions of the private member's bill, the bill, and the Statutory Guideline for Ministerial Designations 2015. They said—

> It was our clear understanding from consultations and discussions to date that the Bills would address this inconsistency. The Private Members' Bill Planning and Development (Planning for Prosperity) Bill 2015, Section 108, 2 c iii does address this inconsistency and is strongly supported by our sectors.

We had a discussion about that in the committee. We made the following recommendation to the minister—

> The committee recommends that infrastructure charging for both state and non-state schools should be consistent and equitable and therefore both state and non-state school providers be exempt from paying infrastructure charges where the development is undertaken through Ministerial designation.

I am happy that the Deputy Premier has told us that the government agrees with that and that amendments will be made.

The non-government members of the committee put in a dissenting report. I would encourage those opposite to have a read of it because it does lay out the other issues that we had with this particular committee report, which is basically the chair's report. Those issues revolve around the term 'standard and merit'.

The members for Mansfield and Callide have outlined the exact reason for this change in terminology. We heard from a lot of the submitters during our travels around the state and our hearings in Brisbane that they did not necessarily want to see that change, but that situation actually changed as we went around the state. We heard from some of the councillors, and in fact the Townsville City Council said—

If we have time, we would be happy to talk about three other key areas, one of which is levels of assessment. We know that was a key focus of consultation. It was code or impact, which is where it is currently settled, versus code or merit. Council has a view that we were pushing towards code or merit mainly because of some of the cultural outcomes that would change in terms of the preconceived ideas around development assessment and how that is managed.

I know most of those opposite do not really care about this. What they are really on about is undoing the good work that the previous government did. That is why it has taken an extra five months for the Deputy Premier to hit copy and paste. What are the keys on a PC? For the Deputy Premier's information, it is Ctrl-C and Ctrl-V; it is pretty straightforward. She could have just copied the whole bill, pasted it in, changed the headline and changed a few of those ideological things that she really wanted to change, and it could have been done a little bit speedier than five months. There are a lot of people out there who would have liked to have seen this in place months ago, if not years ago.

We are fortunate in that these things take time to occur, so we are seeing all of those cranes out there on the skyline. Those cranes have come at the behest of the previous government. We were the government that got out of the way of business, that got out of the way of people doing plans, that got out of the way of people building buildings. That is why we are seeing all of those cranes on the skyline out there. Unfortunately, they will soon start disappearing when this government's true colours come to the fore.

As I said right at the start, I would like to thank the member for Callide for his foresight in changing the planning laws in this state. He has done a trans—he has done an amazing job.

Ms Trad: Transformative?

Mr HART: I was almost going to say there were 'hectacres' and 'hectacres' of land that he had altered, but I thought that would break everybody up over there. I am not sure they are awake, are they? They have been a bit quiet.

I would like to thank the member for Callide for the wonderful work that he did. The member for Mansfield did not take enough credit during his speech in this second reading debate; he was heavily involved in this. The member for Southport was also heavily involved. I also mention the member for Clayfield, who introduced these bills. Finally, I mention the Deputy Premier, who took those five months to hit copy and paste but she eventually got there. She made those ideological changes that she needed to make, she finally got that bill out to a committee, we got it out the other side of a committee, we have made a number of recommendations and she has agreed with all of them. Isn't that amazing? She has agreed and the government has agreed with all of them.

I think the biggest thanks needs to go to the minister's department because the minister's department have been dragged from one place to another. They have had the member for Callide leading them down a path that was for the prosperity of Queensland, and then they have been dragged back into the Dark Ages and they have had to undo all that good work that they did. I will be supporting this bill with amendments.

Mrs LAUGA (Keppel—ALP) (9.24 pm): I feel a bit like Blackboard in *Mr Squiggle*—'Hurry up.' I rise this evening to speak in support of the government's planning bills and against the private member's bills and the opposition's amendments. The member for Burleigh has just spent a lot of time talking about how the bills are the same, but then they are different, but then they are the same, but then they are different. I really rebut that. These two bills are fundamentally different and they have fundamental differences, and I will go into detail. The member for Burleigh was talking about some of the dramatic differences being about the purpose of the bill, about ecological sustainability not being in the purpose of the opposition's bills. That is a fundamental difference between the intent of the two bills. If he cannot understand that that is a fundamental difference between the two bills—and that is just one example of how the bills are fundamentally different—then perhaps he needs to read the report again.

The Infrastructure, Planning and Natural Resources Committee recommended by majority that the planning bills 2015 be passed and that the private member's bill package not be passed. The government bills strike a good balance in terms of reform to shape Australia's best planning system right here in Queensland.

Urban planning has been influential in developing Australia's modern day cities and regions and has contributed to shaping our current settlement patterns. We want to plan with a purpose, because good planning should be the means to improve the livability, sustainability and prosperity of our state, our cities, our regions, our suburbs, our neighbourhoods and our streets. Good planning is the best way to manage urban growth, to secure necessary infrastructure investment, to determine appropriate settlement patterns for our cities and towns and to generate economic development that contributes positively to the wellbeing of individuals and communities and the natural and built environments on which we rely.

Planning contributes to more livable cities and regions by influencing the design of urban environments to create places that support the health and wellbeing of residents. This can be through planning controls that support housing choice, active transport options, access to open space and community facilities, together with other desirable features of livable places.

Planning strengthens communities, facilitates economic development and improves the choices available for where and how people live and work. Planning facilitates decision-making and helps balance private, government and community interests for future net benefit. Planning helps identify hazards and reduce risks. It also identifies and protects environmental, social, cultural and heritage values. Planning plays a critical role in ensuring that our places and spaces are planned so as to deliver on a vision for our future cities and people. Planning for the future is critical to Queensland's productivity and livability. Our Queensland cities and regions are a vital part of Australia's economy and are essential to our success as a nation. Planning is an important tool in effectively managing the numerous and rapid changes facing our communities.

The Queensland government is committed to delivering a better planning system that enables responsible development and delivers prosperity, sustainability and livability for now and into the future. To create a better planning and development assessment framework, we need to: enable better strategic planning and high-quality development outcomes; ensure effective public participation and engagement in the planning framework; create an open, transparent and accountable planning system that delivers investment and community confidence; create a legislative framework that has a practical structure and clearly expresses how land use planning and development assessment will be done in Queensland; and support local governments to adapt to and adopt the changes.

I believe that planning reform can deliver a more efficient system that supports investment and jobs, but I do not believe that this must come at the expense of community participation or the role of local government. Importantly, the Palaszczuk government has always been committed to working in partnership with all stakeholders to deliver better planning for Queensland, and I believe the Palaszczuk government has achieved that ambition.

The planning bills 2015 were introduced on 12 November 2015 to fulfil the government's commitment to delivering a better planning system which enables responsible development, stimulates growth and innovation and ensures genuine public participation in the planning process. The bills reflect the government policy position announced in the Better Planning for Queensland directions paper in May 2015 and aim to deliver Australia's best land use planning and development assessment system.

Legislative review of the current land use planning arrangements in Queensland has been underway for a number of years. In the course of review, there has been considerable engagement with stakeholders including local government, peak bodies, industry, professional and legal representatives, community and environmental groups, and the public to identify key reforms around plan making, development assessment, dispute resolution and other areas of the planning system. Planning reform over the years has been an iterative and progressive process. We said that we would keep those elements of the former government's reform that made sense but ensure that we get the balance right between community, environment and development.

One of the key points of difference between the government's bills and the private member's bills is that ecological sustainability is identified as a core purpose of the bill. Ecological sustainability is defined as a balance that integrates environmental, economic and social factors, and a large number of submitters were supportive of the core ecological sustainable principles of the bill, as am I.

The amendments to address the Queensland Heritage Council issue have been prepared on the basis of draft provisions provided by the chair of the council, Professor Coaldrake. He has indicated his support for these provisions to be included in the planning legislation rather than the heritage legislation

with a cross-reference in the Queensland Heritage Act. Also, with respect to the code and impact assessment versus standard and merit assessment debate, the committee recognised that there are sound arguments for each pair of terms for the categories of development.

Nevertheless, to minimise the changes for stakeholders, the committee was of the view that the planning legislation should retain the terms 'code' and 'impact' rather than move to 'standard' and 'merit'. Having worked as a planning consultant for many years, I can speak from experience that I believe the community and industry have all become accustomed to the terms 'code' and 'impact' over the 18 years since the introduction of the Integrated Planning Act in 1997. It is my view that the proposed changes would only serve to undo all of that work in building awareness of the existing code and impact categories of development.

The committee was of the view that there is merit in making details about exemption certificates available to the public. We made a recommendation that the minister require local government and the chief executive to publish details about exemption certificates they give, and I am pleased that the government has agreed to adopt this recommendation.

The committee acknowledged that the introduction of chosen assessment managers may benefit some stakeholders, but we were concerned about some of the issues raised by submitters in respect of this change. We recommended that these issues, particularly those regarding transparency of decision-making and the liability for decision-making, be addressed.

The bill provides that an assessment manager must approve a code assessable development with a presumption in favour of approval. Some stakeholders were in favour of the presumption while others sought to have the provision amended. The committee supported the inclusion of the presumption in favour of approval because we believe it is essential for the efficient operation of the planning system and to ensure that the new framework is able to achieve its desired outcomes.

The committee supports the bill facilitating greater transparency and consultation. The committee acknowledged the importance of community engagement and that members of the community who seek engagement in regard to local planning and development matters are not usually planning and development professionals and so they do not have the time or the resources to act as a watchdog for all community interests. As a result, the committee has urged the department to continue to improve the access and ability for community consultation and engagement to minimise community concerns.

The committee supports transparency and accountability in decision-making. Nevertheless, we recognise that some local governments may not currently have the resources to meet the new publication requirements relating to notices about development application decisions. We recommend that the department continue to consult with local governments regarding the commencement and content of these provisions with the objective of providing transparent and accountable decision-making.

Also, the committee heard evidence from the Queensland Catholic Education Commission and Independent Schools Queensland regarding infrastructure charging. As a result of the QCEC's and ISQ's representations, the committee recommends that infrastructure charging for both state and non-state schools should be consistent and equitable and, therefore, both state and non-state school providers be exempt from paying infrastructure charges where the development is undertaken through ministerial designation, and I am pleased that the government has moved amendments to that effect.

The majority of the committee supported the court costs provision of the Planning and Environment Court Bill, which directs that each party pays its own costs for proceedings, which includes frivolous and vexatious proceedings. The majority of the committee is satisfied with the department's advice that the proposed cost provisions in the P&E Court Bill will provide the right balance between people exercising their legal rights without the fear of costs being awarded against them whilst also providing protection against frivolous and vexatious proceedings. The court costs provisions of the government bill address the fear of individuals as well as resident and community groups, of having costs awarded against them, and this will support community participation in planning and development matters. I support the ability of the court to award costs in circumstances where the court considers the proceeding to be frivolous or vexatious.

I have had clients in the past where developers have used the awarding of costs as a tool to obtain an advantage over them. It is a case of David and Goliath—a contest where a smaller, weaker opponent faces a much bigger, stronger adversary with bulging legal budgets. Tonight, I support David, the mums and dads, the little guy who should not be afraid of appealing a development on the basis of a risk that they may have to pay their opponent's legal fees. The opposition is pandering to big business, who love cost provisions because they can use it against opponents who are sensitive to the cost of appeals in the court. That is not in the spirit of the rule of law.

The suite of government bills will influence how our society will look into the future and will set the framework for how we proactively address the challenges that we face on that journey into the future. Australia and, indeed, Queensland is faced with some major challenges into the future. Demographic change of our society, the scope and direction of technological change, changes in the global economy, the future of work including where we work and how, and the prospect of climate change and resource scarcity are all important issues which planners are already working on.

The planning and financing of significant infrastructure to enhance the efficiency of transport and energy networks and ensure water and energy security is an essential component in the growth of efficient and productive cities and regions. Cities and regions require both economic and social infrastructure in order to be prosperous and livable. Transport, water, energy and telecommunications infrastructure will continue to play a key role in supporting the economy.

The Palaszczuk government is committed to planning and delivering infrastructure across the state. The State Infrastructure Plan, released in March of this year, outlines a new strategic direction for the planning, investment and delivery of infrastructure in Queensland. I commend the work of the Deputy Premier to deliver the plan, which not only sets a clear vision for the future with an approach to infrastructure planning and prioritisation that articulates how we will respond to key opportunities and challenges facing Queensland but also provides certainty through a program of investment over the next four years and outlines future opportunities in order to encourage innovation and ideas from industry. To support the implementation of the State Infrastructure Plan, the Palaszczuk government has made an initial investment of $500 million in a state infrastructure fund. Once enabling economic infrastructure is in place, investments in social infrastructure like schools, hospitals and emergency services are necessary to maintain the livability of communities.

I would like to thank my colleagues on the Infrastructure, Planning and Natural Resources Committee—in particular, the chair, the member for Mirani, and the secretariat for their support. I also thank all of the witnesses who appeared before the committee, including those at the regional hearings. The committee held regional public hearings in Cairns, Townsville and Mackay in January, and in February a public hearing was held in Brisbane. I also thank all of the individuals and organisations who took the time to make submissions in respect of the bills. The committee received 127 submissions from stakeholders across Queensland and from across the sector.

It is no secret in this place that planning is a passion of mine. Planning matters and planners make a difference. Planners help manage change on a local, regional, state and national scale. Planners develop policy, identify and deliver agreed community outcomes, often in politically charged environments. A planning framework means nothing without the planners who activate it.

I would like to pay tribute to the planners across Queensland who on a daily basis contribute to solutions through encouraging vision, actively engaging and listening. I acknowledge Associate Professor Phil Heyward, a great friend and colleague of mine who is watching the debate on the online broadcast tonight. Phil has dedicated his life to the community through planning, and I thank him for all his work. I also acknowledge the hundreds of planners who are at the Planning Institute of Australia 2016 national congress here in Brisbane this week and who are currently enjoying the congress welcome function tonight. For those who have travelled from around the country and the world, we welcome you to Queensland. To planning students, young planners and experienced planners, thank you for the work that you do. Queensland is grateful for your passion, dedication to better outcomes and expertise in planning Queensland's future together with our communities and industry.

I commend the government bills to the House; I do not support the opposition's amendments.

Hon. KJ JONES (Ashgrove—ALP) (Minister for Education and Minister for Tourism and Major Events) (9.40 pm): I rise in support of the Planning Bill 2015 and the delivery of a more robust planning framework in Queensland. I thank the Deputy Premier for her work in this regard and particularly for listening to concerns raised by local residents right across Queensland—and, indeed, in my own community—about some of the changes that were made to planning laws. In my electorate of Ashgrove an increasing number of residents have raised concerns with me about the Brisbane City Council's plans—or lack thereof—for our area. The Gap in my electorate is one of the largest suburbs in Queensland and it continues to grow, while older suburbs like Ashgrove and St Johns Wood have heritage value and character homes. We have seen a number of problems in Ashgrove concerning the lack of transparency around council decisions on development applications, which is a concern that has been raised with me by local residents.

As a consequence of a lack of forward planning by the LNP council, The Gap is one of the few areas in Brisbane that is still without a local plan. There is no neighbourhood plan in our local community, and some areas like St Johns Wood do not have any character or proper heritage

protection. This has resulted in developers getting applications approved that should have been considered more thoroughly and included more community consultation. The lack of transparency around development decisions has led to confusion and frustration in our local community because of the lack of a local plan. This disregard for genuine community consultation is something that is becoming more of an issue as we are starting to see a change in development in our local area.

While I do welcome moves by the council, who say that they are going to move towards having a local plan for The Gap, the council is now saying that will not be in place until 2018. There is a lot of concern in the local community that leading up to 2018 there will be an acceleration of development applications within our local community, and I am using this opportunity here tonight to say that a number of local residents have been lobbying me and the local councillor to call on the Lord Mayor to introduce a temporary local planning instrument to protect the character and green space in our local community until such time as that local plan comes into place and there is proper robust and thorough consultation with our local community on that local plan.

In addition to that, the bill before the House takes a number of steps that will help ensure that that local plan is one that will be taken seriously and will be accounted for in decision-making locally. There are a number of things that have been amended in this bill that will strengthen the opportunity for local residents to have their say and to be genuinely listened to. In my time since I was first elected in 2006 until now, inconsistency in local decision-making until now has changed. There is much more frustration in the local community and much more confusion about the appropriateness of decision-making by the local council, so any measures that this bill can put into place to provide confidence in our planning process are welcomed. In the time available I want to draw attention to a number of changes to highlight how I think this will be strengthened.

If this act is passed, for the very first time decision-makers will be required to publish reasons for approvals. This will lift the veil of secrecy which many local residents feel is there when things are approved which seem completely inconsistent with the local area. Over time I think this will change the way that we look at planning with regard to having more consistency and transparency, so I welcome this amendment. It is also delivering on our election commitment to clearly reinstate community appeal rights without the fear of having costs awarded against them. I think this is a fundamental requirement in any fair legislation, and I thank the Deputy Premier for delivering on this election commitment which was key to Labor's election policy.

Mr Ryan: Hear, hear!

Ms JONES: I take interjection from the member for Mt Coot-tha, my neighbour, because I know this is something that his constituents have raised with him as well. The new bill will mean that stricter decision-making rules will be required on councils when it comes to code assessable development. As we know, around 80 per cent of development in Queensland is code assessable. As the Deputy Premier remarked, it no longer provides the opportunity for councils to look outside the code for higher order reasons to justify their decisions. Most importantly, it will mean that local plans matter and councils will be required to be accountable for the local plans in their local communities.

This is the confidence that local residents are looking for in their planning laws. They want to know that, when they go through that two-year consultation phase on a local plan, what they end up with is what will be implemented in their local community. That is exactly why Cedar Woods became such a big issue. There was a local plan in place after two years of consultation, and then what was approved by the council was completely inconsistent with what was in the local plan. Residents were not only confused but angered. They made decisions about purchasing property—major decisions regarding their wealth and investments—based on a local plan that was just torn up in their faces. With regard to the heritage provisions, I want to thank the Deputy Premier for listening to a number of local members of parliament, including me, who made representations to her—

An honourable member interjected.

Ms JONES: I did!—about the heritage provisions and reinstating them post the Newman government coming in and removing them. I worked very closely with Peter Coaldrake, the chair of the Heritage Council, when I was the environment minister. He is a friend of mine. I think that this is absolutely the right thing to do and I welcome these changes, particularly when you look at some of the heritage properties that we have in our communities.

With those words I would like to think that this will give confidence to local residents to have more belief in what their local plan is. Fundamentally local planning and local decision-making is the responsibility of councils, but what local residents expect is that the local plan that is developed by the local council in consultation with the local community is one that will be retained and respected, and that is exactly what this legislation works towards enforcing. I commend the bills to the House.

Mr MILLAR (Gregory—LNP) (9.47 pm): My contribution to the planning bills will be very short. First of all, I would like to acknowledge the chair, Jim Pearce, the member for Mirani; Michael Hart, the member for Burleigh—and I wish him all the best in his new role as shadow minister—Brittany Lauga, the member for Keppel; Joan Pease, the member for Lytton; and Shane Knuth, the member for Dalrymple who are on the committee. I would like to acknowledge Glenn Butcher, the member for Gladstone, who was on the committee. This is obviously my last opportunity to speak on these issues as a member of the committee, because I have moved to the Finance and Administration Committee. I am looking forward to working with the members on that committee, and it is a great opportunity for me to look at some different issues.

I would also like to pay tribute and thank the administration for the support that we received on the Infrastructure, Planning and Natural Resources Committee: Jacqui Dewar, the research director; Margaret Telford, principal research officer; Mary Westcott, principal research officer; Marion O'Connor; Dianne Christian, executive assistant; and Erin Pasley, who used to be our research director and who is here tonight. I do acknowledge her and thank her for all the patience she has had with new members of parliament getting used to what the committee system is all about.

I know that a significant amount of effort and work has been put into these bills. The very fact that we are debating these bills here today can be directly attributed to the work of the member for Callide, who was the previous planning minister. We have to acknowledge that back in 2012 when the member for Callide became the planning minister he walked into this portfolio and found what we could probably say was a bit of a mess. It was planning which was arduous, it was all over the place and it was stifling opportunities, development and jobs.

I acknowledge the member for Callide, the former minister for planning, for being prepared to take this forward to make sure we have a planning system that is going to work in Queensland, that is going to create jobs and that simplifies matters to ensure development opportunities and job creation opportunities are not missed. I also acknowledge the involvement of the member for Southport in this process. He should be acknowledged as a person who really got into it and made sure we progressed some way of going forward.

This all started back in 2012. As members know, we needed reform. The Sustainable Planning Act was overregulated, with a planning system that stifled development instead of stimulating it. Planning was seen as a critically important issue for industry groups and everybody across Queensland. That is why the LNP opposition undertook the work to get the reform process started again, by introducing a suite of private members' bills in June last year. On top of this mountain of work, I acknowledge that the Deputy Premier and the Labor government had started their own process of consultation. This culminated in a package of planning bills being introduced by the Deputy Premier in November last year. That is when the committee process began and where the committee members came in.

The bills seek to replace the current planning legislation by creating new framework legislation. Basically, the rights, roles and responsibilities are embedded in legislation, which is subjected to parliamentary scrutiny. Some stakeholders had the view that, instead of overhauling the system by implementing new legislation, reform could be achieved through a structural review of the existing legislation. However, the LNP opposition supports the view of the department that there are a range of factors to be addressed and that, if all of the elements were to be done by an amendment to the Sustainable Planning Act, any amending act would be long and complicated, with many of the foundational elements of the SPA remaining the same.

The objective of the bill is to deliver better planning for Queensland by enabling better strategic planning and high-quality development outcomes; ensuring effective public participation and engagement in the planning framework; creating an open, transparent and accountable planning system that delivers investment and community confidence; creating legislation that has a practical structure and clearly expresses how land use planning and development assessment will be done in Queensland; and supporting local governments to adapt to and adopt the changes.

Through the committee process concerns were raised around transition arrangements, both the time frames and the cost to councils for transitioning to the new system. That was something I took a lot of notice of, because there are a lot of bush and regional councils that will have to adapt to this new planning process. They do not have a lot of funds as their rates base is very small. They rely on federal and state funding as funds are very scarce. The LNP opposition understands the concerns of councils, particularly small councils, who are worried about the cost of these changes. That is why we have always showed our support for the funding identified in last year's state budget of around $60 million to support the transition.

It is also intended that the bill will commence no less than 12 months from assent to provide time for local governments to examine and update their schemes and adapt their development assessment systems. This is important because small bush councils have to have the ability to adopt and transition to the new planning regime. They need time and support. I suspect that the government understands—the opposition certainly understands—that these councils need every assistance. I think especially of the small councils such as those in the electorate of Gregory: Barcoo, Barcaldine, Longreach, Quilpie, Woorabinda and Central Highlands. Those councils do not have a large rates base. They have limited funds and they need the opportunity to implement these changes.

I thank those councils from all over Queensland which submitted to the committee and participated in those regional meetings. We saw councils from all over Queensland. I certainly appreciate the way they were willing to come forward and help us understand where they were coming from and guide us in making sure we get this right for all councils across Queensland.

I pay tribute to the shadow minister, a person who is well known and well acknowledged as someone with great understanding of planning laws. He certainly plays a significant role in making sure we get this right. I also commend the member for Clayfield, who was the shadow planning minister and is now the Leader of the Opposition, for putting through those bills. I certainly enjoyed my time on the committee. I look forward to working with the new committee and look forward to seeing these bills passed.

Ms PEASE (Lytton—ALP) (9.55 pm): I rise to speak in support of the Palaszczuk government's planning bills. I thank the committee chair, Mr Jim Pearce, my fellow committee members and the secretariat. I particularly thank the government members and non-government members for their support and guidance during my time on the committee. I will miss you all.

These bills will protect our state heritage places, will provide a simpler and more efficient planning system, will change the provisions for appeals, will ensure greater transparency and accountability, will deliver information about decisions on development applications, will provide automatic indexation for infrastructure charges and will increase public notification periods for making and amending statutory instruments in the bill.

The planning bills 2015 were introduced to fulfil our government's commitment to delivering a better planning system which enables responsible development, stimulates growth and innovation and ensures genuine public participation in the planning process. These bills will ensure that Queensland will have Australia's best planning system, with the purpose to improve livability, sustainability and prosperity for our state.

I have spoken in the past regarding the importance of protecting heritage places in Queensland. State heritage places have cultural heritage that is significant to the people of Queensland and reflect our history and development. The planning bills 2015 include a provision to include the role of the Queensland Heritage Council. During the consultation undertaken by the Infrastructure, Planning and Natural Resources Committee, the Queensland Heritage Council requested a formal role in applications which proposed the demolition or substantial demolition of a state heritage place.

The Deputy Premier has pointed out that the government has already put in place non-legislative arrangements to provide a formal role for the QHC in development assessment. These arrangements came into effect on 22 April 2016 through the state development assessment provisions, which set out the assessment criteria for development applications involving a state heritage place. These heritage places illustrate key human endeavours that have determined our economic development as well as the fundamental political, social and cultural forces that have shaped our society. That is why I am pleased with the additional legislative amendments that will bring protection of state heritage places into the Planning Act and recognise the role of the Queensland Heritage Council.

These bills seek to replace the current planning legislation, which is complex, with over 700 pages which are hard to understand and navigate, with information difficult to find, and processes and obligations hard to clarify and follow. The government made a commitment to restore the rights of communities, residents and individuals to object to developments without the prospect of harsh financial penalties. The Planning and Environment Court Bill 2015 honours our election commitment to return the position that each party pays its own costs. Submitters who have a genuine concern about a development approval and who wish to exercise their rights in court will no longer need to fear the awarding of costs against them.

Further, the bill recognises the importance of deterring court proceedings by vexatious litigants or those looking to gain commercial advantage by using the system inappropriately, and the court will continue to have discretion to make an order of costs for frivolous or vexatious proceedings or for an

improper purpose such as an appeal to delay or obstruct a commercial competitor. This bill strikes the right balance between deterring vexatious or commercial competitor litigants and providing submitters with genuine concerns about a development approval the ability to exercise their legal rights without fear of cost orders.

These bills deliver on the Palaszczuk government's election commitment and will ensure that Queensland has the best planning system in Australia by providing a legislative framework that is good for the environment and our heritage and that protects those things we love about our communities and our neighbourhoods. I congratulate the Deputy Premier on the bills and I commend the bills to the House.

Hon. MC de BRENNI (Springwood—ALP) (Minister for Housing and Public Works) (9.59 pm): I rise in support of the Planning Bill 2015 and associated legislation. It should not be understated that as a result of this bill Queensland will have Australia's best planning framework and, as the Deputy Premier stated, planning matters. We will have a more efficient and transparent system—a system that supports jobs and investment but not at the expense of community participation. It is a framework that allows us to act with purpose, to increase livability and to increase sustainability across the state.

As housing minister I know as a state we cannot afford just to stand still. With a population that is both ageing and growing, we cannot just shut our eyes and hope for things to stay the same. We are all aware that there are risks to housing affordability, to congestion and to infrastructure if we do not accept that there is a need to change the shape of our cities and our towns over time. I note the member for Callide claimed that the proposed laws increase building costs. I have been listening to the housing industry for months about the costs of building and housing affordability, and not once has it raised that our reforms could increase the cost of housing. Our response to the housing affordability challenge should never be to simply declare open season on development. We have to encourage and foster good development—development that works to improve and rejuvenate communities and the lives of the people who live in them. People have a right to have a say about their communities and the bills before us will focus planners and developers on setting a compelling vision for what the future of our towns and cities should look like, and they will better allow communities to be engaged in this conversation.

As we know, the complexity of the legislation that these bills will replace bred unintended consequences. The Sustainable Planning Act had focused planners on process rather than quality development outcomes. It was not focused meaningfully on engaging communities and making local plans or providing an avenue for disputes to be resolved fairly. It incentivised finding faults and loopholes and avoiding responsibility. Our community is eager to see innovation. It is eager to see creativity rather than trickery. The old model of planning is creaking loudly as our population grows. These planning bills will set a framework for Queensland to rejuvenate and build world-class communities and will facilitate an era of planning focused on livability, sustainability and better connected communities.

Importantly, these bills usher in new levels of accountability and transparency. They will require councils and states to publish the reasons for decisions on these applications. People will have more time to get involved in plan making, with an extra two weeks required for notification changes. The changes that the LNP made in this regard were emblematic of the entire approach of the Newman-Nicholls government. We, on the other hand, are a government that meets with people. We are a government that consults with people. We are a government that listens. As I have said before, when you listen to people you hear things. Some people we talk with agree with us and some do not, but we still need to have the conversation and at the same time it is important to understand the facts, which is why the publication of approval reasons will be welcomed across communities.

The government run by Campbell Newman and the member for Clayfield were out to silence anyone with a contrary opinion. All attempts to silence legitimate community voices and the measures they brought in introducing the threat of adverse cost orders is just another example. We live in a democracy. People should be able to have a say in what goes on in their communities and they should be able to access the courts. I am very proud to be part of a government that is increasing transparency and restoring these community rights.

As speakers on this side of the House have said, this is a set of very good bills that will create a more responsive planning system. Retention of the 10-year reviews of planning schemes will also keep development in our community contemporary. These bills will reduce complexity and give clarity to all parties involved in planning. They will restore community rights to once again meet the expectations of the Queensland community. I know the community I represent will welcome the use of ecological

sustainability where it balances social wellbeing and adverse impacts on climate change. These bills provide the right incentives for planners, councils, governments and developers to aim higher and build the sort of sustainable and livable communities that will support a bright and prosperous economy. I once again congratulate the Deputy Premier and her team on this new nation-leading suite of planning bills. I commend them to the House.

Ms LINARD (Nudgee—ALP) (10.04 pm): I rise to speak in support of the government's planning bills and the simpler, more efficient planning system they will enable but, most importantly, I rise to speak in support of the greater transparency that these bills will provide to the people of my electorate and across Queensland with regard to the assessment of development applications. The current planning legislation is overly complex and difficult to navigate. Experienced planners comment that it takes years to understand the complexity of the framework and become proficient in its use. What hope, then, is there for the community and those outside of the planning profession?

The government's Planning Bill will ensure an unprecedented level of transparency and accountability of development decisions, with assessment managers required to publish the reasons for their decision on every application. Communities want to understand why development decisions are made. They want to understand what the decision maker considered in assessing an application, how these were considered and ultimately why the decision was made. Music to my ears is that code assessment has been tightened under the bill and will be a bounded assessment. What this should mean in practice is that development proposals should better match expectations set in schemes. What it should mean is that development assessments that clearly and significantly depart from the code are minimised and what it should mean is that communities like mine experiencing significant development should not see proposals approved that do not match expectations set in schemes.

These two amendments—the requirement to publish the reasons for decisions and the bounded nature of code assessment—will, I hope, assist my community to have the greater transparency and accountability of development decisions that they deserve and stop the disingenuous practice of local councils blaming the state government for their unpopular and poor development decisions. When certain local councillors—I know I am not the only state member to experience it; my colleague the member for Brisbane Central has the same issue—are approached by concerned, frustrated or angry members of the community about inappropriate developments that do not meet the expectations of local plans and planning schemes, they quickly say, 'The state government made me do it.' The bounded nature of code assessment under the bill will ensure decisions are based on the content of the code rather than inappropriately justified by relying on some vague or largely irrelevant statement from another part of the planning scheme to justify its approval, and it will stop the practice, or at least call it out for what it is, of particular councils blaming the state for their poor planning decisions.

I raised the issue of development in my community during my maiden speech. Good planning is good for economic development, for investment, for jobs and for quality of life, but it must be sustainable. Significant high-rise developments in both Nundah and Chermside, parts of which are in my electorate, are causing significant concern and issues in local suburbs owing to flawed planning and a lack of foresight for the provision of adequate council infrastructure and parking particularly. I said then as I say now: a fine balancing of community and development interests is required, and I will continue to look for every opportunity to work with all levels of government to address these concerns on behalf of my community.

Our bills place a much stronger focus on the community's role in the planning system. They provide the community with more time to contribute to the plan-making process, with an additional two weeks being required for the notification of planning changes. They ensure an unprecedented level of transparency and accountability of development decisions and they encourage the community to have their say on developments that affect them in their local communities and across the state. I commend the bills to the House.

Debate, on motion of Ms Linard, adjourned.

MINISTERIAL STATEMENT

1770, Search and Rescue Operation

Hon. WS BYRNE (Rockhampton—ALP) (Minister for Police, Fire and Emergency Services and Minister for Corrective Services) (10.07 pm): I rise to make a short ministerial statement. The facts I am about to present are advised to me as the situation is presently. The Queensland Police Service has been coordinating a search and rescue operation following a fire on a tourist catamaran at sea

approximately 10 nautical miles east of the Town of 1770. At around four o'clock this afternoon the commercial vessel caught fire with 46 people, including crew, on board. At 4.30 the vessel was abandoned and all passengers and crew were placed into life rafts. The Gladstone Water Police responded to the surface rescue with the police vessel *PG Kidd* while the Australian Maritime Safety Authority reacted by sending a helicopter and fixed-wing aircraft. I am pleased to advise that based on the present advice all passengers have been accounted for.

Honourable members: Hear, hear!

Mr BYRNE: They were transferred to various boats and arrived at the Town of 1770 in the Gladstone Volunteer Marine Rescue vessel and two private vessels. I am advised that, while there are no reports of injury at this time, some seasickness and exposure to the elements can be expected. Life rafts are being recovered and the search and rescue coordinator will stand down when all rescue vessels have returned to port.

The Queensland Police Service and Maritime Safety Queensland have been in regular contact with us this evening and with each other. I spoke earlier to the volunteer marine rescue staff in Gladstone. The volunteer marine review vessel from Round Hill was first on the scene and stayed with the life rafts.

This week is National Volunteer Week, and this incident and the swift response reflects the great value of all of our volunteers who keep Queenslanders safe. I take this opportunity to wish the passengers well after their ordeal and to thank the officers who took part in this combined agency response to bring those passengers and crew to safety.

PLANNING BILL

PLANNING AND ENVIRONMENT COURT BILL

PLANNING (CONSEQUENTIAL) AND OTHER LEGISLATION AMENDMENT BILL

PLANNING AND DEVELOPMENT (PLANNING FOR PROSPERITY) BILL

PLANNING AND DEVELOPMENT (PLANNING COURT) BILL

PLANNING AND DEVELOPMENT (PLANNING FOR PROSPERITY—CONSEQUENTIAL AMENDMENTS) AND OTHER LEGISLATION AMENDMENT BILL

Second Reading (Cognate Debate)

Planning Bill, Planning and Environment Court Bill and Planning (Consequential) and Other Legislation Amendment Bill resumed from p. 1728, on motion of Ms Trad, and Planning and Development (Planning for Prosperity) Bill, Planning and Development (Planning Court) Bill and Planning and Development (Planning for Prosperity—Consequential Amendments) and Other Legislation Amendment Bill resumed from p. 1728, on motion of Mr Walker—

That the bills be now read a second time.

Mr MOLHOEK (Southport—LNP) (10.10 pm): It is my pleasure to rise in the House tonight to speak in respect of these bills that are before the House. I want to say how relieved I am that we are finally debating what was originally the planning for prosperity bill, which was all about establishing a new planning act to simplify planning arrangements. Tonight, we have heard a lot of rhetoric about neighbourhood disputes and people's concerns about neighbourhoods. Earlier, the member for Springwood said that this is a government that meets, listens and consults. I can tell members that the former deputy premier, the former assistant minister for planning, Ian Walker, and I spent a lot of time consulting and travelling all over Queensland. We conducted 30 workshops in about 12 months with, on occasions, up to 100 participants from all sorts of industry groups from across the state. I can recall visiting 20 regional centres across Queensland and meeting with local planning groups, local councils, local community groups and local action groups. I was out there listening to the people of Queensland. I heard what they had to say about the current planning legislation.

I can tell members that back in 2012 we inherited an absolute basket case. We had a planning system that put layer upon layer of cost and unnecessary regulation and delay over every land assessment approval and over every development approval. The cost of that, which was put on the cost of building houses, was absolutely unsustainable.

Tonight, I rise to speak in support of the bills that the LNP introduced. Some 3½ years we began work on those bills. Their primary purpose was to drive down the price of land to make housing more affordable, to streamline the development assessment system and to restructure planning legislation to remove superfluous procedures, detail and redundant provisions. Frankly, previously we had a planning act that the people of Queensland could not afford. This legislation is not about us. This legislation is not about our generation—and I note that most of us here are in that 30- to 54-year-old age group. This legislation is about providing a future for our kids so that our kids can afford to have access to sustainable housing, so that our kids can have access to housing that is well located. Most importantly, this legislation is about making sure that we have a planning system that supports affordability.

I note that the planning minister spoke earlier about the need to meet and consult, and referred to the fact that housing affordability is so important. Yet in Logan we have seen delay after delay in a major revitalisation of public housing and the opportunity to build new affordable housing and develop housing to help make the whole project self-funding so that thousands of people in South-East Queensland can have access to housing with support from the government. Again, we see this Labor government frozen at the wheel, conducting review after review. I note that it has been 14 months since Labor came to government and we have had to labour over this legislation. I am pleased that we are finally debating it, because the people of Queensland deserve to have planning legislation that will speed up the planning process and, in the process, reduce unnecessary costs.

This issue is not just about the development assessment processes, property developers and other people wanting to make a buck; it is about councils throughout this state. Earlier, we heard the member for Burdekin talk about some of the smaller councils in regional Queensland that, as a result of the previous legislation, were required to make a new town plan every five to 10 years whether they needed one or not. But we had the crazy situation in places such as the Gold Coast where areas were growing rapidly and the Gold Coast City Council was tied to a plan and there was no flexibility to make changes as needed through temporary planning instruments and other instruments so that it could adapt to the changing marketplace and the demands of the market at that time.

I am pleased to have been part of the previous LNP government that commenced this planning process. Earlier, we heard the former deputy premier speak about the fact that we inherited 14 separate planning policies and departments fighting between themselves, point-scoring over ridiculous minutiae, which made it difficult for councils, developers and the industry to understand the requirements that the government wanted them to meet. The former LNP government undertook a significant review of the Queensland planning provisions. Earlier, we heard the former assistant minister for planning and now the shadow Attorney-General talk about the introduction of SARA—the State Assessment Referral Agency—which was a great initiative that won both state and national awards. That agency was about getting the process moving. It was about unblocking the gridlock that was caused through 14 different state government departments fighting with each other.

There were challenges that came with a planning act that was subordinate to a regional plan, that was not quite sure how it interrelated with the planning provisions. Not only were the development industry and mum-and-dad applicants confused about what was required but also the legislation itself was quite confusing and somewhat onerous. We had legislation that was subordinate to planning provisions that were brought in after the legislation. It was an absolute basket case.

I say again that I am so pleased that we are finally here tonight, after some 3½ to four years of hard work. We have seen further delays over the past 14 months, but Queenslanders deserve to have better planning legislation. Queenslanders deserve to have legislation that is simpler, succinct and contains much cleaner and simpler assessment procedures. Previously, there were seven different areas of assessment. The legislation that we have introduced streamlines those procedures down to four or five, making that process much simpler.

In my time as a member of the Gold Coast City Council as chair of finance and a member of a number of committees in that boom period from 2004 to 2008, I cannot tell members how frustrating it was trying to get amendments to the town plan and having to go through state interest check after state interest check only to have the documents returned, only to have to revisit them again, causing further delays. I can tell members that some of those delays, particularly in respect of the review of infrastructure charges, cost the Gold Coast millions and millions of dollars in lost revenue while people

in Brisbane sat on their hands, delaying the state interest reviews into infrastructure charges at a time when construction costs were going up at some 14 per cent to 20 per cent per annum. In the space of two years we saw planning and assessment costs on the Gold Coast go up from $19 million to $43 million for no reason other than just trying to tap dance through the myriad changes and layers of increased bureaucracy and requirements that came from the previous state Labor government.

I am pleased that we are finally here, that we have legislation before us that we can consider that will simplify the planning processes for Queenslanders, that will be about driving forward one of our most important industries, the construction industry, and that will position us to take advantage of the growth that is yet to come as we see more and more interest in Queensland as a great place to come to live, to work and to play. I cannot stress enough the importance of these reforms.

As we have previously heard, the new legislation is all about better strategic planning for councils. It is about ensuring effective public participation and engagement—there has been plenty of that over the last few years—and it is also about creating an open, transparent and accountable planning system that delivers investment and community confidence. Above all, it is about getting Queensland going. It is about supporting our local economy. It is about making housing more affordable for generations to come and providing jobs for our young people.

Hon. G GRACE (Brisbane Central—ALP) (Minister for Employment and Industrial Relations, Minister for Racing and Minister for Multicultural Affairs) (10.20 pm): I rise to speak in support of the bill and welcome, on behalf of the residents of Brisbane Central, legislation that will create a simpler, more efficient planning system that will enable communities, councils and industry to shape the future of their suburbs and streets. It will deliver greater transparency and accountability for decisions about development applications and tighter decision rules for councils. The bill will give residents their voices back, the voices that they lost in the planning process, and support responsible development in the community that will take into account the changing face of our suburbs, communities and environment.

We welcome the assessment process, which will be more streamlined. The bill will provide genuine public participation and engagement in the planning process by outlining minimum public notification time frames for plan making and development assessment and works towards protecting our environment. The bill will introduce new clearer decision rules for code and impact assessable applications. Code assessment has been significantly tightened and must be carried out only against assessment benchmarks such as a local government planning scheme or the planning regulation. The loophole to go outside the code, which is one of the biggest complaints that I get from residents, will be closed. Industry will have greater certainty as the bill will make it clear that 'code' means 'code'. Applications for code assessment will be decided within the expectations of the community which will be established at the plan-making stage. Currently there is no public consultation for code assessment and this bill introduces that.

This bill will require decision-makers for the first time to publish a notice with their reasons for approving and refusing development applications, therefore providing further transparency measures. I was astonished to hear that the only person who had to deliver reasons was the minister, the Deputy Premier, and no other person had to do so. This turns that on its head and gives residents the reasons they make the decisions that they make. This will help the community understand what matters the decision-maker considered in assessing an application, how these were considered and the reasons for the decision. I know my residents of Brisbane Central want that more than anything. The reinstatement of appeal rights for objectors will also be a feature of this bill so that they are without fear of cost orders against them.

I congratulate the Deputy Premier on providing stronger protection for places which have a cultural heritage significance and for including the provision for the role of the Queensland Heritage Council to have a say in decisions about the demolition or substantial demolition of a state heritage place. This legislation takes a balanced approach to planning, it gives residents back their voice, it gives the reasons for decisions that are made, and 'code' means 'code'. I commend the bill to the House.

Ms FARMER (Bulimba—ALP) (10.23 pm): I rise to speak in support of the government planning bills and oppose the private member's bills. Certainly, the planning legislation has required change for some time but by the end of 2014 what the people of Queensland were faced with was planning legislation that was so skewed that in fact it would have given developers the ability to put a development application over someone's property without even their knowledge. That is why we have had to spend so much time with this government consulting and making sure that what we have now is going to work for everybody. In the electorate of Bulimba progressively people have been waking up and realising that there were buildings next door to them that were more storeys than they thought they were going to be, that impinged on their property more than they thought they were going to and that

their streets were suddenly more dense that they were ever expected to be. They did not know from one day to the other what the Brisbane City Council was going to do, what decision they were going to make even though there was a planning scheme in place. In fact, Brisbane City Council has been approving things left, right and centre that did not comply with the city plan. It is as if developments were approved depending on how the chair of planning got out of bed in the morning. For example, the old ABC site that was supposed to be 15 storeys under the city plan, Brisbane City Council approved three towers, two of them 24 storeys and one 27 storeys. This has been happening all over Brisbane and it is affecting residents, their amenity, public transport, public space and community facilities and it just had to stop.

This new legislation will give people their voices back. It will promote genuine community engagement and practical approaches to consultation. It will be a system that is open, transparent, fair and accountable. Queenslanders once again will be able to legitimately challenge a decision in the Planning and Environment Court. I want to pay tribute to the many, many, many hundreds of local residents in the Bulimba electorate who have taught themselves how to be lawyers, who have put in thousands and thousands of dollars to put appeals into the Planning and Environment Court and who have gone through the most incredible personal stress. This legislation is for them so that there is some fairness and integrity back in the system. I commend the bill to the House.

Ms HOWARD (Ipswich—ALP) (10.25 pm): I rise to speak in support of the planning bills. In Queensland the current planning and development assessment system is the Sustainable Planning Act 2009. This act, at over 700 pages in length, is a complicated quagmire that is difficult to navigate and in which locating useful information can be a bit like finding a needle in a haystack. Despite this, there are elements of the act that I and many stakeholders agree are very sound. The planning bills have been developed to provide Queenslanders with a system that will provide better local planning in the development of a proactive community consultation system. This has been a matter of particular concern for our government and I am proud to be able to stand here and promote a bill which allows all members of Queensland's community access to a planning system that provides more transparency, tighter rules for councils and greater certainty about development.

The opportunity to critique and evaluate proposals is something that we as members of parliament have the chance to do nearly every parliamentary sitting. Whether it be in a committee discussion or on the floor of parliament, the ability to question, evaluate and decide on matters is something that we should never take for granted. That is why I believe it is imperative that our constituents and their communities are provided with the same opportunities that we have here to play active and effective roles in the plan-making process. This bill allows us to achieve this in a number of ways. Local government planning schemes must now provide a minimum of 40 business days for a proposed planning scheme and 20 business days for a proposed amendment. In a similar vein, the 40 business day minimum for the creation of new instruments will now be the standard alongside a 20 business day minimum for amending an instrument. Finally, regional plans must have a 60 business day minimum public notification period for their making and a 30 business day period for their amendment.

These consultative periods, which are an improvement on the previous 30 business day public notification period for making a planning scheme, will provide communities across Queensland with the opportunity to actively engage in the planning process to a larger degree than ever before. This is reflective of the people of Queensland's desire to have a more active part in the planning of their state. I applaud the Deputy Premier for listening and taking into consideration the needs of our constituents. There will be instances, however, where there is no need for public notification. The situations where no public notification is given are referred to as code assessment. Code assessment in the past was loosely regulated and could potentially result in projects going ahead where there were a number of community issues and concerns. In a positive move, the Palaszczuk government has tightened code assessment and ensured that it is now a bounded assessment. This decision is at the heart of our government's commitment to greater transparency and accountability. No longer will there be a situation where there can be project approval without any sort of public consideration. In fact, all projects that will now be based on code assessment will be held against assessment benchmarks stated in a categorising instrument such as the local government planning scheme. This will ensure that no longer will there be a possibility that a project can be approved without scrutiny and will provide transparency and accountability to these projects.

Importantly, this bill will ensure that when communities have a legitimate complaint regarding a proposed project in their area they will have the assurance that if they lose their case they will not be required to front the costs of the winning party as a term of settlement. Last year when the Palaszczuk

government came into power, we said that we were a government that would honour our promises. These planning bills are our way of ensuring that the voices of the Queensland people are not drowned out when it is convenient. I commend the bill to the House.

Hon. JA TRAD (South Brisbane—ALP) (Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment) (10.29 pm), in reply: I thank all members for their contributions to the debate on the Planning Bill 2015, the Planning and Environment Court Bill 2015, and the Planning (Consequential) and Other Legislation Amendment Bill 2015. Clearly, tonight the contributions from members demonstrate that planning is important for many people in the community and it is important for many people inside this chamber. And it should be, because it goes to the issues of economic growth, jobs growth, productivity, community and livability. It goes to the issues of our homes and our lives.

In particularly, I thank the government members of the Infrastructure, Planning and Natural Resources Committee for their thoughtful and constructive contributions. It is clear that throughout the committee process, as well as through their contributions tonight, they have demonstrated a high level of understanding and have discharged their obligations as state legislators very well. I thank them for that. They have made some pretty significant recommendations through the committee reporting process. I am pleased to say, as I said in my second reading speech, that the government adopted all of those recommendations. I thank them for their contributions in the House tonight. I pay particular tribute to the chair of the committee, the member for Mirani. I thank him for his contribution and for his leadership of the committee. I also single out the member for Keppel, who is a planner. She has been relishing the months spent examining in great detail all six bills. I know that she has undertaken quite a level of one-on-one consultation with people in the planning community. I acknowledge the member for Keppel's contribution to this process.

I note and thank the shadow minister for his support of the government bills. I note that amendments will be moved in the consideration-in-detail phase of the debate. I appreciate that throughout his contribution to the second reading debate he flagged certain issues and amendments. I also note the support of members of the opposition to planning reform generally, even though no-one could be faulted for believing the contrary given the contributions of some members opposite.

I will address some of the issues raised by those opposite, because it is important that people understand the journey that we have been on in terms of planning reform. In terms of that journey, it does not help the planning reform process to start from hysterical points of view such as the previous LNP government inherited a basket case. The planning system is not a basket case. It is an evolving area of public policy and legislative reform. Because of that, members of the government, my agency and significant numbers of people from the general community, the planning community, the property community and the development community have participated in this process as they understand how important it is to make significant and thoughtful contributions to this reform process. As I said, it does not help to have people opposite grandstanding and saying that what they inherited was a basket case when, in fact, it was not. This is an ever-evolving system. As people involved in legislating and as decision-makers in the public policy arena, we have a responsibility to rise above that sort of irresponsible rhetoric.

A number of opposition members, namely the member for Burleigh, the member for Callide and the member for Southport, talked about the length of time that it has taken to bring these bills before the parliament. There was some supposition that for the past 14 months we have been sitting on our hands doing nothing and that, in fact, the hardworking people of my agency have not been working hard on civilising the legislation that was brought into the 54th Parliament in order to make it far more acceptable to the people of Queensland and able to be put to the 55th Parliament. I wish to address that question of why it has taken as long as it has taken for these bills to be debated tonight. This goes to the very heart of what this government is about in terms of its style of governing, which is consultation.

We know that those opposite presented bills to the House without any community consultation or meaningful dialogue with the community before they were presented to the House. Bills were presented to this House and the responsibility was given to the parliamentary committee to consult on them. Under my direction, my agency has taken a far more responsible and thorough approach, because we are changing a significant area of public policy and legislation here in Queensland. My agency has done an incredible job in terms of consulting on the planning bills and I will go through some of the consultation engagements. It has taken 14 months to genuinely engage with the community, to listen and to take their views into account, and we make no apology for that. On the draft bills, the department directly engaged with more than 1,500 Queenslanders; held 16 meet-a-planner sessions; spoke with over 260 people, including representatives from 38 groups; presented dozens of sessions that were attended by more than 500 industry representatives; sent regular updates to our consultation

database of over 1,400 Queenslanders; invited over 100 community groups to one-on-one meetings; hosted two live-stream events; held workshops with over 310 planning practitioners; received over 1,600 views on the department's website in relation to the draft bills; and received more than 320 submissions on the bills. That was in addition to the consultation that occurred as a result of the directions paper that was released in May last year. The consultation process was thorough. We are changing a large system in Queensland; a system that touches every single person's life. That means we have to get right the consultation with the community before the legislation comes into this parliament. We improved on the bills that were presented in the last parliament and there was still more room for improvement, which the parliamentary committee identified and this government wholeheartedly supports.

The member for Burleigh suggested that it has taken this length of time because we were locked in some sort of ideological hand-wringing exercise in relation to the bill. I am unapologetic about bringing forward a modern, effective and efficient planning framework with Labor values. Those Labor values are quite evident in the purposive provisions outlined in the bill. Those provisions are about valuing, protecting and promoting Aboriginal and Torres Strait Islander knowledge, culture and traditions; conserving places of cultural and heritage significance; addressing housing affordability; and encouraging investment in economic resilience and ethical decision-making in assessment decisions. As in the Sustainable Planning Act and unlike the bills that were presented by those opposite in the last parliament, we have returned ecologically sustainable factors, including the precautionary principle and intergenerational equity, to the purposive provisions of the bill. It is not that economic development is the primary objective and everything else is secondary and may, in fact, be a vehicle to deliver on economic development; it is that the economy, the community and our ecology need to sit together when we are moving forward in terms of the planning framework. We make absolutely no apology for doing that.

Additionally, we make no apology for introducing something that is very different and what I think may in fact be anathema to those opposite, which is a high standard of transparency and accountability around decision-making in development assessments. No longer will assessment managers get away with approving developments without explaining why they have approved developments.

As the member for Brisbane Central has stated, I am the only assessment manager in this state who is responsible and obligated to publish decision reasons. This has to change. This bill will change that. Every assessment manager, including SARA, will now have to publish reasons for their assessment decisions. I think that brings a whole level of transparency and accountability which I hope will drive cultural change within some of the councils that communities feel are not listening to their concerns. I think this is a very important lever in terms of making sure that development decisions reflect the community's desires and aspirations and in fact reflect the consultation that communities and residents have had in the process and the development assessments so that they feel they have a voice and their voices are reflected in the decisions that are made.

A promise that we made to the people of Queensland at the last election and that we are following through on tonight is ensuring that the Planning and Environment Court is again a community court for the people of Queensland. No longer will residents or communities who have a right or a legitimate reason to object to impact assessable development be threatened or intimidated by the ability of courts to award costs against them upon the application of developers.

Those opposite introduced even more measures such as security of payment. Under their bill one cannot even lodge an objection unless they have coughed up the cash first. What sort of system are we promoting when we say to Queenslanders that they cannot object to significant impact development in their community unless they cough up a deposit on costs that may be awarded against them through the court process?

The original bills that those opposite presented to this House went even further than that. I refer to the minister's second reading speech during the last parliament where he said—

As a result of the submissions made to the committee, clause 61 of the bill will be amended so that costs are awarded at the discretion of the court, and they will not automatically follow the event.

What those opposite wanted to do was make it automatic that residents and community litigants had costs awarded to them should they have failed in the Planning and Environment Court. That is what we get from those opposite.

Mr Seeney interjected.

Ms TRAD: I take the interjection from the member for Callide because they are his own words. We know that he has come into this place and misquoted everybody in the past.

Let us be clear that those opposite want to ensure that the Planning and Environment Court is a safe haven for their developer mates. Let us be clear that that is what those opposite have wanted to do since the Joh Bjelke-Petersen days. When Goss came in and Labor came in we made sure this was a community court where residents who had a legitimate right to object to a large impact assessable development in their community could have their case heard in a court of law without the fear of big developers coming in hard on them in terms of costs. That is fair. That is equitable. That is how it should be in Queensland. That is what Labor will do.

The other issue I want to raise is the land surrender issue. I know that the shadow minister made some remarks in relation to there being sufficient provisions in SARA for seeking technical advice from the Department of Environment and Heritage Protection in relation to land surrender issues. I have to advise the House that that is certainly not the advice that I have had from either my agency or through them the Department of Environment and Heritage Protection.

This bill seeks to give the state a legislated head of power to take land that is prone to erosion and is at risk and return it to the state in order to protect our precious coastline. There is no head of power currently.

Mr Hart interjected.

Ms Grace: She doesn't need your guidance.

Mr DEPUTY SPEAKER (Mr Furner): Order! I do not need your help.

Ms TRAD: Thank you, Grace. Currently, the issue is that there may in fact be situations where under the SARA arrangements land surrender may be possible. This would be absolutely contested because there is no head of power in state legislation to provide for this. What we are doing is ensuring that the state is covered if it wants to resume, if it wants to reclaim precious coastline that is absolutely vulnerable to significant erosion and should not be developed.

I am advised that in the last 30 years the amount of precious coastline that has been surrendered to the state for protection has been two per cent. This is a provision that is rarely used, but it is an important provision. It is a critical provision. It is one that we will be restoring through this bill. It will give me, as planning minister, and the government a person who has a head of power in order to reclaim land or bring back to the state precious coastline that is at risk of significant erosion.

There are a number of other issues that I probably will address during consideration in detail. I want to take the last few minutes to thank all of the people who have made such an enormous contribution to getting these bills here tonight. There are many to mention. I acknowledge the work of the legislation team within my agency.

I particularly want to thank James Coutts for his fantastic leadership and his technical expertise. The number of hours you have put in, James, has been astounding. Queensland owes you debt of gratitude for your long service in the planning reform agenda. I also thank Jesse Chadwick. I thank Megan Bayntun, Hayley Rayment, Sue Pope, Rebecca Kenny, Mary Mealey, Mary-Ellen Catchpole and Andrew Walls for bringing these bills to life.

I also want to thank my new Deputy Director-General of Planning, Stuart Moseley. Thanks for coming on board in Queensland and for jumping off the deep end. I particularly want to thank Greg Chemello, who is a champion. I do not know whether he is here. Greg, thank you very much for all of your work. You are a fantastic servant to the people of Queensland. We appreciate all that you have done, particularly in delivering the plan bills tonight. From my office I thank the amazing Tess Pickering, who has been an absolute Trojan, and Tim Pearson. Of course, I thank my chief of staff, Matt Collins, for whom all of his planning Christmases have come at the once tonight, can I say. He is in planning heaven.

As I said in my opening remarks, planning matters. Planning matters to the people of Queensland. It matters to our industries. It matters to our economy. It matters to our community. It matters to our environment. It is a very important area of public policy and legislation in this state. I want to thank all members who have made a contribution here tonight, particularly those who have made significantly positive and constructive contributions and not sought to use this debate for some sort of vacuous grandstanding.

I think that these planning bills will endure. They will endure past election cycles and they will provide for the people of Queensland certainty. They will provide for the development industry certainty. They will provide for our economy a very strong vehicle for economic growth and job creation. I commend the bills to the House.

Interruption.

DEPUTY SPEAKER'S RULING

Comments by Deputy Premier

Mr DEPUTY SPEAKER (Mr Furner): Honourable members, earlier this evening there was an incident involving the member for Mirani, who had the call; the member for Whitsunday, who was interjecting on the member for Mirani during his speech; and the Deputy Premier, who interjected during a point of order by the member for Whitsunday. The member for Mirani made a comment about the member for Whitsunday in response to the member's interjections. The member for Whitsunday rose on a point of order to ask for a withdrawal. During the point of order, the Deputy Premier interjected with a single word.

The member for Whitsunday then asked for a withdrawal from both the member for Mirani and the Deputy Premier. I ordered the member for Mirani to withdraw, and he eventually complied. I declined to order a withdrawal from the Deputy Premier, as the word I heard did not identify the member for Whitsunday and in itself was not offensive. I have now listened to the audio recording of the exchange. Whilst the Deputy Premier said only one word that was in itself inoffensive, that word was said at such a time as to be personally offensive. I now ask the Deputy Premier to withdraw.

Ms TRAD: I withdraw.

Mr DEPUTY SPEAKER: I remind all members, including the member for Whitsunday, that members are entitled to speak without interruption. Interjections that are clearly unwelcome and unprovoked are disorderly.

PLANNING BILL

PLANNING AND ENVIRONMENT COURT BILL

PLANNING (CONSEQUENTIAL) AND OTHER LEGISLATION AMENDMENT BILL

PLANNING AND DEVELOPMENT (PLANNING FOR PROSPERITY) BILL

PLANNING AND DEVELOPMENT (PLANNING COURT) BILL

PLANNING AND DEVELOPMENT (PLANNING FOR PROSPERITY—CONSEQUENTIAL AMENDMENTS) AND OTHER LEGISLATION AMENDMENT BILL

Second Reading (Cognate Debate)

Planning Bill, Planning and Environment Court Bill and Planning (Consequential) and Other Legislation Amendment Bill resumed from p. 1735, on motion of Ms Trad, and Planning and Development (Planning for Prosperity) Bill, Planning and Development (Planning Court) Bill and Planning and Development (Planning for Prosperity—Consequential Amendments) and Other Legislation Amendment Bill resumed from p. 1735, on motion of Mr Walker—

That the bills be now read a second time.

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

Motion agreed to.

Bill read a second time.

Question put—That the Planning and Environment Court Bill be now read a second time.

Motion agreed to.

Bill read a second time.

Question put—That the Planning (Consequential) and Other Legislation Amendment Bill be now read a second time.

Motion agreed to.

Bill read a second time.

Speaker's Ruling, Same Question Rule

Mr SPEAKER: Honourable members, I draw the attention of members to the statement I circulated in the chamber earlier today regarding the application of the same question rule. Standing order 87 provides the general rule of Westminster parliamentary practice that once the House has resolved a matter in the affirmative or negative the same question shall not again be proposed in the same session. As previous Speakers have noted, the matters do not have to be identical but merely the same in substance as the previous matter. In other words, it is a question of substance, not form.

The private member's planning bills introduced on 4 June 2015 seek to achieve substantially the same objectives as that of the government's planning bills, which the House has just resolved to read a second time. Therefore, under standing orders 87 and 150, the Planning and Development (Planning for Prosperity) Bill, the Planning and Development (Planning Court) Bill and the Planning and Development (Planning for Prosperity—Consequential Amendments) and Other Legislation Amendment Bill cannot proceed and are therefore discharged from the *Notice Paper*.

Consideration in Detail

Planning Bill

Clause 1, as read, agreed to.

Clause 2—

Ms TRAD (10.57 pm): I move the following amendment—

1 Clause 2 (Commencement)

Page 16, line 6—

omit, insert—

This Act, other than section 320A, commences on a day to be fixed by proclamation.

I table the explanatory notes to my amendments.

Tabled paper: Planning Bill 2015, explanatory notes to Hon Jackie Trad's amendments [672].

Amendment agreed to.

Clause 2, as amended, agreed to.

Clauses 3 and 4, as read, agreed to.

Clause 5—

Ms TRAD (10.58 pm): I move the following amendment—

2 Clause 5 (Advancing purpose of Act)

Page 19, line 13, after 'following'—

insert—

ethical

Amendment agreed to.

Clause 5, as amended, agreed to.

Clauses 6 to 15, as read, agreed to.

Clause 16—

Mr PYNE (10.59 pm): I move the following amendments—

1 Clause 16 (Contents of local planning instruments)

Page 28, after line 13—

insert—

(ba) recognise the terms of any indigenous land use agreement that relates to the local government area; and

2 Clause 16 (Contents of local planning instruments)

Page 28, after line 20—

insert—

(4) In this section—

indigenous land use agreement means an indigenous land use agreement registered on the register of indigenous land use agreements under the Commonwealth Native Title Act.

Mr HART: This is something that I have lived with now for four years as the deputy chair of the Infrastructure, Planning and Natural Resources Committee. Unfortunately, this amendment was put down in front of me about 18 minutes ago and I have had no time to consider it. I therefore really cannot support it. I make no decision about whether it is a valuable amendment to the bill. The only thing that I say is that I really need time to consider something like this and the impacts it may have on the overall Planning Bill. I really cannot support it on that basis.

Ms TRAD: Likewise, I say that these amendments were circulated very, very late in the second reading debate, so my agency, I and the parliamentary Infrastructure, Planning and Natural Resources Committee have not been afforded the opportunity to scrutinise them. I am incredibly sympathetic to the motivation behind these amendments. Having said that, I do not think I can support the amendments moved at this late stage in the consideration process. I would, however, suggest to the member that this is a bill that will not commence for 12 months, and we have made that clear from the outset. If given the opportunity, my agency will scrutinise these suggested amendments and the issues behind them. I think the parliamentary committee and the parliament should be afforded a bit more time to have a look at the suggested amendments and come back to the chamber with perhaps some recommendations around them. I appreciate the member's contribution, but I think at this late stage it would be erroneous or foolish of us to support amendments that have not been scrutinised by the Public Service, the planning agency or the parliament itself.

Mr Nicholls interjected.

Mr SPEAKER: Member for Clayfield, do you have something to say? Will you please rise and make your contributions.

Mr Nicholls: I was just making an interjection, Mr Speaker.

Non-government amendments (Mr Pyne) negatived.

Clause 16, as read, agreed to.

Clause 17—

Ms TRAD (11.03 pm): I move the following amendments—

3 Clause 17 (Minister's guidelines and rules)

Page 28, line 26, 'setting out the process for'—

omit, insert—

about

4 Clause 17 (Minister's guidelines and rules)

Page 29, line 7—

omit, insert—

(v) making or amending TLPIs; and

(vi) making a planning change of a type mentioned in section 30(4)(e)(i), whether as part of a planning scheme or as an amendment of a planning scheme.

Amendments agreed to.

Clause 17, as amended, agreed to.

Clause 18—

Ms TRAD (11.03 pm): I move the following amendments—

5 Clause 18 (Making or amending planning schemes)

Page 30, line 6, after 'period'—

insert—

(the ***consultation period***)

6 Clause 18 (Making or amending planning schemes)

Page 30, lines 17 and 18—

omit, insert—

submission about the instrument to the local government within the consultation period; and

Amendments agreed to.

Mr PYNE: I move the following amendment—

3 Clause 17 (Minister's guidelines and rules)

Page 29, after line 7—

insert—

(1A) The rules must require the relevant registered native title parties to be involved in the making and amendment of local planning instruments.

For the information of the House, I was contacted late Friday regarding these issues through representatives from the Yarrabah Indigenous community in relation to the recognition of other forms of land tenure. I certainly came late to this matter myself.

Mr SPEAKER: Member for Lockyer, if you want to persist with your conversations, please take them outside or you will be warned under standing order 253A. There are a lot of amendments and we have to concentrate here.

Mr HART: I repeat my statement. I have great sympathy for the issues that the member may be raising, but I have been living with this for four years and we have had no conversations about this particular amendment. I reinforce what the Deputy Premier said. If the member wants to bring this to both sides of the House and talk about these things, my opinion would certainly be that I would like to talk to him about it but I cannot support something that I have just seen.

Non-government amendment (Mr Pyne) negatived.

Clause 18, as amended, agreed to.

Clauses 19 to 25, as read, agreed to.

Clause 26—

Ms TRAD (11.05 pm): I move the following amendments—

7 Clause 26 (Power of Minister to direct action be taken)

Page 35, line 20, 'instruments'—

omit.

8 Clause 26 (Power of Minister to direct action be taken)

Page 35, line 27, 'in relation to an instrument or designation'—

omit.

9 Clause 26 (Power of Minister to direct action be taken)

Page 36, lines 1 to 3—

omit, insert—

(a) to ensure an instrument is consistent with the regulated requirements; or

10 Clause 26 (Power of Minister to direct action be taken)

Page 36, lines 29 to 31 and page 37, line 1—

omit, insert—

(c) to make, amend or repeal a local planning instrument as required under sections 18 to 24; or

Amendments agreed to.

Clause 26, as amended, agreed to.

Clauses 27 and 28, as read, agreed to.

Clause 29—

Ms TRAD (11.06 pm): I move the following amendment—

11 Clause 29 (Request to apply superseded planning scheme)

Page 40, line 30, '45(5) and (6)'—

omit, insert—

45(6) and (7)

Amendment agreed to.

Clause 29, as amended, agreed to.

Clause 30—

Mr WALKER (11.07 pm): I move the following amendment—

1 Clause 30 (When this division applies)

Page 41, lines 23 to 29—

omit, insert—

(e) is made to substantially reduce a significant risk to persons or property from natural events such as flooding, landslide or bushfire, other than risk that could have been substantially reduced by development conditions imposed before the adverse planning change; or

I table the explanatory notes to my amendments.

Tabled paper: Planning Bill 2015, explanatory notes to Mr Ian Walker's amendments [673].

This matter was covered in the second reading speech. As highlighted in the explanatory notes, clause 30 establishes when a change to a local planning instrument is an adverse planning change. Clause 30(4)(e) as it currently is drafted states that an adverse planning change does not include a planning change that is made to reduce a material risk of serious harm to persons or property on the premises from natural events, including bushfires, coastal erosion, flooding or landslides.

There was a great deal of concern expressed by industry bodies through the committee process in relation to the way in which this clause was worded. The UDIA submitted about the greater scope given to local government to make changes to a planning scheme in response to natural hazard risks without triggering compensation to the landowner. The point is that we accept that local government should have the ability to make changes to its scheme to protect against hazards. The position we take, however, is that before doing that and not triggering a right to compensation it should be incumbent upon the local government to assess whether development of the land can occur with imposition of conditions to mitigate against the changes. If there is landslip, it should not automatically be a matter of the local government simply saying, 'There's landslip on your property. You shouldn't develop it.' The first consideration should be whether it can be conditioned so that the landslip can be managed or controlled so that property rights are not taken away without compensation without that issue first having being addressed.

The LNP supports the current positions as they exist in SPA, which provide a better balance by including the requirement for local governments to properly consider the application of relevant conditions to reduce the risk from natural hazards before it makes an adverse planning change. That is the position in support of our amendment.

Ms TRAD: In the 2010-11 summer of natural disasters, Queensland went through a series of natural hazard events and we saw the entire state declared a disaster area. From that we learned that we were not as prepared as we should have been. As we heard from the Queensland Floods Commission of Inquiry, our planning schemes were not providing the most appropriate basis for protecting us from natural hazard events. Since that time, local governments have invested enormous energy and resources into undertaking high-quality flood modelling and mapping that identify hazards and risks in their local communities. Where those studies show that there is an overwhelming prospect that life or property would be put at risk in a natural hazard, it seems perfectly reasonable for the council to implement appropriate responses through their planning schemes. It follows that it is also entirely reasonable that councils should not be exposed to claims for compensation where development would increase risk to life and property. Indeed, it is the preferred position of the floods commission and the Productivity Commission that councils carry out responses to protect the life and property of their constituents when based on evidence and should not then be subjected to compensation for this.

Unlike the bills of those opposite, the government's bills move towards addressing these concerns within the current system by providing relief from compensation for local governments where a study confirms the presence of unacceptable risk. However, this is not an open invitation for councils to change their schemes without due course. To ensure that this does not occur, the government's bills include measures that require councils to act in good faith, to employ appropriately qualified persons and use the best available information and to assess feasible alternatives for reducing the risks, including imposing conditions on development approvals. The government will not be supporting the amendment put forward by the opposition.

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

AYES, 42:

LNP, 40—Barton, Bates, Bennett, Bleijie, Boothman, Costigan, Cramp, 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.

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, King, Lauga, Linard, Lynham, Madden, Miles, Miller, O'Rourke, Palaszczuk, Pearce, Pease, Pegg, Pitt, Power, Russo, Ryan, Saunders, Stewart, Trad, Whiting, Williams.

INDEPENDENT, 2—Gordon, Pyne.

Pair: Kelly, Crandon.

Resolved in the negative.

Non-government amendment (Mr Walker) negatived.

Ms TRAD: I move the following amendment—

12 Clause 30 (When this division applies)

Page 41, lines 28 and 29—

omit, insert—

(ii) under the Minister's rules; or

Amendment agreed to.

Mr WALKER: I move the following amendments—

2 Clause 30 (When this division applies)

Page 42, lines 5 to 8—

omit.

3 Clause 30 (When this division applies)

Page 42, line 9, '(6)'—

omit, insert—

(5)

4 Clause 30 (When this division applies)

Page 42, line 15, '(7)'—

omit, insert—

(6)

Amendment No. 2 amends clause 30 by omitting subsection (5). That is in relation to references to the minister's rules. These, again, go to the compensation issues. This is what the Property Council said about this section—

The Property Council does not support the drafting of clause 30, and in particular 30(5), as there is not enough detail regarding what is required in the Minister's rules to ensure a consistent and objective determination of the materiality of the risk and severity of the harm.

The UDIA stated—

The Institute is also concerned about the drafting of section 30(5) which requires a report to be prepared by a local government assessing alternatives. This section does not impose any enforceable requirements related to the contents of the report and does not require justification of the adverse planning change (e.g. overlay mapping, down zoning to the limited development zone).

Amendments Nos 3 and 4 are consequential renumbering sections.

Ms TRAD: The government does not support the proposed amendments moved by the opposition spokesperson.

Non-government amendments (Mr Walker) negatived.

Clause 30, as amended agreed to.

Clauses 31 to 34, as read, agreed to.

Clause 35—

Ms TRAD (11.20 pm): I move the following amendments—

13 Clause 35 (What is a designation)

Page 47, line 10—

omit, insert—

(2) A designation may include requirements about any or all of the following—

14 Clause 35 (What is a designation)

Page 47, lines 12 and 17, '; or'—

omit, insert—

;

Amendments agreed to.

Clause 35, as amended, agreed to.

Clauses 36 to 42, as read, agreed to.

Clause 43—

Ms TRAD (11.21 pm): I move the following amendments—

15 Clause 43 (Categorising instruments)

Page 54, after line 18—

insert—

(1A) An assessment benchmark does not include—

(a) a matter of a person's opinion; or

(b) a person's circumstances, financial or otherwise; or

(c) for code assessment—a strategic outcome under section 16(1)(a); or

(d) a matter prescribed by regulation.

Examples of assessment benchmarks—

a code, a standard, or an expression of the intent for a zone or precinct

16 Clause 43 (Categorising instruments)

Page 55, lines 8 to 11—

omit, insert—

(c) may not, in its effect, be inconsistent with the effect of a specified assessment benchmark, or a specified part of an assessment benchmark, identified in a regulation made for this paragraph.

Note—

Assessment benchmarks are given effect through the rules for assessing and deciding development applications under section 45, 59 or 60.

Amendments agreed to.

Clause 43, as amended, agreed to.

Clause 44, as read, agreed to.

Clause 45—

Mr WALKER (11.22 pm): I move the following amendments—

5 Clause 45 (Categories of assessment)

Page 56, lines 15, 18 and 24, 'code'—

omit, insert—

standard

6 Clause 45 (Categories of assessment)

Page 56, lines 15 and 26, 'impact'—

omit, insert—

merit

During the second reading speech I referred to the current terminology in the legislation, which is 'code' assessment and 'impact' assessment. Our proposal under both of these amendments is that those terms be changed to 'standard' and 'merit'.

It was mentioned during the debate that members of the public are aware of the current terminology. I would dispute that. I think those within the profession are certainly well aware of it, but I do not think it matters in any great manner to the members of the public whatsoever. I think it is important that we change the thinking about impact assessment in particular and to really tell it like it is, and that is merit assessment. The question is whether the proposal has merit or not. These two new terms would signal a change in thinking from the old 'code' and 'impact' to 'standard' and 'merit' which more accurately reflect what is being proposed and also signal that a new era is here in terms of looking at these matters. I quote from James Coutts, the Executive Director of Planning Services within the Department of Infrastructure, Local Government and Planning, who in November 2014 described why the change in language is a good thing. He said—

Yes, our fervent hope is that people will use this as a basis for pausing and reconsidering whether the way they are going about things is the right approach. Simple changes of terminology can help. As I mentioned before, SPA talks about an impact assessable application. What does that mean for many planners? I have to find the impacts of this thing—that is, what is wrong with it? So I start with a list of all the things that I do not like or I can find wrong with this. Merit assessment, on the other hand, is about saying, 'What are the merits of this proposal? What makes it worthwhile thinking about this thing?' It does not mean there are not things wrong with it, but it is the lens through which you look at this that changes your attitude about the role. There are things in this legislation that do go to the way in which we approach the system which are incredibly important for the efficiency of its operation.

All of this goes back to the very point the member for Callide made in his contribution to the debate, which is the way things were looked at when he came to the department. The question always was, 'Why can't this happen?' rather than, 'Is there a way in which this can happen for the benefit of

the community and for the benefit of our state going forward?' I submit that this simple terminology change is going to make a difference in the way people think and will cause them to think more positively about the issues they are looking at without in any way taking away their ability to assess them critically.

Ms TRAD: It will create confusion in the way that people think and the way that people have been thinking about development in this state for more than 30 years. It is obviously easy to trivialise terminology, but terminology matters.

Mrs Lauga interjected.

Ms TRAD: I take the interjection for the member for Keppel, who is a planner and I think the only planner in this chamber. I think the member for Keppel fully understands how important this terminology is.

I was completely impartial on this issue when we began our discussion around the planning reform. After the extensive consultation which I referred to before it became abundantly clear to me that communities, planners, local governments, councils, the people who do the planning schemes and assess development, a whole range of other individuals and the overwhelming majority of submissions to the committee process wanted the terminology to stay the same. They wanted 'code' to stay and they wanted 'impact' to stay. They wanted to continue that clarity.

Even in the boardrooms of Sydney and Melbourne, where they are planning to invest in large-scale development in this state, they want to know what is 'code' and what is 'impact', not what is 'standard' and what is 'merit'. They need to understand and they want consistency in the terminology. I think that just indicates how fervently people feel about this issue. The system is not broken. Let us just keep it the way it is. It is what the community understands, it is what business understands and what planners, local councils and the development sector understand. It is not broken; we do not need to change it.

Mr HART: I rise to speak in support of the amendment moved by the member for Mansfield. The Deputy Premier has just said that it has been in place for 30 years. We are trying to change the culture here. We are trying to change the way that people look at planning, and the whole point of this amendment is to do that. We heard in our travels that there were a lot of councils out there that have 'impact' and 'code' written into all of their forms, so they were a little worried about changing their forms, but the government is providing money for these sorts of things to happen.

After we talked to some of those councils for a little while they finally clicked that this was about changing the way that people think about development, the way that they move forward in the future, and they really think this could change the way that people think about things. The whole reason that we are endeavouring to change from 'impact' to 'merit' is so that people stop thinking about the impact that something may have and they might start thinking about the merit that a particular development brings and the prosperity and the jobs that that brings to Queensland.

Mrs LAUGA: I rise to speak against the proposed amendment. Having worked as a planner for many years, in all of the years that I have worked as a planner it has been 'code' and 'impact'. 'Code' and 'impact' have been well known by the planning profession, by the legal profession and by the community for many years. It is not something that needs to be fixed. Having worked as a planning professional, I would have to explain to clients who came into the office, 'This is what a code assessable application is and this is what an impact assessable application is.' All of that work that many other professionals and I have done over the years would all be undone, and I really do not think it is an argument to say that planners think about what the impacts are as opposed to what the merits are. Planners assess development applications on their merit. It does not matter what the term is. 'Code' and 'impact' is the way it has been for many years. I do not support the amendment.

Mr NICHOLLS: If ever there was a lame excuse for not making a change it is the one I have just heard from the member for Keppel: 'It is all too hard because it has been done that way for too long.' Dear me! If it were up to her, we would still be riding a horse and buggy in the Keppel electorate. We would not be flying an aeroplane; we would be sailing on a boat. We would not have anaesthetic; we would be knocking people out with a block of wood before they went under the knife. Those opposite talk about innovation and about advancing Queensland, yet they cannot change two words!

Rarely have I heard such an illogical defence of a sensible change—and we have already had it. In planning law in 1997 we went from 'rezoning' to 'material change of use'. We have also gone from 'subdivision' and 'resubdivision' to 'reconfiguration'. It has already been done, and councils seemed to survive. The last time I checked, they were all doing pretty well in the planning world. They managed to make it happen.

Here we have a government that talks about advancing Queensland and about having an innovation policy, yet it cannot bring its planning scheme into the 21st century. It is still using terms that were brought about in 1997. If ever there was a government that was asleep at the wheel and not moving Queensland forward, it is this government. That has been proven tonight.

An opposition member: Another bureaucrat.

Mr WHITING: Another bureaucrat? Voted in by my public for 12 straight years. You try and beat that record.

I rise to oppose this amendment. So far I have not said anything in this debate, but what has been said about these terms has certainly raised my ire somewhat. 'Code' and 'impact' are well understood by the community, especially 'impact'. 'Impact' means what it says: it will have an impact on the community. It will have an impact on roads, on air quality and potentially on water quality. It is well understood by the community.

I understand that by replacing that with 'merit' opposition members want to hide the fact that development will have an impact. They want to say that it will bring only benefit, goodness, light and butterflies to the community. The community will not cop that. Using the word 'merit' hides the fact that development has to be assessed at a higher level.

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

AYES, 40:

LNP, 40—Barton, Bates, Bennett, Bleijie, Boothman, Costigan, Cramp, 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, 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, King, Lauga, Linard, Lynham, Madden, Miles, Miller, O'Rourke, Palaszczuk, Pearce, Pease, Pegg, Pitt, Power, Russo, Ryan, Saunders, Stewart, Trad, Whiting, Williams.

KAP, 2—Katter, Knuth.

INDEPENDENT, 2—Gordon, Pyne.

Pair: Kelly, Crandon.

Resolved in the negative.

Non-government amendments (Mr Walker) negatived.

Ms TRAD: I move the following amendment—

17 Clause 45 (Categories of assessment)

Page 57, after line 11—

insert—

Note—

See section 276A for the matters the chief executive must have regard to when the chief executive, acting as an assessment manager, carries out a code assessment or impact assessment in relation to a State heritage place.

Amendment agreed to.

Clause 45, as amended, agreed to.

Clause 46—

Ms TRAD (11.40 pm): I move the following amendment—

18 Clause 46 (Exemption certificate for some assessable development)

Page 58, after line 18—

insert—

(4A) The person must publish a notice about the person's decision to give the exemption certificate on the person's website.

(4B) The notice must state—

(a) a description of the premises for which the exemption certificate was given; and

(b) a description of the development to which the exemption certificate relates; and

(c) the reasons for giving the exemption certificate; and

(d) any matter prescribed by regulation.

Amendment agreed to.

Clause 46, as amended, agreed to.

Clause 47, as read, agreed to.

Clauses 48 to 321—

Ms TRAD (11.44 pm): I seek leave to move amendments en bloc.

Leave granted.

Ms TRAD: I move the following amendments—

19 Clause 48 (Who is the *assessment manager*)

Page 60, lines 8 to 15—

omit, insert—

(b) the entity keeps a list of persons who are appropriately qualified to be an assessment manager in relation to a particular type of that development; and

(c) the entity has made or amended its code of conduct under the *Public Sector Ethics Act 1994* to apply the code of conduct, including provisions about conflicts of interest, to persons on the entity's list; and

(d) the entity has entered into an agreement with each person on the entity's list about the person's functions as an assessment manager that—

(i) requires the person to comply with the code of conduct; and

(ii) provides for the entity to remove the person from the entity's list if the person fails to comply with the code of conduct; and

(e) a person on the entity's list enters into an agreement with another person to accept a development application made by the other person in relation to only the development mentioned in paragraph (b);

the person on the entity's list is the ***assessment manager*** for the application.

20 Clause 48 (Who is the *assessment manager*)

Page 60, after line 18—

insert—

(4A) If a person on an entity's list of persons kept under subsection (3) is removed from the list because the person has not complied with an agreement under that subsection—

(a) the entity immediately becomes the assessment manager, instead of the person, for any development application for which the person was the assessment manager; and

(b) no extra fee is payable for the application; and

(c) the development assessment process for the application continues from whichever of the following points in the process is the earlier—

(i) the point the application had reached immediately before the person was replaced as the assessment manager;

(ii) 10 business days before the day on which the assessment manager is required, under the development assessment rules, to decide the application.

21 Clause 49 (What is a *development approval, preliminary approval or development permit*)

Page 62, line 2, after 'owner'—

insert—

of the premises

22 Clause 51 (Making development applications)

Page 63, line 4, 'evidence of the'—

omit, insert—

the written

23 Clause 51 (Making development applications)

Page 63, lines 22 to 31—

omit, insert—

(4) An assessment manager—

(a) must accept an application that the assessment manager is satisfied complies with subsections (1) to (3); and

(b) must not accept an application unless the assessment manager is satisfied the application complies with subsections (2) and (3); and

(c) may accept an application that does not comply with subsection (1)(a) or (b)(i); and

(d) may accept an application that does not comply with subsection (1)(b)(ii) to the extent the required fee has been waived under section 108(b).

(5) An application that complies with subsections (1) to (3), or that the assessment manager accepts under subsection (4)(c) or (d), is a ***properly made application***.

24 Clause 52 (Changing or withdrawing development applications)

Page 64, line 4, after 'manager'—

insert—

and, for a withdrawn application, any referral agency

25 Clause 53 (Publicly notifying certain development applications)

Page 64, lines 21 to 24—

omit, insert—

(1) An applicant must give notice of a development application if—

(a) any part of the application requires impact assessment; or

(b) the application includes a variation request.

26 Clause 53 (Publicly notifying certain development applications)

Page 64, line 25, after 'way'—

insert—

or ways

27 Clause 53 (Publicly notifying certain development applications)

Page 65, lines 5, 11 and 17, 'public'—

omit.

28 Clause 53 (Publicly notifying certain development applications)

Page 65, line 14, after 'period'—

insert—

, of more than 15 business days after the notice is given,

29 Clause 53 (Publicly notifying certain development applications)

Page 65, after line 17—

insert—

(4A) However, if the development assessment rules require the notice to be given in more than 1 way, the period mentioned in subsection (4)(b) starts on the day after the day when the last notice is given.

30 Clause 53 (Publicly notifying certain development applications)

Page 65, line 18—

omit, insert—

(5) Any person, other than the applicant or a referral agency, may make a submission about the application.

Notes—

1 In order for a submitter to have appeal rights under schedule 1, the submitter's submission must be a properly made submission.

2 An advice agency, in its referral agency's response, may tell the assessment manager to treat the response as a properly made submission. See schedule 2, definition ***eligible advice agency***, paragraph (a).

31 Clause 53 (Publicly notifying certain development applications)

Page 65, after line 21—

insert—

(6A) If, within 1 year after a development application (the ***original application***) lapses or is withdrawn, another development application that is not substantially different from the original application (the ***later application***) is made, any properly made submission for the original application is taken to be a properly made submission for the later application.

32 Clause 53 (Publicly notifying certain development applications)

Page 65, after line 26—

insert—

(8A) However, subsection (1)(b) does not apply if—

(a) a variation approval has been given for the premises; and

(b) the variation request does not seek to change the category of development or category of assessment for the development stated in the earlier variation approval or, if the request does, the request seeks to change only 1 or more of the following—

(i) accepted development to assessable development;

(ii) assessable development requiring code assessment to accepted development, if the accepted development is substantially consistent with the assessment benchmarks for the development under the earlier variation approval;

(iii) assessable development requiring code assessment to assessable development requiring impact assessment; and

(c) for a variation request that proposes assessment benchmarks—the proposed assessment benchmarks are substantially consistent with assessment benchmarks in the earlier variation approval.

33 Clause 54 (Copy of application to referral agency)

Page 66, line 7, ‘, and’—

omit, insert—

and, subject to section 108(b),

34 Clause 54 (Copy of application to referral agency)

Page 66, line 18, ‘(2)(b)’—

omit, insert—

(2)

35 Clause 54 (Copy of application to referral agency)

Page 66, line 24, ‘required’—

omit.

36 Clause 55 (Referral agency’s assessment)

Page 67, line 15, ‘60’—

omit, insert—

45

37 Clause 55 (Referral agency’s assessment)

Page 67, after line 21—

insert—

Note—

See section 276A for the matters the chief executive, acting as a referral agency, must have regard to in relation to a State heritage place.

38 Clause 57 (Response before application)

Page 70, line 9, after ‘asked,’—

insert—

and subject to section 108(b),

39 Clause 59 (What this division is about)

Page 71, lines 7 to 11—

omit, insert—

(2) An assessment manager must follow the development assessment process for the application even if a referral agency’s response directs the assessment manager to refuse the application.

(3) Subject to section 62, the assessment manager’s decision must be based on the assessment of the development carried out by the assessment manager.

40 Clause 60 (Deciding development applications)

Page 71, line 17, after ‘code assessment,’—

insert—

and subject to section 62,

41 Clause 60 (Deciding development applications)

Page 71, line 23 and page 72, line 2, ‘or all’—

omit.

42 Clause 60 (Deciding development applications)

Page 72, after line 10—

insert—

Example of a development condition for paragraph (d)—

a development condition that affects the way the development is carried out, or the management of uses or works that are the natural and ordinary consequence of the development, but does not have the effect of changing the type of development applied for

43 Clause 60 (Deciding development applications)

Page 72, line 12, after ‘impact assessment,’—

insert—

and subject to section 62,

44 Clause 63 (Notice of decision)

Page 76, line 10, ‘(7)’—

omit, insert—

(5)

45 Clause 63 (Notice of decision)

Page 76, lines 27 and 29, 'or all'—

omit.

46 Clause 64 (Deemed approval of applications)

Page 77, line 24, '63(1)(b), (d) or (e)'—

omit, insert—

63(1)(b) to (d)

47 Clause 65 (Permitted development conditions)

Page 79, lines 17 and 18—

omit, insert—

Notes—

1 See chapter 4, parts 2 and 3 for other permitted development conditions.

2 In addition to development conditions under this Act, a land surrender requirement under the Coastal Act may be made in relation to particular land that is the subject of a development approval for reconfiguring a lot in a coastal management district under the Coastal Act. However, a land surrender requirement is not a development condition under this Act.

48 Clause 66 (Prohibited development conditions)

Page 80, line 22, after 'premises'—

insert—

when the later development application is made

49 Clause 68 (Development assessment rules)

Page 81, lines 9 to 11—

omit, insert—

(a) how and when notification is to be carried out under section 53, including re-notifying the application if—

(i) the applicant changes the application under section 52; and

(ii) the notice under section 53(1) has been given; and

(iii) the change is not a minor change; and

(iv) the assessment manager is not satisfied that the change would be unlikely to attract a submission about the matter that is the subject of the change; and

(v) the assessment manager is not satisfied the change only addresses a matter raised in a properly made submission; and

50 Clause 68 (Development assessment rules)

Page 81, line 14, 'the period within which'—

omit, insert—

when

51 Clause 71 (When development approval has effect)

Page 84, line 10, 'last'—

omit, insert—

first

52 Clause 71 (When development approval has effect)

Page 85, line 3, before 'submission.'—

insert—

properly made

53 Clause 75 (Making change representations)

Page 87, lines 6 to 9—

omit, insert—

(iii) the end of 20 business days after the change representations are made, or a longer period agreed in writing between the applicant and the assessment manager.

54 Clause 75 (Making change representations)

Page 87, after line 9—

insert—

(5) However, if the assessment manager gives the applicant a negotiated decision notice, the appeal period starts again on the day after the negotiated decision notice is given.

55 Clause 76 (Deciding change representations)

Page 87, line 15, after 'must'—

insert—

, within 5 business days after deciding the change representations,

56 Clause 78 (Making change application)

Page 89, lines 1 to 4—

omit, insert—

(ii) the development approval was given because of an order of the court; and

(iii) there were any properly made submissions for the development application; or

57 Clause 79 (Requirements for change applications)

Page 89, line 24, 'evidence of the'—

omit, insert—

the written

58 Clause 79 (Requirements for change applications)

Page 89, lines 28 and 29 and page 90, lines 1 to 4—

omit, insert—

(a) must accept an application that the responsible entity is satisfied complies with subsection (1); and

(b) must not accept an application unless the responsible entity is satisfied the application complies with subsection (1)(b)(iii); and

(c) may accept an application that does not comply with subsection (1)(a) or (b)(ii); and

(d) may accept an application that does not comply with subsection (1)(b)(i) to the extent the required fee has been waived under section 108(b).

59 Clause 82 (Assessing and deciding application for other changes)

Page 93, line 7, 'made.'—

omit, insert—

made; and

60 Clause 82 (Assessing and deciding application for other changes)

Page 93, line 24, '60(2)(b)'—

omit, insert—

60(2)(c)

61 Clause 82 (Assessing and deciding application for other changes)

Page 93, line 26, after 'that'—

insert—

the

62 Clause 82 (Assessing and deciding application for other changes)

Page 94, line 6, '45(2)(b)'—

omit, insert—

45(5)(b)

63 Clause 83 (Notice of decision)

Page 94, line 11, after 'application'—

insert—

, within 5 business days after deciding the application,

64 Clause 84 (Cancellation applications)

Page 97, lines 27 and 28—

omit, insert—

(a) the required fee, subject to section 108(b); and

(b) the written consent of—

65 Clause 84 (Cancellation applications)

Page 98, lines 19 and 20, 'Minister; and'—

omit, insert—

Minister.

66 Clause 86 (Extension applications)

Page 100, line 5, 'evidence of the'—

omit, insert—

the written

67 Clause 86 (Extension applications)

Page 100, lines 9 to 14—

omit, insert—

(a) must accept an application that the assessment manager is satisfied complies with subsection (2); and

(b) must not accept an application unless the assessment manager is satisfied the application complies with subsection (2)(b)(ii); and

(c) may accept an application that does not comply with subsection (2)(a); and

(d) may accept an application that does not comply with subsection (2)(b)(i) to the extent the required fee has been waived under section 108(b).

68 Clause 89 (Particular approvals to be noted)

Page 102, lines 27 to 29—

omit, insert—

(a) considers a development approval is substantially inconsistent with its planning scheme; or

69 Clause 94 (Directions to decision-makers—future applications)

Page 105, lines 6 to 13—

omit, insert—

(2) The Minister must give a copy of the direction to—

(a) the decision-maker; and

(b) each person, other than the chief executive, that the Minister considers is likely to be—

(i) a referral agency in relation to that type of application; and

(ii) if the decision-maker is not the assessment manager in relation to that type of application—the assessment manager.

70 Clause 95 (Directions to decision-makers—current applications)

Page 106, after line 10—

insert—

(aa) the decision-maker; and

71 After clause 95

Page 106, after line 23—

insert—

95A Directions about alternative assessment managers

(1) The Minister may, by gazette notice, direct an entity mentioned in section 48(3)(a)—

(a) not to keep a list under that subsection for development of a type stated in the direction; or

(b) to remove a person from a list under that subsection.

(2) The Minister must give a copy of the notice to—

(a) the entity; and

(b) if the direction is to remove a person from the list—the person.

72 Clause 101 (Seeking representations about proposed call in)

Page 109, line 26, 'not must'—

omit.

73 Clause 104 (Deciding called in application)

Page 112, line 4, '82(1) to (4)'—

omit, insert—

74 Clause 104 (Deciding called in application)

Page 112, line 20, '87(6)'—

omit, insert—

87(5)

75 Clause 112 (Adopting charges by resolution)

Page 118, line 6—

omit, insert—

under a designation; or

(d) development for a non-State school under a designation.

76 Clause 112 (Adopting charges by resolution)

Page 118, after line 10—

insert—

(6) In this section—

non-State school see the *Education (Accreditation of Non-State Schools) Act 2001*, section 6.

77 Clause 126 (Application and operation of subdivision)

Page 128, line 25, '82(5)'—

omit, insert—

82(3)(b)

78 Clause 128 (Offset or refund requirements)

Page 130, after line 12—

insert—

Example—

A necessary infrastructure condition of a development approval requires transport infrastructure to be provided. The cost of the transport infrastructure is $500,000. Adopted charges apply to the development at a total amount of $600,000. The cost of the infrastructure under the necessary infrastructure condition ($500,000) must be offset against the total amount worked out by applying the adopted charge to the development ($600,000), rather than offsetting it only against the part of the charge relating to transport infrastructure.

79 Clause 128 (Offset or refund requirements)

Page 130, lines 21 to 30—

omit.

80 Clause 160 (What part is about)

Page 148, line 8, after 'part'—

insert—

or to chapter 7, part 1

81 Clause 173 (Proceedings for offences)

Page 159, lines 5 and 6—

omit, insert—

complainant's knowledge.

82 Clause 175 (Enforcement orders)

Page 160, after line 21—

insert—

(2A) An enforcement order must state the period within which the defendant must comply with the order.

83 Clause 175 (Enforcement orders)

Page 160, lines 28 to 33 and page 161, lines 1 to 16—

omit, insert—

(5) Unless a court orders otherwise, an enforcement order, other than an order to apply for a development permit—

(a) attaches to the premises; and

(b) binds the owner, the owner's successors in title and any occupier of the premises.

(6) If the enforcement order does attach to the premises, the defendant must ask the registrar of titles, by notice given within 10 business days after the order is made, to record the making of the order on the register for the premises.

Maximum penalty—200 penalty units.

(7) A person may apply to the court for an order (a ***compliance order***) that states the enforcement order has been complied with.

(8) If a person gives a notice that a compliance order has been made, and a copy of the compliance order, to the registrar of titles, the registrar must remove the record of the making of the enforcement order from the appropriate register.

(9) If the enforcement order is not complied with within the period stated in the order, the enforcement authority may—

(a) take the action required under the order; and

(b) recover the reasonable cost of taking the action as a debt owing to the authority from the defendant.

84 Clause 179 (Enforcement orders)

Page 164, lines 25 to 32 and page 165, lines 1 to 13—

omit, insert—

(9) Unless the P&E Court orders otherwise, an enforcement order, or interim enforcement order, other than an order to apply for a development permit—

(a) attaches to the premises; and

(b) binds the owner, the owner's successors in title and any occupier of the premises.

(10) If the enforcement order, or interim enforcement order, does attach to the premises, the respondent must ask the registrar of titles, by a notice given within 10 business days after the order is made, to record the making of the order on the appropriate register for the premises.

Maximum penalty—200 penalty units.

(11) A person may apply to the P&E Court for an order (a ***compliance order***) that states the enforcement order, or interim enforcement order, has been complied with.

(12) If a person gives a notice that a compliance order has been made, and a copy of the compliance order, to the registrar of titles, the registrar must remove the record of the making of the enforcement order, or interim enforcement order, from the appropriate register.

(13) If the enforcement order, or interim enforcement order, is not complied with within the period stated in the order, the enforcement authority may—

(a) take the action required under the order; and

(b) recover the reasonable cost of taking the action as a debt owing to the authority from the respondent.

85 Clause 228 (Appeals to tribunal or P&E Court)

Page 200, line 22, 'decision'—

omit.

86 Clause 228 (Appeals to tribunal or P&E Court)

Page 200, lines 27 and 28—

omit, insert—

(e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or

(f) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

87 Clause 229 (Notice of appeal)

Page 201, lines 27 to 29—

omit, insert—

(c) for an appeal about a development application under schedule 1, table 1, item 1—each principal submitter for the development application; and

(ca) for an appeal about a change application under schedule 1, table 1, item 2—each principal submitter for the change application; and

88 Clause 229 (Notice of appeal)

Page 202, line 4, after '(c)'—

insert—

or (ca)

89 Clause 230 (Other appeals)

Page 203, line 9, ‘, means the decision’—

omit, insert—

or matter, means the decision or matter

90 Clause 239 (Application for declaration about making of development application)

Page 208, lines 7 to 10—

omit, insert—

(2) However, a person may not seek a declaration under this section about whether a development application is accompanied by the written consent of the owner of the premises to the application.

91 Clause 239 (Application for declaration about making of development application)

Page 208, lines 21 to 23—

omit, insert—

(5) In this section—

92 Clause 240 (Application for declaration about change to development approval)

Page 209, lines 16 to 18—

omit, insert—

(4) In this section—

93 Clause 243 (Ending tribunal proceedings or establishing new tribunal)

Page 211, line 12, ‘to re-hear’—

omit, insert—

, complying with section 241(c), to hear or re-hear

94 Clause 243 (Ending tribunal proceedings or establishing new tribunal)

Page 211, line 15, before ‘re-hear’—

insert—

hear or

95 Clause 243 (Ending tribunal proceedings or establishing new tribunal)

Page 211, lines 17 and 18, ‘(1), (2) or (3)’—

omit, insert—

(1) or (3)

96 Clause 243 (Ending tribunal proceedings or establishing new tribunal)

Page 211, lines 20 to 22—

omit, insert—

(5) Any period for starting proceedings in the P&E Court, for the matter that is the subject of the tribunal proceedings, starts again when the chief executive gives the decision notice to the party who started the proceedings.

(6) The decision notice must state the effect of subsection (5).

97 Clause 250 (Matters tribunal may consider)

Page 214, lines 9 to 12—

omit, insert—

(2) The tribunal must decide the proceedings based on the laws in effect when—

(a) the application or request was properly made; or

(b) if the application or request was not required to be properly made—the application or request was made.

(3) However, the tribunal may give the weight that the tribunal considers appropriate, in the circumstances, to any new laws.

98 Clause 251 (Deciding no jurisdiction for tribunal proceedings)

Page 214, lines 22 to 26—

omit, insert—

(3) Any period for starting proceedings in the P&E Court, for the matter that is the subject of the tribunal proceedings, starts again when the tribunal gives the decision notice to the party who started the proceedings.

(4) The decision notice must state the effect of subsection (3).

(5) If the tribunal decides to end the proceedings, the fee paid to start the proceedings is not refundable.

99 Clause 252 (Conduct of appeals)

Page 214, line 29, 'It is for the appellant to'—

omit, insert—

Generally, the appellant must

100 Clause 252 (Conduct of appeals)

Page 215, line 1, 'For'—

omit, insert—

However, for

101 Clause 253 (Deciding appeals to tribunal)

Page 215, after line 30—

insert—

(5) The tribunal's decision starts to have effect—

(a) if a party does not appeal the decision—at the end of the appeal period for the decision; or

(b) if a party appeals against the decision to the P&E Court—subject to the decision of the court, when the appeal ends.

102 Clause 254 (Notice of tribunal's decision)

Page 216, lines 2 to 10—

omit, insert—

A tribunal must give a decision notice about the tribunal's decision for tribunal proceedings, other than for any directions or interim orders given by the tribunal, to all parties to proceedings.

103 Clause 260 (Implied and uncommenced right to use)

Page 217, line 27, after 'development'—

insert—

or prohibited development

104 Clause 261 (Prospective categorising regulations unaffected)

Page 218, line 8, after 'section'—

insert—

43 or

105 Clause 262 (Taking or purchasing land for planning purposes)

Page 219, after line 8—

insert—

Note—

For the ways of taking land, see the Acquisition Act, part 2. For compensation for land taken under that Act, see part 4 of that Act.

106 Clause 263 (Public access to documents)

Page 219, after line 25—

insert—

(1A) For a person who gives an exemption certificate, the regulation must require the person to keep the following available for inspection and purchase—

(a) a copy of each exemption certificate given by the person;

(b) a register of exemption certificates given by the person.

107 Clause 263 (Public access to documents)

Page 220, line 26, 'This'—

omit, insert—

For a document of a type prescribed by regulation, this

108 Clause 265 (Application of Information Privacy Act 2009)

Page 221, lines 23 to 26—

omit.

109 Clause 276 (Party houses)

Page 231, line 19, 'guest'—

omit, insert—

guests

110 After clause 276

Page 232, after line 2—

insert—

276A Assessment and decision rules for particular State heritage places

(1) This section applies if—

(a) the chief executive is—

(i) an assessment manager, or a referral agency, for a development application; or

(ii) a responsible entity for a change application; and

(b) the development involves a State heritage place; and

(c) the chief executive is satisfied the development would destroy or substantially reduce the cultural heritage significance of the State heritage place, including—

(i) by demolishing all elements or features of the place that contribute to the place's cultural heritage significance described in the place's entry in the Queensland heritage register; and

(ii) by changing the place so that the place no longer satisfies any of the criteria for entry in the Queensland heritage register.

(2) The chief executive must do the following before deciding the application or giving a referral agency's response about the application—

(a) refer the application to the Queensland Heritage Council;

(b) have regard to any advice the Queensland Heritage Council gives the chief executive, within the time allowed under this Act for the chief executive to decide the application or give the response.

(3) Unless the State heritage place is an archaeological State heritage place, the chief executive must also have regard to whether there is a prudent or feasible alternative to carrying out the development, when deciding the application or giving the referral response.

(4) For subsection (3), an alternative is not a prudent or feasible alternative if the alternative involves—

(a) an extraordinary economic cost to the State, all or part of a community, or an individual; or

(b) an extraordinary environmental or social disadvantage; or

(c) a risk to public health or safety; or

(d) another extraordinary or unique circumstance.

(5) In this section—

archaeological State heritage place see the Heritage Act, schedule.

Queensland Heritage Council means the Queensland Heritage Council established under the Heritage Act.

Queensland heritage register see the Heritage Act, schedule.

111 Clause 286 (Statutory instruments)

Page 242, after line 16—

insert—

(2A) However, the statutory instrument may be made or amended to include matters, or in a form, that the Minister is satisfied is consistent with this Act if the Minister is also satisfied the matters or the form does not substantially change the effect of the instrument.

112 Clause 287 (Applications generally)

Page 243, lines 15 and 21, 'an instrument'—

omit, insert—

a document

113 Clause 287 (Applications generally)

Page 243, lines 20, 21 and 23, 'instrument'—

omit, insert—

document

114 After clause 291

Page 246, after line 22—

insert—

291A Rules about amending local planning instrument consistent with Act

(1) The Minister may make rules about making amendments to a local planning instrument that are of a type the Minister is satisfied—

(a) are consistent with this Act; and

(b) do not substantially change the effect of the instrument.

(2) Section 17(2) and (3) does not apply to the rules.

(3) The rules start to have effect when the Minister publishes a gazette notice about the making of the rules.

(4) The rules must state that, if a local government makes an amendment under the rules, the local government must—

(a) give a copy of the amendment to the chief executive; and

(b) publish a public notice about the amendment as if the amendment had been made under chapter 2, part 3.

(5) A local government may make an amendment of a type mentioned in subsection (1) by following the process set out in the rules.

(6) Section 9 applies to an amendment made under the rules as if the amendment had been made under chapter 2, part 3.

291B Amending State planning instrument consistent with Act

(1) This section applies to a proposed amendment to a State planning instrument, if the Minister is satisfied the amendment—

(a) is consistent with this Act; and

(b) does not substantially change the effect of the instrument.

(2) The Minister may make the amendment under section 11 as if the amendment were a minor amendment.

(3) Section 9(3) applies to the amendment.

115 Clause 309 (Particular proceedings)

Page 257, table, after line 6, '472', second mention—

omit, insert—

476

116 Clause 309 (Particular proceedings)

Page 258, line 3, '76(7)'—

omit, insert—

76(6) and (7)

117 Clause 315 (Rezoning approval agreements)

Page 263, line 27, 'LGP&E Act'—

omit, insert—

Integrated Planning Act 1997

118 After clause 320

Page 265, after line 11—

insert—

320A Amendment to renumber

(1) On the commencement of this section, the provisions of this Act are amended by numbering and renumbering them in the same way as a reprint may be numbered and renumbered under the *Reprints Act 1992*, section 43.

(2) Each reference in this Act, or in another Act, to a provision of this Act renumbered under subsection (1), is amended, when the renumbering happens, by omitting the reference to the previous number and inserting the new number.

(3) This section does not limit the *Acts Interpretation Act 1954*, section 14H, or the *Reprints Act 1992*.

(4) This section expires on the day after assent.

Amendments agreed to.

Clauses 48 to 321, as amended, agreed to.

Schedules 1 and 2—

Ms TRAD (11.45 pm): I seek leave to move amendments en bloc.

Leave granted.

Ms TRAD: I move the following amendments—

119 Schedule 1 (Appeals)

Page 267, line 9, 'a minor change to'—

omit.

120 Schedule 1 (Appeals)

Page 267, line 18, 'of'—

omit, insert—

or

121 Schedule 1 (Appeals)

Page 269, table 1, item 2, column 4—

insert—

4 Any eligible advice agency for the change application

5 Any eligible submitter for the change application

122 Schedule 1 (Appeals)

Page 272, table 2, item 1, before 'on the ground of'—

insert—

other than a decision under section 251,

123 Schedule 2 (Dictionary)

Page 282, lines 23 to 25—

omit, insert—

(b) the reasons for the decision if the decision is—

(i) to refuse an application or request wholly or partly; or

(ii) a decision of a tribunal; or

(iii) a decision of the chief executive under section 243(1) or (3); and

124 Schedule 2 (Dictionary)

Page 291, line 7—

omit, insert—

(ii) if the application, including the change, were made when the change is made—would not cause—

125 Schedule 2 (Dictionary)

Page 291, line 23, 'to'—

omit, insert—

for

126 Schedule 2 (Dictionary)

Page 297, line 24, 'an'—

omit, insert—

a proposed

127 Schedule 2 (Dictionary)

Page 301, after line 2—

insert—

State heritage place see the Heritage Act, schedule.

Amendments agreed to.

Schedules 1 and 2, as amended, agreed to.

Planning and Environment Court Bill

Clauses 1 to 6, as read, agreed to.

Clause 7—

Ms TRAD (11.48 pm): I move the following amendments—

1 Clause 7 (Jurisdiction)

Page 8, lines 11 and 12—

omit, insert—

(2) Unless the Supreme Court decides a P&E Court decision or other matter under a relevant enabling Act is affected by jurisdictional error, the decision or matter is non-appealable,

2 Clause 7 (Jurisdiction)

Page 8, lines 17 and 18, 'order'—

omit, insert—

matter

I table the explanatory notes to my amendments.

Tabled paper: Planning and Environment Court Bill 2015, explanatory notes to Hon. Jackie Trad's amendments [674].

Amendments agreed to.

Clause 7, as amended, agreed to.

Clauses 8 to 57, as read, agreed to.

Clause 58—

Mr WALKER (11.49 pm): I move the following amendment—

1 Clause 58 (Definitions for part)

Page 28, lines 19 to 28 and page 29, lines 1 to 10—

omit, insert—

Division 1 Security for costs

58 Security for costs

(1) This section applies for any P&E Court proceeding.

(2) On application by a respondent, the P&E Court may—

(a) order the proceeding-starter to give security that the P&E Court considers appropriate for the respondent's costs of and incidental to the proceeding; and

(b) make an order under the Planning Act, section 72(2)(b), unless and until the security is given.

(3) Without limiting the matters to which the P&E Court may have regard in ordering security for costs, it may have regard to the matters mentioned in section 60 to the extent they are relevant.

(4) In this section—

proceeding-starter means the party who started the proceeding (whether as an applicant or appellant) regardless of who bears the onus of proof or must prove their case.

respondent means a party other than the proceeding-starter or a party joined with the proceeding-starter.

I table the explanatory notes to my amendment.

Tabled paper: Planning and Environment Court Bill 2015, explanatory notes to Mr Ian Walker's amendments [675].

This is the first in a raft of amendments that I will be moving to provide the Planning and Environment Court with the discretion to award costs. There has been a lot of homespun talk tonight—misinformed talk—about the imposition of a cost regime within the planning court. The first thing to say is that every other court has a cost regime, and it has it for a very good reason: it has it to ensure that those who misuse the court process have to face a penalty for misusing it. The second thing to say is that none of this is automatic. All of it is within the discretion of the judge. Our amendments give nothing other than the power to a judge in an appropriate circumstance to ensure that a party that misuses the process faces a penalty.

The third thing that needs to be said is that the only scenario that has been painted here tonight involves community groups. There is an absolutely reasonable and genuine concern that community groups are not unduly oppressed by such a provision. Firstly, the judge's discretion militates against that. Secondly, not every case in the Planning and Environment Court involves a community group—far from it. Many of the cases involve two very sophisticated parties. Retailer A wants to object against retailer B shopping centre. If there is no cost regime, as is the case now—if there are no costs to be awarded—retailer A will always take retailer B to court. They will have to. It makes commercial sense to slow them down for two years. Even if they run the case and lose it, they do not face any costs penalty, they have traded for two years while their competitor cannot and the community has been denied competition for two years.

We have to give proper thought to the costs provision, and not just be carried away with the romantic idea that it is somehow going to put community groups out of the race. It does not. The discretion of our duly appointed judges ensures that. Judges have been using this costs award, which has been in place since the legislation was amended when we were in government, absolutely sparingly. I will come to that when I come to move amendment No. 2, which particularly relates to costs.

Amendment No. 1 relates to security for costs. I ask members to cast their minds back to the case where Coles and Woolies are having a go at each other. This provision will allow the Planning and Environment Court, on application by a party, to find that for the party that seems to have the weakest case, on all the discretion that the judge has, that it is appropriate for an order to be made to put security into the court for the costs of the case that they are going to award. There was evidence provided by Mr Dean Misso, the Director of the Planning and Property Group of the Department of State Development, Infrastructure and Planning in relation to this matter. He said that the Chief Judge of the District Court has requested the ability for them to put in a provision relating to security of costs. Security of costs already applies in the Planning and Environment Court through the uniform civil procedural rules, but there are some clarity issues around language.

To make it clear, this amendment makes it clear that the uniform civil procedural rules, which relate to every other court in this state, also apply to the Planning and Environment Court with the judge always exercising discretion as to whether it is appropriate for an order to be made. It simply empowers the court to make that order in an appropriate case.

Ms TRAD: I rise to speak against the proposed amendment moved by the shadow minister for planning. Mr Speaker, as you would well know from conversations held early last year with the honourable Premier in relation to forming government, this was a key issue that you articulated in your response and the government articulated its response to you in relation to fulfilling our election comments. At the election we promised that we would remove the unfair mechanism whereby community litigants—and can I say that, in regard to the member's comments about this being some romantic notion, I think that is the first time that I have ever been accused of being romantic, but I will say—

Ms Grace interjected.

Ms TRAD: I take that interjection from the member for Brisbane Central. Damien does not say that. We made a commitment to remove these spiteful provisions that were introduced by the member for Callide when he was deputy premier in 2012. The member for Mansfield might well quote these spiteful provisions in relation to some sort of anticompetitive behaviour by shops or retailers in relation to holding up developments, but I know and many other members sitting on this side of the chamber and many members on the other side of the chamber as well—but they will not admit it—know that, when going to community meetings about large-scale developments, the No. 1 issue that is talked about is whether they can afford to appeal the decision. The No. 1 issue they talk about is whether they will be fitted up for the developer's costs in the Planning and Environment Court because of the provisions introduced by the member for Callide in the last term of parliament.

We made a commitment to remove these provisions, as we promised that we would remove the gag clauses that those opposite put in front of agreements with community organisations, as we promised that we would restore notification objection rights to landholders around major mining and resource developments in their communities. We promised to return community rights and community voices to major decision-making in communities and this provision is emblematic of that. I encourage all members of the House to vote against this proposal.

Non-government amendment (Mr Walker) negatived.

Clause 58, as read, agreed to.

Clause 59—

Mr WALKER (11.56 pm): I move the following amendment—

2 Clause 59 (General costs provision)

Page 29, lines 11 to 14—

omit, insert—

Division 2 Costs in P&E Court proceedings

59 General costs provision

(1) Subject to the following, the costs of a P&E Court proceeding are in the court's discretion—

(a) sections 61 and 62;

(b) any relevant enabling Act.

(2) Subject to section 62(3), the discretion includes the power to order costs against someone who as an interest in the proceeding but is not a party to the proceeding.

(3) The P&E Court may order that the amount of costs awarded must be decided under the appropriate procedure and scale of costs for District Court proceedings.

(4) A costs order of the P&E Court may be enforced as if it were an order of the District Court.

(5) In this section—

costs—

(a) for a P&E Court proceeding of the following type, includes a party's costs to investigate, or gather evidence for, the proceeding that the P&E Court decides the party reasonably incurred—

(i) a declaratory proceeding about the lawfulness of land use or development under the Planning Act, including any order under section 11(4);

(ii) an appeal against the giving of an enforcement notice under the Planning Act (an ***enforcement notice appeal***);

(iii) a proceeding for an enforcement order or interim enforcement order under the Planning Act; and

(b) for an enforcement notice appeal, also includes costs relating to investigations or gathering of evidence for the giving of the relevant enforcement notice.

proceeding includes a part of a proceeding and an application in a proceeding.

Following on from what I said earlier, this amendment is the substantive provision that allows the court the discretion to award costs. I repeat what I said in my speech in the second reading debate. If the parties enter into a court process, move to mediation and resolve their matter at mediation, no costs are awarded. It is only after that, if they decide to plough on and the judge believes, at the end of the day, that in his or her discretion costs should be awarded, that that power should be with the judge as it is with every other case in this state in which a litigant gets involved.

I should say that, in addition to what is presently in SPA, this amendment allows the court to also award costs against nonparties. There are instances where there are people outside the proceedings process—either directing a particular party or funding a particular party to a proceeding. Again, a particular circumstance may be that an individual is put forward, but the action is really being funded by a corporation. This amendment would allow the corporation to have the costs order made against it rather than the individual who has been apparently put up as the objector, or submitter. In that regard, in this amendment we have extended the ability for the court to make an order in relation to costs for nonparties to a proceeding.

I refer to the comments of David Nicholls, whom I mentioned in my contribution to the second reading debate. In his evidence he stated—

The evidence is that there has been no instance of a community group having costs awarded against it. The Planning and Environment Court has been very cautious about that.

I interpose and say that, again, there is a discretion. Mr Nicholls stated further—

I am aware of a case where that has happened. There was a case in the Redlands where a community group took an action in relation to a permissible change, but they were not arguing about the change; they were trying to reprosecute the original case against the development and the court did not like that, but that is not a merits based approach. In a merits based hearing where a community group opposes something and puts evidence before the court, the court has not awarded costs.

Ms TRAD: In order to save the parliament's time, clearly, the government will not be supporting this amendment or any other amendment that goes to the issue of costs in the Planning and Environment Court.

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

AYES, 40:

LNP, 40—Barton, Bates, Bennett, Bleijie, Boothman, Costigan, Cramp, 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, 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, King, Lauga, Linard, Lynham, Madden, Miles, Miller, O'Rourke, Palaszczuk, Pearce, Pease, Pegg, Pitt, Power, Russo, Ryan, Saunders, Stewart, Trad, Whiting, Williams.

KAP, 2—Katter, Knuth.

INDEPENDENT, 2—Gordon, Pyne.

Pair: Kelly, Crandon.

Resolved in the negative.

Non-government amendment (Mr Walker) negatived.

Clause 59, as read, agreed to.

Clauses 60 to 80, as read, agreed to.

Schedule, as read, agreed to.

Planning (Consequential) and Other Legislation Amendment Bill

Clauses 1 to 143—

Ms TRAD (12.07 am): I seek leave to move amendments en bloc.

Leave granted.

I table the explanatory notes to my amendments.

Tabled paper: Planning (Consequential) and Other Legislation Amendment Bill 2015, explanatory notes to Hon. Jackie Trad's amendments [676].

Ms TRAD: I move the following amendments—

1 Clause 19 (Amendment of s 53 (Modified application of Planning Act, ch 9, pt 6, div 4))

Page 42, lines 27 to 33—

omit, insert—

(iv) as if the regulation provides that a planning and development certificate must also be accompanied by—

(A) any statement of proposal for the airport land notified under section 38(2), if a draft plan in relation to the statement of proposal has not yet been approved under section 41; or

(B) any draft plan for the airport land notified under section 38(2) but not yet approved under section 41; and

2 Clause 21 (Replacement of s 55 (Restriction on designation for community infrastructure))

Page 44, line 4, 'subject to'—

omit, insert—

the subject of

3 Clause 27 (Insertion of new ch 7)

Page 47, lines 23 to 25—

omit, insert—

109 Existing priority infrastructure interface plans

A priority infrastructure interface plan for a land use

4 Clause 27 (Insertion of new ch 7)

Page 48, line 18, after 'by'—

insert—

former

5 Clause 42 (Amendment of s 16 (Reference in Act to applicants, development, assessment managers, referral agencies, building work or building certifiers))

Page 55, line 13, 'work'—

omit.

6 Clause 75 (Amendment of s 83 (General restrictions on granting building development approval))

Page 69, line 20, ', unless—'

omit, insert—

—until—

7 Clause 75 (Amendment of s 83 (General restrictions on granting building development approval))

Page 70, line 19, after 'last'—

insert—

or only

8 Clause 113 (Amendment of sch 2 (Dictionary))

Page 83, line 11—

omit, insert—

Planning Act, section 79(2)(c) or (d); and

Editor's note—

Subparagraph (ii) refers to a provision proposed to be inserted by an amendment in consideration in detail of the Planning Bill 2015.

9 Clause 131 (Insertion of new ch 8, pt 7)

Page 93, line 22—

omit, insert—

former section 173A—

10 Clause 131 (Insertion of new ch 8, pt 7)

Page 94, lines 7 and 8—

omit, insert—

(2) Former section 173A continues to apply in relation to the existing inside information as if the

Amendments agreed to.

Clauses 1 to 143, as amended, agreed to.

Clause 144—

Mr WALKER (12.08 am): I move the following amendment—

3 Clause 144 (Replacement of s 109 (Application of div 3))

Page 97, line 14 to page 98, line 16—

omit, insert—

144 Amendment of s 109 (Application of div 3)

Section 109, 'reconfiguration of'—

omit, insert—

reconfiguring

I table the explanatory notes in relation to my amendments.

Tabled paper: Planning (Consequential) and Other Legislation Amendment Bill 2015, explanatory notes to Mr Ian Walker's amendments [677].

This goes back to the provisions referred to in the second reading speech with regard to the Coastal Protection and Management Act and the process for land surrender to occur in such a case. As I said, the opposition's position is that coastal surrender matters should be done within the SARA process as every other planning or environment matter is in relation to a planning application. To have this coastal protection provision out in a satellite provision, dealt with separately under the Coastal Protection and Management Act, goes away from the philosophy of an integrated planning system which has been our philosophy in this state for some time, and goes against the State Assessment and Referral Agency and the whole notion of a single government response to a development application. There are consequential amendments, but this amendment No. 3 omits clause 144 of the government's bill in relation to definitions for change application and relevant application. These become unnecessary if the changes that are being proposed as part of our amendments in relation to land surrender are accepted by the House.

Ms TRAD: As I canvassed extensively in my second reading speech, the advice from my agency is that this government requires a head of power in terms of land surrender, particularly for coastal management purposes. As I said, this has been part of the legislative framework for many decades and was removed by the previous government. In fact, Joh Bjelke-Petersen, under the old beaches act, had the capacity to surrender land back to the state if it was at significant risk of coastal erosion. We are doing something that has been consistent in terms of managing our fragile and extensive coastline but, as I also said during the second reading speech, this provision in the past has only been used in terms of reclaiming around two per cent of very vulnerable at-risk coastline.

It is a reasonable measure but it is one that is necessary upon the advice of my agency and also the advice of the Department of Environment and Heritage Protection because the state needs a head of power in order to invoke this responsibility.

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

AYES, 42:

LNP, 40—Barton, Bates, Bennett, Bleijie, Boothman, Costigan, Cramp, 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.

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, King, Lauga, Linard, Lynham, Madden, Miles, Miller, O'Rourke, Palaszczuk, Pearce, Pease, Pegg, Pitt, Power, Russo, Ryan, Saunders, Stewart, Trad, Whiting, Williams.

INDEPENDENT, 2—Gordon, Pyne.

Pair: Kelly, Crandon.

Resolved in the negative.

Non-government amendment (Mr Walker) negatived.

Clause 144, as read, agreed to.

Clauses 145 to 697—

Ms TRAD (12.17 am): I seek leave to move amendments en bloc and to move amendments outside the long title of the bill.

Leave granted.

Ms TRAD: I move the following amendments—

11 Clause 145 (Replacement of ch 2, pt 6, div 3, sdiv 2 (Land surrender conditions))

Page 100, line 8, 'to the owner'—

omit.

12 After clause 169

Page 116, after line 6—

insert—

169A Amendment of s 40C (Declaration of PDA-associated development)

(1) Section 40C(2)(a), 'Sustainable'—

omit.

(2) Section 40C(5), definition *development infrastructure*—

omit, insert—

development infrastructure see the Planning Act, schedule 2.

13 Clause 173 (Amendment of s 44 (Existing SPA development applications))

Page 117, line 5, after 'development applications'—

insert—

and change applications

14 Clause 173 (Amendment of s 44 (Existing SPA development applications))

Page 117, lines 17 to 20—

omit, insert—

(a) a change application had been made under the Planning Act to change a development approval under that Act—

(i) that already approves development in the priority development area; or

(ii) to approve development in the priority development area, if the approval does not already approve development in the priority development area; and

15 Clause 178 (Amendment of s 50 (Provisions for converted SPA development approval))

Page 120, line 12—

omit, insert—

(b) for an approval for PDA-associated development for the priority development area—the development had never been PDA-associated development for the priority development area; and

(c) a development application under the

16 After clause 179

Page 120, after line 28—

insert—

179A Amendment of s 51A (Lawful uses relating to PDA-associated development)

Section 51A(2), 'Sustainable'—

omit.

17 Clause 182 (Amendment of s 77 (Exemption for particular SPA development approvals and community infrastructure designations))

Page 121, lines 27 and 28, 'Planning Act, chapter 2, part 5'—

omit, insert—

Planning Act

18 Clause 186 (Amendment of s 87 (Matters to be considered in making decision))

Page 123, lines 6 to 9—

omit, insert—

(1) Section 87(1)(f), 'any SPA preliminary approval'—

omit, insert—

any preliminary approval under the Planning Act

(2) Section 87(2A)—

omit, insert—

(2A) In deciding an application for PDA-associated development for a priority development area, MEDQ may, subject to section 86, give the weight it considers appropriate to any of the following instruments that would, under the Planning Act, have regulated the development if it were not PDA-associated development for the area—

(a) a planning instrument that applies to the relevant land;

(b) assessment benchmarks for the development prescribed by regulation under the Planning Act;

(c) assessment benchmarks for the development made under another Act for the Planning Act.

19 Clause 189 (Amendment of s 100 (When approval lapses generally))

Page 125, lines 3 to 19—

omit, insert—

(3) Section 100(6) to (8)—

omit.

20 Clause 190 (Replacement of s 104 (Plans of subdivision))

Page 126, lines 9 to 34 and page 127, lines 1 to 5—

omit, insert—

constructing authority see the *Acquisition of Land Act 1967*, schedule 2.

plan of subdivision means a plan or agreement (however described) for reconfiguring a lot—

(a) unless the reconfiguration relates to—

(i) the acquisition of land, including by agreement, under the *Acquisition of Land Act 1967*, by a constructing authority or an authorised electricity entity, for a purpose for which land may be taken under that Act; or

(ii) the acquisition of land by agreement, other than under the *Acquisition of Land Act 1967*, by a constructing authority or an authorised electricity entity, for a purpose for which land may be taken under that Act; or

(iii) land held by the State, or a statutory body representing the State, that is being reconfigured for a purpose for which land may be taken under the *Acquisition of Land Act 1967*, whether or not the land relates to an acquisition of land; or

(iv) the acquisition of land for water infrastructure; or

(v) a lot that is, or includes, airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*; or

(vi) a lot that is, or includes, strategic port land or Brisbane core port land under the *Transport Infrastructure Act 1994*; or

(b) other than a plan of survey lodged under the *Acquisition of Land Act 1967*, section 12A as a result of a reconfiguration relating to an acquisition of land mentioned in paragraph (a)(i).

21 Clause 195 (Amendment of ch 6, hdg (Transitional provisions and repeals))

Page 128, lines 6 to 10—

omit.

22 Clause 200 (Insertion of new ch 7)

Page 129, line 17 to page 131, line 23—

omit, insert—

200 Insertion of new ch 7, pt 2

After section 219—

insert—

Part 2 Transitional provisions for Planning (Consequential) and Other Legislation Amendment Act 2015

220 Definitions for part

In this part—

amending Act means the *Planning (Consequential) and Other Legislation Amendment Act 2015*.

former, in relation to a provision, means the provision as in force immediately before the provision was amended or repealed under the amending Act.

221 Existing SPA development application made before priority development area declared

(1) This section applies if, immediately before the declaration of an area as a priority development area—

(a) an existing SPA development application had been made for land in the area; and

(b) the application was a properly made application under the repealed Planning Act and had not lapsed under that repealed Act; and

(c) the application had not been decided.

(2) Former section 44(2) continues to apply in relation to the application as if the amending Act had not been enacted.

(3) If a development approval is given under the repealed Planning Act for the application, the carrying out of development, or use of land, under the approval is not a PDA development offence.

(4) In this section—

existing SPA development application means a development application made under the repealed Planning Act, to which the Planning Act, section 287 applies.

repealed Planning Act means the repealed *Sustainable Planning Act 2009*.

222 Existing PDA development application for PDA-associated development

(1) This section applies to a PDA development application for PDA-associated development for a priority development area made, but not decided, before the commencement.

(2) Former section 87(2A) continues to apply in relation to the application as if the amending Act had not been enacted.

223 Unfinished compliance assessment for plan of subdivision

(1) This section applies if—

(a) before the commencement, SPA compliance assessment under former section 104 had started for a plan of subdivision; and

(b) the assessment had not finished before the commencement.

(2) Former section 104 continues to apply in relation to the plan as if the amending Act had not been enacted.

224 Existing PDA development approval

(1) This section applies to a PDA development approval given before the commencement.

(2) Former section 100 continues to apply in relation to the approval as if the amending Act had not been enacted.

23 Clause 203 (Replacement of s 112A (Clearing native vegetation for operating works on freehold land))

Page 133, lines 22 and 23, ‘designated under the Planning Act, chapter 2, part 5’—

omit, insert—

the subject of a designation under the Planning Act

24 After clause 265

Page 159, after line 14—

insert—

Part 25A Amendment of Housing Act 2003

265A Amendment of s 94F (Definitions for div 2B)

(1) Section 94F, definitions *development*, *Planning Act* and *relevant public housing*—

omit.

(2) Section 94F—

insert—

development means—

(a) in relation to anything done before the commencement of this definition—development as defined in the repealed *Sustainable Planning Act 2009* immediately before the commencement; or

(b) in relation to anything done on or after the commencement of this definition—development as defined in the Planning Act from time to time.

Planning Act means the *Planning Act 2015*.

relevant public housing—

(a) means housing—

(i) provided by or for the State or a statutory body representing the State; and

(ii) for short or long term residential use; and

(iii) that is totally or partly subsidised by the State or a statutory body representing the State; and

(b) includes services provided for residents of the housing, if the services are totally or partly subsidised by the State or a statutory body representing the State.

(3) Section 94F, definition *applicable laws*—

insert—

(f) the repealed *Sustainable Planning Act 2009*.

25 Clause 314 (Insertion of new ch 9, pt 9)

Page 175, line 12, 'section 171A'—

omit, insert—

former section 171A

26 Clause 314 (Insertion of new ch 9, pt 9)

Page 175, lines 30 and 31—

omit, insert—

(2) Former section 171A continues to apply in relation to the existing inside information as if the

27 Clause 374 (Insertion of new sch 1, pt 12)

Page 198, lines 7 to 29 and page 199, lines 1 to 13—

omit, insert—

374 Insertion of new sch 1, pt 13

Schedule 1—

insert—

Part 13 Transitional provision for Planning (Consequential) and Other Legislation Amendment Act 2015

70 Existing development applications and requests for compliance assessment

(1) Former section 68E continues to apply in relation to the following as if the amending Act had not been enacted—

(a) the giving of a development approval mentioned in former section 68E(1) for an existing development application;

(b) the giving of a compliance permit mentioned in former section 68E(1) for an existing request for compliance assessment.

(2) In this section—

amending Act means the *Planning (Consequential) and Other Legislation Amendment Act 2015*.

existing development application means a development application made under the repealed Planning Act, to which the Planning Act, section 287 applies.

existing request for compliance assessment means a request for compliance assessment for development made under the repealed Planning Act, to which the Planning Act, section 287 applies.

former section 68E means section 68E as in force immediately before the commencement.

repealed Planning Act means the repealed *Sustainable Planning Act 2009*.

28 After clause 377

Page 200, after line 4—

insert—

377A Amendment of s 8 (Functions of council)

Section 8(1)(e)—

omit, insert—

(e) to give advice to the planning chief executive about the effect that development proposed under a development application or change application may have on the cultural heritage significance of a State heritage place;

Note—

See also the Planning Act, section 276A.

Editor's note—

The note refers to a provision proposed to be inserted by an amendment in consideration in detail of the Planning Bill 2015.

(f) to perform other functions given to the council under this Act or by the Minister.

29 Clause 386 (Replacement of pt 11, div 4 (Code for IDAS for local heritage places on local heritage registers))

Page 203, lines 23 to 26—

omit.

30 Clause 396 (Amendment of schedule (Dictionary))

Page 209, after line 26—

insert—

development application means a development application under the Planning Act.

31 Clause 396 (Amendment of schedule (Dictionary))

Page 209, after line 27—

insert—

planning chief executive means the chief executive of the department in which the Planning Act is administered.

32 Clause 411 (Amendment of s 79 (Application of sdivs 2 and 3))

Page 216, line 7, after 'that'—

insert—

already

33 Clause 411 (Amendment of s 79 (Application of sdivs 2 and 3))

Page 216, line 11, after 'approve'—

insert—

particular

34 Clause 417 (Replacement of pt 6, div 4, sdiv 6 (Community infrastructure designations))

Page 220, line 25, 'subject to'—

omit, insert—

the subject of

35 Clause 423 (Amendment of schedule (Dictionary))

Page 225, line 7, 'and'—

omit, insert—

or

36 Clause 466 (Amendment of s 99BRBF (Appeals about applications for connections—particular charges))

Page 242, lines 16 to 18—

omit, insert—

(1) Section 99BRBF(2), 'building and development committee'—

omit, insert—

development tribunal

(2) Section 99BRBF(3), before paragraph (a)—

insert—

(aa) the amount of the charge is so unreasonable that no reasonable distributor-retailer could have imposed the amount;

(3) Section 99BRBF(3)(aa) to (b)—

renumber as section 99BRBF(3)(a) to (c).

37 After clause 472

Page 244, after line 30—

insert—

472A Amendment of s 99BRBO (Appeals about applications for connections—particular charges)

Section 99BRBO(3)(a)—

omit, insert—

(a) the amount of the charge is so unreasonable that no reasonable distributor-retailer could have imposed the amount;

38 Clause 480 (Amendment of s 99BRCG (Matters for board decision))

Page 248, lines 25 to 29 and page 249, line 1—

omit, insert—

(1) An adopted charge may be made for providing trunk infrastructure for a land use if—

(a) the land use is prescribed by regulation under the Planning Act, section 111(3)(b); and

(b) the charge is no more than the proportion of the

39 Clause 480 (Amendment of s 99BRCG (Matters for board decision))

Page 250, line 1, after 'for'—

insert—

a financial year, for

40 Clause 480 (Amendment of s 99BRCG (Matters for board decision))

Page 250, line 8, 'in which the charge is levied'—

omit.

41 Clause 499 (Insertion of new ch 6, pt 11)

Page 257, line 3, 'section 295(3)'—

omit, insert—

section 295(3)(b)

42 Clause 499 (Insertion of new ch 6, pt 11)

Page 259, line 1, 'part 3'—

omit, insert—

part 4

43 Clause 499 (Insertion of new ch 6, pt 11)

Page 260, line 27 and page 261, line 1, 'local government'—

omit, insert—

distributor-retailer

44 Clause 499 (Insertion of new ch 6, pt 11)

Page 261, line 8, after 'commencement'—

insert—

of Planning Act

45 Clause 499 (Insertion of new ch 6, pt 11)

Page 261, line 20, after 'commencement'—

insert—

of the Planning Act

46 Clause 540 (Amendment of s 85 (Carrying out particular development, use or works not an offence))

Page 286, lines 28 and 29, 'made under the Planning Act, chapter 2, part 5'—

omit, insert—

under the Planning Act

47 After clause 555

Page 293, after line 11—

insert—

Part 60A Amendment of Sustainable Ports Development Act 2015

555A Act amended

This part amends the Sustainable Ports Development Act 2015.

555B Amendment of s 21 (Content of port overlay)

Section 21(2)(a)(ii) and (iii)—

omit, insert—

(ii) state that development in the master planned area is, under that Act, accepted development, assessable development requiring code or impact assessment, or prohibited development; or

(iii) state assessment benchmarks that assessable development under the port overlay must be assessed against; or

(iv) state the matters an assessment manager must have regard to in assessing assessable development under the port overlay; or

555C Amendment of s 30 (Application of Planning Act)

Section 30(4) to (7)—

omit, insert—

(4) Subsections (5) and (6) apply to a development application or change application to the extent the application is in relation to development—

(a) in a priority port's master planned area; and

(b) stated in the port overlay for the master planned area to be assessable development.

(5) The decision-maker must, in assessing the application under the Planning Act—

(a) if the port overlay states assessment benchmarks for the assessable development—assess the development against the assessment benchmarks; and

(b) if the port overlay states matters an assessment manager must have regard to in assessing the assessable development—have regard to the stated matters.

(6) The decision-maker's decision under the Planning Act about the application must not be inconsistent with the port overlay.

(7) Subsection (5) does not limit the Planning Act, section 60, 61, 81 or 82.

(8) In this section—

decision-maker means—

(a) for a development application—the assessment manager for the application; or

(b) for a change application—the responsible entity for the application.

555D Amendment of s 34 (Particular applications for port facilities must be refused)

(1) Section 34(5), definition *assessment manager*—

insert—

(c) for a change application—the responsible entity for the application.

(2) Section 34(5), definition *development application*—

insert—

(c) a change application, other than a minor change application.

555E Amendment of s 42 (Existing development applications)

(1) Section 42, heading—

omit, insert—

42 Existing development application or change application

(2) Section 42(1), 'Subsection (2)'—

omit, insert—

This section

(3) Section 42—

insert—

(1A) This section also applies if, immediately before a port overlay for a priority port's master planned area has effect—

(a) a change application had been made under the Planning Act to change a development approval—

(i) that already approves development in the master planned area; or

(ii) to approve development in the master planned area, if the approval does not already approve development in the master planned area; and

(b) the application had not lapsed under the Planning Act; and

(c) the application had not been decided.

(4) Section 42(1A) and (2)—

renumber as section 42(2) and (3).

555F Amendment of pt 5, hdg (Transitional provision)

Part 5, heading—

omit, insert—

Part 5 Transitional provisions

Division 1 Transitional provision for Act No. 28 of 2015

555G Insertion of new pt 5, div 2

After section 49—

insert—

Division 2 Transitional provision for Planning (Consequential) and Other Legislation Amendment Act 2015

50 Existing development application

(1) Subsection (2) applies to an existing development application mentioned in former section 30(4).

(2) Former section 30(5) to (7) continues to apply in relation to the application, as if the amending Act had not been enacted and the repealed Planning Act had not been repealed.

(3) Subsection (4) applies to an existing development application—

(a) mentioned in former section 34(1); or

(b) for an approval mentioned in former section 35(1).

(4) This Act as in force immediately before the commencement continues to apply in relation to the application, as if the amending Act had not been enacted.

(5) Subsection (6) applies if, immediately before a port overlay for a priority port's master planned area had effect—

(a) an existing development application had been made for premises in the master planned area; and

(b) the application was a properly made application under the repealed Planning Act and had not lapsed under that repealed Act; and

(c) the application had not been decided.

(6) Former section 42(2) continues to apply in relation to the application, as if the amending Act had not been enacted.

(7) In this section—

amending Act means the *Planning (Consequential) and Other Legislation Amendment Act 2015*.

existing development application means a development application made under the repealed Planning Act, to which the Planning Act, section 287 applies.

former, in relation to a provision, means the provision as in force immediately before the provision was amended or repealed under the amending Act.

repealed Planning Act means the repealed *Sustainable Planning Act 2009*.

555H Amendment of sch 1 (Dictionary)

(1) Schedule 1, definitions *assessment manager* and *Planning Act*—

omit.

(2) Schedule 1—

insert—

assessable development see the Planning Act, section 44(3).

assessment benchmarks see the Planning Act, section 43(1)(c).

assessment manager, for a development application, means the assessment manager under the Planning Act for the application.

change application means a change application under the Planning Act.

minor change application means a change application for a minor change to a development approval, as defined in the Planning Act.

Planning Act means the *Planning Act 2015*.

responsible entity, for a change application, means the responsible entity under the Planning Act for the application.

(3) Schedule 1, definition *approval*—

insert—

(aa) an approval under the Planning Act of a change application, other than a minor change application; or

(4) Schedule 1, definition *approval*, paragraphs (aa) to (f)—

renumber as paragraphs (b) to (g).

(5) Schedule 1, definition *approving authority*—

insert—

(aa) for an approval under the Planning Act of a change application—the responsible entity for the change application; or

(6) Schedule 1, definition *approving authority*, paragraphs (aa) to (f)—

renumber as paragraphs (b) to (g).

(7) Schedule 1, definition *development*, 'section 7'—

omit, insert—

schedule 2

(8) Schedule 1, definition *EIS process*, paragraph (a), 'Planning Act'—

omit, insert—

repealed *Sustainable Planning Act 2009*

48 After clause 563

Page 295, after line 23—

insert—

563A Insertion of new s 62A

After section 62—

insert—

62A Particular applications taken to be application for decision under s 62(1)

(1) This section applies if—

(a) a development application or a change application (each a ***planning application***) is made under the Planning Act; and

(b) the planning chief executive is—

(i) if the planning application is a development application—the assessment manager or a referral agency for the application; or

(ii) if the planning application is a change application—the responsible entity for the application; and

(c) the proposed development involves constructing or changing a vehicular access between the land the subject of the application (the ***subject land***) and a State-controlled road; and

(d) either—

(i) the chief executive has not made a decision under section 62(1) in relation to the subject land; or

(ii) the chief executive has made a decision under section 62(1) in relation to the subject land, but the chief executive did not take the proposed development into account in making the decision.

(2) The planning application is taken to also be an application for a decision under section 62(1).

(3) If the planning application lapses, or is changed or withdrawn, under the Planning Act, the application for a decision under section 62(1) also lapses, or is taken to have been changed or withdrawn.

(4) To remove any doubt, it is declared that this section applies even if the applicant for the planning application does not have an interest in the subject land.

(5) In this section—

proposed development means—

(a) for a development application—the development the subject of the application; or

(b) for a change application—the development the subject of the development approval to which the change application relates, as the development is proposed to be changed under the change application.

563B Replacement of s 63 (Chief executive may require additional information from applicant)

Section 63—

omit, insert—

63 Request for information

(1) The chief executive may, by written notice, ask an applicant for a decision under section 62(1) for further information needed to decide the application.

(2) The applicant must give the requested information to the chief executive by—

(a) the day stated in the notice; or

(b) a later day agreed between the applicant and the chief executive.

(3) If the chief executive asks, under this section, for further information about an application, the chief executive may refuse to decide the application until the applicant gives the required information.

(4) However, subsection (3) does not apply to a planning application that, under section 62A(2), is taken to also be an application for a decision under section 62(1).

563C Amendment of s 64 (Decision under s 62(1) may impose construction or financial obligation)

(1) Section 64, from 'A decision' to 'conditions—'

omit, insert—

A decision under section 62(1) made on an application may include either or both of the following conditions—

(2) Section 64—

insert—

(2) However, this section does not apply if the application is made in compliance with a direction given under section 69.

563D Amendment of s 67 (Notice of decision under s 62(1))

(1) Section 67(1) and (1A)—

omit, insert—

(1) If the chief executive makes a decision under section 62(1), the chief executive must give written notice of the decision to—

(a) if the decision is on a planning application that, under section 62A(2), is taken to also be an application for a decision under section 62(1)—the planning chief executive; or

(b) otherwise, each of the following persons—

(i) the owner of the land to which the decision relates;

(ii) the occupier of the land to which the decision relates;

(iii) any person who may have applied for the decision.

(2) Section 67(2)(c)—

omit, insert—

(c) if the notice is given to the planning chief executive—that the applicant for the planning application is bound by the decision because of section 70;

(ca) if the notice is given to a person mentioned in subsection (1)(b)—that the person is bound by the decision because of section 70;

(3) Section 67(2)(ca) to (e)—

renumber as section 67(2)(d) to (f).

(4) Section 67(2A) to (4)—

omit, insert—

(3) Subsection (4) applies if the decision is not a decision sought by—

(a) for a decision on a planning application mentioned in subsection (1)(a)—the applicant; or

(b) for any other decision—the person to whom the notice is given.

(4) The notice must be accompanied by an information notice for the decision.

(5) Subsections (6) to (8) apply if the decision is on a planning application mentioned in subsection (1)(a).

(6) The notice—

(a) must be given to the planning chief executive at least 1 business day before the end of the response period for the planning application; and

(b) must then be given by the planning chief executive to the applicant when the planning chief executive gives the applicant—

(i) a referral agency's response under the Planning Act for the planning application; or

(ii) a decision notice, under the Planning Act, section 63 or 83, for the planning application; and

(c) is taken to have been given to the applicant by the chief executive on the day the notice is given to the applicant by the planning chief executive.

(7) If a development approval, or changed development approval, is given for the planning application, the decision under section 62(1)—

(a) starts to have effect when the approval has effect; and

(b) stops having effect if the approval lapses or is cancelled; and

(c) replaces any earlier decision made under section 62(1) in relation to the land.

(8) If the planning application is refused, the decision under section 62(1) does not take effect.

(9) In this section—

decision-making period means—

(a) for a development application—the period allowed under the development assessment rules under the Planning Act for the assessment manager to decide the application, including any extension of that period under the rules; or

(b) for a change application—the period allowed under the development assessment rules under the Planning Act for the responsible entity to decide the application, including any extension of that period under the rules.

minor change application means a change application for a minor change to a development approval, as defined in the Planning Act.

referral agency's response period, for a development application, means the period stated in the development assessment rules under the Planning Act for complying with section 56(4) of that Act for the application, including any extension of that period under the rules.

response period, for a planning application, means—

(a) if the planning application is a development application for which the planning chief executive is a referral agency—the referral agency's response period for the application; or

(b) if the planning application is a development application for which the planning chief executive is the assessment manager or a change application other than a minor change application—the decision-making period for the application; or

(c) if the planning application is a minor change application—the period allowed under the Planning Act, section 81(5) or (6) for deciding the application, including any extension of that period under section 81(7) of that Act.

563E Insertion of new s 67A

After section 67—

insert—

67A Request for copy of decision made under s 62(1)

(1) A person who has an interest in land may, in writing, ask the chief executive to give the person a copy of a decision in force under section 62(1) for the land.

(2) If a person asks the chief executive, under subsection (1), for a copy of a decision, the chief executive must give the person the copy.

49 Clause 564 (Amendment of s 74 (Cases where compensation not payable))

Page 295, lines 26 to 28 and page 296, line 1—

omit, insert—

(1) Section 74—

insert—

(5A) The chief executive is not liable to pay compensation for the effect of a decision under section 62(1) made in relation to a planning application—

(a) if—

(i) the planning application relates to a material change of use or reconfiguring a lot; and

(ii) the decision has the effect mentioned in section 73(1)(a) or (b); or

(b) if—

(i) the planning application relates to development that has had, or is likely to have, a significant impact on traffic safety or efficiency on the State-controlled road to which the decision relates; and

(ii) the decision has the effect mentioned in section 73(1)(b); or

(c) if the decision has the effect mentioned in section 73(2).

(2) Section 74(6), definition *development*—

omit.

(3) Section 74(6), definition *premises*, 'schedule 3'—

50 Clause 565 (Amendment of s 75 (Conditions in development approval))

Page 296, lines 5 to 10—

omit, insert—

(1) Section 75, heading—

omit, insert—

75 Conditions in particular development approvals

(2) Section 75(a), after 'approval'—

insert—

given under the repealed *Sustainable Planning Act 2009* or the repealed *Integrated Planning Act 1997*

(3) Section 75(b)—

omit, insert—

(b) the conditions were included because of a referral agency's response given by the chief executive; and

51 Clause 572 (Amendment of s 283I (Definitions for pt 3C))

Page 299, after line 9—

insert—

designation means a designation of premises under the Planning Act.

52 Clause 572 (Amendment of s 283I (Definitions for pt 3C))

Page 299, lines 12 to 14—

omit.

53 Clause 572 (Amendment of s 283I (Definitions for pt 3C))

Page 299, lines 22 to 29—

omit, insert—

(4) Section 283I, definition *minor amendment (LUP)*, paragraph (c)(ii), 'community infrastructure'—

omit.

(5) Section 283I, definition *planned transport infrastructure*, paragraph (b), 'community infrastructure'—

omit.

54 Clause 575 (Section 283T (Content of plan—matters about development))

Page 301, line 7, 'Section 283T'—

omit, insert—

Amendment of s 283T

55 Clause 586 (Replacement of ss 283ZZB and 283ZZC)

Page 306, lines 20 to 25—

omit, insert—

also be accompanied by—

(A) any statement of proposal for Brisbane core port land notified under section 283ZB(2), if a draft plan in relation to the statement of proposal has not yet been approved under section 283ZE; or

(B) any draft plan for Brisbane core port land notified under section 283ZB(2) but not yet approved under section 283ZE; and

56 Clause 586 (Replacement of ss 283ZZB and 283ZZC)

Page 307, line 2—

omit, insert—

the subject of a designation is

57 Clause 597 (Amendment of s 477AA (Chief executive taken to be owner of particular transport land for particular circumstances under Planning Act))

Page 313, line 21, after 'extend'—

insert—

the duration of

58 After clause 597

Page 314, after line 14—

insert—

597A Amendment of s 485B (Appeals against decisions)

(1) Section 485B—

insert—

(3A) Subsection (5) applies if—

(a) a person appeals to the Planning and Environment Court against a decision under section 62(1) on a planning application that is taken, under section 62A(2), to also be an application for a decision under section 62(1); and

(b) a person appeals to the Planning and Environment Court against a decision under the Planning Act on the planning application.

(3B) The court may order—

(a) the appeals to be heard together or 1 immediately after the other; or

(b) 1 appeal to be stayed until the other is decided.

(3C) Subsection (5) applies even if all or any of the parties to the appeals are not the same.

(2) Section 485B(3A) to (4)—

renumber as section 485B(4) to (7).

59 Clause 599 (Insertion of new ch 21, pt 5)

Page 315, line 16, after 'applies'—

insert—

to

60 Clause 600 (Amendment of sch 6 (Dictionary))

Page 316, line 24, after 'concurrence agency,'—

insert—

development,

61 Clause 600 (Amendment of sch 6 (Dictionary))

Page 316, line 25, after 'priority infrastructure plan'—

insert—

, *referral agency*

62 Clause 600 (Amendment of sch 6 (Dictionary))

Page 317, after line 2—

insert—

designation, for chapter 8, part 3C, see section 283I.

development—

(a) for chapter 6, part 5, division 2, subdivision 2 and chapter 8, part 3C, see the Planning Act, schedule 2; or

(b) for chapter 11, see section 401.

63 Clause 600 (Amendment of sch 6 (Dictionary))

Page 317, lines 7 and 8—

omit.

64 Clause 600 (Amendment of sch 6 (Dictionary))

Page 317, after line 11—

insert—

planning application see section 62A(1).

65 Clause 600 (Amendment of sch 6 (Dictionary))

Page 317, after line 13—

insert—

referral agency see the Planning Act, section 54(2).

referral agency's response see the Planning Act, section 56(4).

66 Clause 637 (Amendment of s 22A (Particular vegetation clearing applications may be assessed))

Page 330, lines 27 to 30 and page 331, lines 1 to 6—

omit, insert—

637 Amendment of s 22A (When development is for a relevant purpose)

(1) Section 22A(1), 'for the Planning Act, schedule 1, item 3 or 4'—

omit.

(2) Section 22A(2C)—

omit.

67 Clause 639 (Replacement of pt 2, div 6, sdiv 1A, hdg (Particular vegetation clearing applications))

Page 331, lines 10 to 16—

omit.

68 Clause 640 (Omission of s 22DAA (Application of subdivision))

Page 331, lines 17 to 19—

omit.

69 Clause 641 (Amendment of s 22DAB (Requirements for making application))

Page 331, lines 20 to 26 and page 332, lines 1 to 3—

omit.

70 Clause 642 (Amendment of s 22DAC (Matters for deciding application))

Page 332, lines 4 to 16—

omit.

71 Clause 661 (Insertion of new pt 6, div 12)

Page 337, line 7 to page 339, line 8—

omit, insert—

661 Insertion of new pt 6, div 13

Part 6—

insert—

Division 13 Transitional provisions for Planning (Consequential) and Other Legislation Amendment Act 2015

133 Existing self-assessable vegetation clearing code continues in force

A self-assessable vegetation clearing code in force immediately before the commencement—

(a) continues in force; and

(b) is taken to be an accepted development vegetation clearing code.

134 Existing vegetation clearing application or existing concurrence agency application

(1) This section applies to an existing vegetation clearing application or an existing concurrence agency application.

(2) This Act, as in force immediately before the commencement, continues to apply in relation to the application as if the *Planning (Consequential) and Other Legislation Amendment Act 2015* had not been enacted.

(3) In this section—

existing concurrence agency application means a concurrence agency application as defined in the schedule immediately before the commencement, to which the Planning Act, section 287 applies.

existing vegetation clearing application means a vegetation clearing application as defined in the schedule immediately before the commencement, to which the Planning Act, section 287 applies.

135 Declarations prepared under former s 16 or made under former s 17

(1) A declaration made under former section 17 and in force immediately before the commencement—

(a) continues in force; and

(b) is taken to be a declaration made under section 17.

(2) Subsection (3) applies if—

(a) before the commencement, the Minister prepared, or started to prepare, a declaration under former section 16; but

(b) the declaration had not been made before the commencement.

(3) Former sections 16 and 17(1) and (3) continue to apply in relation to the preparation and making of the declaration.

(4) However, the declaration must not include a code for the clearing of vegetation in the area to which the declaration relates.

(5) A declaration made under subsection (3) is taken to be a declaration made under section 17.

(6) In this section—

former, in relation to a provision, means the provision as in force immediately before the provision was amended or repealed under the *Planning (Consequential) and Other Legislation Amendment Act 2015*.

72 Clause 670 (Amendment of s 814 (Excavating or placing fill without permit))

Page 343, line 12, 'Excavating'—

omit, insert—

Destroying vegetation, excavating

73 Clause 673 (Replacement of s 966 (Applications for the removal of quarry material))

Page 344, line 18, after 'that'—

insert—

already

74 Clause 692 (Replacement of ss 561 and 562)

Page 352, line 14, after 'that'—

insert—

already

75 Clause 692 (Replacement of ss 561 and 562)

Page 352, line 26, after 'the'—

insert—

relevant

Amendments agreed to.

Clauses 145 to 697, as amended, agreed to.

Third Reading (Cognate Debate)

Hon. JA TRAD (South Brisbane—ALP) (Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment) (12.18 am): I move—

That the Planning Bill, as amended, be now read a third time.

Question put—That the Planning Bill, as amended, be now read a third time.

Motion agreed to.

Bill read a third time.

Hon. JA TRAD (South Brisbane—ALP) (Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment) (12.18 am): I move—

That the Planning and Environment Court Bill, as amended, be now read a third time.

Question put—That the Planning and Environment Court Bill, as amended, be now read a third time.

Motion agreed to.

Bill read a third time.

Hon. JA TRAD (South Brisbane—ALP) (Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment) (12.18 am): I move—

That the Planning (Consequential) and Other Legislation Amendment Bill, as amended, be now read a third time.

Question put—That the Planning (Consequential) and Other Legislation Amendment Bill, as amended, be now read a third time.

Motion agreed to.

Bill read a third time.

Long Title (Cognate Debate)

Hon. JA TRAD (South Brisbane—ALP) (Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment) (12.19 am): I move—

That the long title of the Planning Bill be agreed to.

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

Motion agreed to.

Hon. JA TRAD (South Brisbane—ALP) (Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment) (12.19 am): I move—

That the long title of the Planning and Environment Court Bill be agreed to.

Question put—That the long title of the Planning and Environment Court Bill be agreed to.

Motion agreed to.

Hon. JA TRAD (South Brisbane—ALP) (Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment) (12.19 am): I move—

That the long title of the Planning (Consequential) and Other Legislation Amendment Bill be agreed to.

Question put—That the long title of the Planning (Consequential) and Other Legislation Amendment Bill be agreed to.

Motion agreed to.

ADJOURNMENT

Hon. SJ HINCHLIFFE (Sandgate—ALP) (Leader of the House) (12.20 am): I move—

That the House do now adjourn.

Oxley State High School Site

Mrs SMITH (Mount Ommaney—LNP) (12.21 am): I rise tonight to give the House an update on the former Oxley State High School site. It is probably appropriate I do this tonight given we have just passed the Planning Bill. For members who are not aware of the Oxley State High School site, I can tell them it covers approximately 22 acres in the heart of the beautiful suburb of Oxley. I can give a bit of history about the Oxley site.

The school was opened in 1966. In 2000 the school was closed down—by a Labor government, I might add—and in 2001 the site was made available to the fire ant program as well as a number of community groups and a very much loved dance school. The fire ant program was relocated in 2014. Since then, the police academy has been using that site for training purposes on a casual basis. I should also note that when the G20 was here in Brisbane some of the training was performed there. The site has largely been left to rot. Throughout 2015 I made a number of representations, either through the parliament or through writing to various ministers on a number of occasions, about the future of the Oxley State High School site, only to be given the silent treatment, the shut-out treatment or bureaucratic waffle.

Fed up with the inaction of this government, I have undertaken my very own consultation. With media support and community pressure, I am pleased to say that finally community forums will be held. As I said, I did my own consultation and about 300 residents who will be directly affected by this site were surveyed. I received 143 surveys back and those surveys showed an overwhelming response about what the community felt and what they wanted.

I want to express the biggest concerns here in the House tonight. The first is that I think Labor will be breaking an election commitment, given that they have been very clear on their position on asset sales. Another worry is the lack of genuine consultation. The community forums are only now being held after community pressure. I am also concerned that this is a foregone conclusion and the government has already made a decision. We will be watching this very closely and I will be pleased to report back to the House.

Ferny Grove Electorate, Fundraising Events

Mr FURNER (Ferny Grove—ALP) (12.24 am): On Saturday, 30 April I had the pleasure of attending the Samford Leo Club English Rose High Tea event for the second year. The Samford high tea event raises funds for the Lions Medical Research Personality Quest Lions entrant, who on this occasion is Catherine Mason. Catherine started fundraising for medical research last year after going through chemotherapy and radiation treatment for cervical cancer. So far Catherine's cancer has been killed, but she is still suffering the after-effects of the treatment such as fatigue, menopause and internal burns. She is raising funds to help find more effective treatment and it also helps her to cope with the trauma that comes along with any major issue.

It was my pleasure to be there in attendance with the Labor candidate for Dickson, Linda Lavarch. Linda is an excellent candidate, and many people in this chamber would know her from her previous career here as an Attorney-General. I think she will be a formidable candidate for the seat of Dickson and a real challenge for the sitting member. It will be a fight down to the wire.

It was my pleasure to assist for the second year in raising funds. Just as I used to do when I was a senator in Canberra, I auctioned myself off with dinner for two. When I was in Canberra, I used to auction a dinner in the dining room at Parliament House; on this occasion it was dinner with the member for Ferny Grove in the Strangers' Dining Room. Last year we raised several hundred dollars and this year was the same. It is good to raise funds to assist things like medical research into cancer.

In addition, later this year I will be the patron at an event for the 10th year to raise funds for Cancer Council Queensland in their major fundraiser, Relay for Life. I am looking forward to that event later in the year. It will assist to raise valuable funds for medical research to make sure we find a cure one day. Slowly but surely, we are finding medical cures for cancer as we work through the process of diagnosing why and when those particular ailments hit the body. It is important that governments step up to the plate and make sure they fund that research. Sadly, that is not the case in terms of the current federal government. In many cases they have pulled back from the research into establishing why people continue to suffer from particular forms of cancer. One day I am sure we will get to a point where we are able to find the cure for the many cancers that attack our bodies.

Warrego Electorate, Anzac Day

Ms LEAHY (Warrego—LNP) (12.27 am): I was delighted to attend the memorial day at Trumpeters' Corner and the other Anzac Day functions throughout my electorate. Trumpeters' Corner is on the corner of Jeitz and Nine Mile Stock Route roads—halfway between Warra and Jandowae. It is a project of the Warra Progress and Heritage Society and the Friends of Trumpeters' Corner. I would like to pay tribute to Lyn Taylor, society secretary, for her dedication to the project and the efforts of society members.

Five bronze plaques were unveiled honouring the soldier settlers and nurses from the Warra and Jandowae districts who served in World War I and II. There was a very special unveiling of the 'Little French Digger' plaque that tells the story of a Jandowae airman, Tim Tovell, who smuggled a little French orphan, Henri, back to Australia in a chaff bag after World War I. Thanks also go to the O'Neill, Fogarty, Cosgrove, Elliot, Steggall and White families for their moving stories at the memorial day and their contribution to the plaques. One Tree Agriculture, Veivers Concreting and Steven McVeigh are also to be commended for their contribution to the respite shelter and picnic table.

Following the memorial day I attended the dawn service at St George which was officiated by Karl Hempstead, president of the St George RSL Sub Branch. Guest speaker Karen Berry detailed the service of some of the former service personnel from the St George district. I commend Karen for her desire to ensure local history is retained by the community. I was guest speaker at the Dirranbandi Anzac Day service, and I would like to thank Don Perkins and the Dirranbandi RSL for organising and officiating the Anzac service.

In 2017 it will be 100 years since the Battle of Beersheba. Beersheba has a connection with Dirranbandi. In command of the 12th Light Horse Regiment, who were in the charge of Beersheba, was Brigadier General William Grant who, after the war, lived in the Dirranbandi district. General Grant was recorded as personally giving the order to the 12th Light Horse Regiment prior to the battle: 'Men, you're fighting for water.' The statement 'Men, you're fighting for water' still resonates with the Dirranbandi community today but for different reasons.

At Charleville I joined George Donohue and his RSL sub-branch members for lunch and a customary game of two-up, which was enjoyed by many at the RSL. I would like to take this opportunity to thank all the RSL members and sub-branches across the Warrego electorate for their efforts on Anzac Day 2016.

Brough, Mr R

Hon. SJ HINCHLIFFE (Sandgate—ALP) (Minister for Transport and the Commonwealth Games) (12.30 am): In June last year I had the pleasure of meeting Mr Robert Brough, a veteran of the Avro Lancaster Bomber K2 and member of 460 Squadron RAAF that saw action in the European theatre of the Second World War. K2 was one of the most photographed Lancasters, with a conspicuous symbol of the dagger piercing the swastika painted on it. When we met, Roy, as he was known, had just received the Legion d'honneur appointed by the President of the French Republic. The Legion is France's highest order for both military and civil achievement and was established by Napoleon Bonaparte in 1802.

Membership of the Legion d'honneur is only ever bestowed on non-French citizens when that country is indebted to their extraordinary service. The Lancaster crews and their bravery were not only fighting to free Europe and the world from the tyranny of Nazism but were indeed fighting for the values espoused by the French motto of liberté, égalité and fraternité. Hence, Roy was a deserving recipient of that great award. Thus I was very saddened to hear of the passing in April of this Australian and local hero at the age of 93 years. I wish to pass on my condolences to his wife, Gloria, and their family including Glen, Narelle, Errol, Robin, Lex, Sue, Margaret, Jean and more.

Roy was just 22 years old when he was stationed at Brighton in the south of England, and on the numerous sorties experienced the hardships and challenges of war firsthand. Of the entire RAAF bomber command during this period, just 24 per cent of personnel survived unharmed. As a state and as a nation we are indebted to the service of Roy and 17 other Queenslanders who were bestowed with the award from the Republic of France last year.

I know that on Anzac Day all of my parliamentary colleagues took the time to join with their communities in remembering the sacrifice and service of former and current Navy, Army and Air Force personnel. I must admit that my favourite local commemoration is the RAAF Association's Anzac Day sunset service held at 19th Avenue in Brighton at a memorial dedicated on the site of the guard house of the RAAF Sandgate Station, which during the 1940s occupied the site many know as Eventide. I joined Mr Roy Lincoln, president of the RAAF Association's Sandgate branch, federal member for Lilley, Wayne Swan, Deagon ward councillor Jared Cassidy, representatives from the Sandgate RSL sub-branch, other branches of the RAAF Association, Australian Air Force Cadets and the residents of the Eventide community who laid wreaths. This special occasion was a poignant time to note the passing of Roy Brough. Vale Roy Brough. Lest we forget.

Urban Food Street

Mr DICKSON (Buderim—LNP) (12.33 am): I turn the attention of the House to a number of streets in my electorate of Buderim where a quiet revolution has once again garnered the attention of national news outlets. Urban Food Street has transformed a quiet Buderim neighbourhood into an integrated, edible suburban landscape. More than 200 houses fall within Urban Food Street's catchment, producing 900 kilograms of bananas and 300 cabbages in 2015 alone.

Between 2010 and 2015, Urban Food Street has grown exponentially**,** expanding from six residential streets to 11 streets paved with an abundance of seasonal fruits which now include figs, olives, bananas, custard apples, mangos, mulberries, tropical peaches, tropical apples, pomegranates, persimmons, paw paws, avocados, dragon fruit and so many more. Operating entirely on the notion of sharing, Urban Food Street works by residents establishing and maintaining the edible tree species planted on the verge outside their own home. Care is also provided by experienced horticulturalists during their monthly scheduled working bees. Residents are then encouraged to pick the produce they require from the street verges within the precinct.

One of the few rules of Urban Food Street is that residents pick only what they require for their next meal. This ensures that crops are not depleted. After walking around Urban Food Street one quickly realises that this brings social interaction and life to the streets. Cars drive slowly and with great consideration of the huge number of residents roaming the street, connecting with their neighbours and the natural environment.

ABC News recently reported on this fantastic initiative, with a video posted on their Facebook page receiving more than 1.7 million views in less than a week—the third most viewed video in the page's history. The story touched on the most important aspect of Urban Food Street. Beyond the amount of food it has produced, one resident says the best part is the community that it has built. Co-founder Duncan McNaught said—

It's the cohesion amongst all the different households that is now taking place at an intergenerational level, from the smallest child to the oldest residents. Almost every afternoon, this street fills with the neighbourhood children. They ride bikes, they play ball.

Costa Georgiadis of the ABC's *Gardening Australia* commented—

They are an awesome group and role model to anyone wanting to do this with real community outcomes.

From its humble beginnings to now operating across 11 residential streets and engaging an entire community, I could not be more proud that this revolution was started right in the middle of the Buderim electorate. I urge members to look at the ABC News story on Urban Food Street, which I will be emailing to electorate offices tomorrow morning. I encourage members to start this in their own areas. People are doing it tough and it is a great opportunity to produce food in the local neighbourhood.

Bioproton

Mr RUSSO (Sunnybank—ALP) (12.36 am): I rise tonight to speak of a business in my electorate of Sunnybank that is truly demonstrating innovation in its product development. I recently joined with the Minister for Innovation, Hon. Leeanne Enoch, for the official opening of the new bioprocess laboratory and granulation facility for Acacia Ridge based company Bioproton Pty Ltd. This expansion was funded through a grant from our government's $180 million Advance Queensland initiative and will allow Bioproton to further position themselves as global leaders in this field.

A leading biotechnology company, Bioproton specialises in the development, manufacturing and marketing of high-quality feed enzyme supplements for livestock. It is a small business that also has the gender balance right, with 50 per cent of the 16 employees being male and 50 per cent female. It has a global marketing and distribution network covering countries in Africa, Asia, Europe, Russia, the Middle East and the Americas. Founded and initially established in Finland in 1984, the company was relocated to Queensland in 1993. When talking with the staff I could appreciate that they were passionate about the work they were doing and how it benefits both the economy and the environment.

I had the pleasure of meeting the managers, the production team, the lab technicians, the engineers and the research officer. On our tour of the facility, the minister and I were informed of the innovative manner in which Bioproton operates to meet the high demand in the global agriculture sector. The feed enzyme supplement industry has significant potential to boost productivity in farming practices, which can be utilised to meet the food demands of future generations. The feed is also designed to minimise the negative environmental impact of the agriculture industry and to promote sustainable farming practices. Additionally, livestock that have been fed Bioproton's enzyme supplements tend to reduce the overabundance of nutrients in local water ecosystems.

Bioproton is at the forefront of innovation in this industry, having worked extensively in conjunction with both the University of Queensland and the Queensland University of Technology. These knowledge transfer partnerships have enabled Bioproton to develop new, specialised enzymes and microbial production strains.

Teenage Adventure Camps Queensland; Gold Coast Council Election; Anzac Day

Mrs STUCKEY (Currumbin—LNP) (12.39 am): I was delighted to attend the Teenage Adventure Camps Queensland's 21st annual fundraising luncheon at the Currumbin RSL Club as TACQ patron. Since 1995, TACQ has been running week-long camps in Currumbin designed specifically for teenagers with life-threatening and debilitating diseases. The camps give those young adults the chance to enjoy themselves and make friends and lifelong memories in a safe, organised environment. Every year, campers travel from all over Australia to take part in the event.

This year's camp will again be held at the Rocks Resort, Currumbin, with 24 campers in attendance. It will feature a wide variety of activities, ranging from themed disco nights to helicopter rides, fishing, shopping and much more. The highlight of every camp is the final dinner. It is always heartwarming to hear how much fun each of the campers has had and to hear of the challenges they overcame during the week's activities. I extend my personal thanks to David Cameron and his wonderful team of volunteers.

Congratulations are in order to the following people who won office in the Gold City Council local government elections: longstanding councillor Daphne McDonald was re-elected for the ninth consecutive time in division 13; and new councillor Gail O'Neill has been elected as the division 14 councillor after the retirement of Chris Robbins. I also extend hearty congratulations to Gold Coast Mayor Tom Tate, who was re-elected, and also Brisbane Lord Mayor Graham Quirk.

Finally, I draw the attention of the House to one of the biggest events in Currumbin's calendar, Anzac Day. The week prior, I visited the Mudgeeraba Light Horse Museum to donate pieces of World War I memorabilia. I was joined by the member for Mudgeeraba as I presented an Army bugle used in Gallipoli and a Christmas photo book from 1917 titled *From the Australian Front*. We met with president Peter McLaughlin, museum director Brian Bertwhistle and committee members and shared in their passion for keeping memories and history alive.

On Anzac Day, once again I humbly joined my community at Queensland's largest regional dawn service event at Elephant Rock, Currumbin. Many honourable members may have witnessed this year's event where our rock was covered in beautiful red poppies. It looked like a sea, tumbling from the top of the rock to its base. Every year, the Currumbin RSL plays host to the deeply moving dawn service, attracting up to 30,000 people wishing to pay their respects to our fallen soldiers.

This emotional tribute to our past, present and fallen soldiers makes me very proud to be an Australian and even prouder of my own father, Eric Coleman, who served in the Royal Australian Air Force during World War II. He passed away in 2013. I wish to applaud the earnest efforts of Currumbin RSL President Ron Workman OAM, CEO Anne Stovin and their team for coordinating this event every year. Lest we forget.

Anzac Day

Mr KING (Kallangur—ALP) (12.42 am): I rise to make a small contribution regarding recent Anzac Day commemoration ceremonies in my electorate of Kallangur. I would love to be able to attend every ceremony that occurs in all the schools and groups in my area. Sadly, as is no doubt the case for all of us in this place, time and concurrent ceremonies prohibit this from happening.

Each service brings something different and it is always an emotive time. I was able to attend Narangba State School's Anzac ceremony, where Rebecca Beckwith from Legacy gave a powerful address on how they provide support to those who have served and their families. Narangba State School's ceremony is always special as one of the deputy principals, Mr Kerry Lofgren, has written a song, *Why do we cry on Anzac Day?* and it really tugs at the heartstrings when the school choir sings it.

This year, our naval remembrance ceremony was held a day earlier than the main Anzac services, which in my opinion was a better fit as the Navy deserves its own commemoration and its service is usually rushed between the dawn service and the main service on Anzac Day. I commend our local Pine Rivers subsection of the Naval Association and its cadets for a great service, which was held at our naval memorial on Anzac Avenue.

The RAAF Association also held a memorial, where we commemorated the two spitfire pilots, Wright and Chandler, who were tragically killed when they collided during a training exercise in 1944 near Petrie. We heard an address from a fellow serviceman, Ted, who spoke of the hard work from the ground staff who kept the planes in the air. Ted's career was as a ground staffer and he brought home to all just how much everyone in the force pulls their weight to keep our military aircraft flying properly. The incident has attracted great interest over the years. One of my old school mates, Robert Martin, has produced a DVD about it. One of my previous managers in the Queensland Electricity Commission, Mr Peter Dunn, has created a web page with a lot of information about the crash. Certainly at the ceremony I could tell that it is still an important part of the military history of my area.

Anzac Day arrived and the dawn service had a greater attendance than ever. It is always a great turnout at the RSL sub-branch at Norths, Kallangur, but this year the attendance was fantastic. I hope it continues to grow at this rate through the years to come. At the main service and during the parade, I was joined by my colleague Nikki Boyd. Together we proudly watched our local schools and clubs

march past. After the official commemorations were over, I was pleased to be able to buy a cold one or two for some of the veterans celebrating at the RSL sub-branch and join in on some of their stories. My military experience was a lot less than theirs. However, I was able to swap a few stories from Kangaroo '89, the Northern Territory exercise that I was proud to be a part of when I was in the Army Reserves. As I said before, Anzac Day is always special to me. I hope that the commemorations continue to grow as time passes. Lest we forget.

Aurukun

Mr GORDON (Cook—Ind) (12.45 am): I rise to make a small contribution on a couple of matters. Once again, the community of Aurukun in Cape York is in the media spotlight for all the wrong reasons. Today, further revelations of weekend unrest in the community have been well reported in the media. Those who know the recent history of this discrete community would be familiar with the level of dysfunction that has plagued the culturally rich people of Aurukun.

Home to the Wik and Wik Way people, Aurukun is a culturally rich community and its people maintain a strong and vibrant connection to their culture, customs and traditions. That is why I am particularly troubled when I hear of unrest such as occurred on the weekend. To meet and spend time with the Wik and Wik Way people of Aurukun will give you the opportunity to learn of their special and ongoing connection to their country, their kin and the broader community.

As the member for Cook and, significantly, as an Indigenous Australian, tonight I feel compelled to share with this House some of my thoughts and feelings in relation to the challenges and, more importantly, the solutions to address the ongoing entrenched dysfunction of that wonderful community. Disempowering people is easy. It does not take much effort at all. However, empowering people takes courage, vision, empathy and genuine and sincere compassion. On numerous occasions people have asked me, particularly in my role as the member for Cook, 'What is the solution to Aurukun's challenges?' My response has always been a simple one: jobs. I have a very personal understanding about what having a job can mean for you as an individual. It gives you a greater sense of purpose in life. It gives you the self-esteem that brings with it equality. There is nothing like sitting down with your mates after a day's work or a week's work and having a beer at the pub. It makes you feel more like an Australian. Those are the things that I think that community misses out on.

It will only be on the back of jobs and real economic development opportunities that we will start to address the entrenched social disadvantage that is plaguing the community and, significantly, robbing its young people of a real future. That is why I urge this government to do all it can to support the development of the Aurukun bauxite deposit, Rio's Amrun project. Giving people a greater sense of purpose and improved quality of life is the foundation for us to tackle the social disadvantage that contributes to the community's hopelessness. Anything less would be like trying to build a house from the roof down.

(Time expired)

Road Safety, Cyclists

Ms PEASE (Lytton—ALP) (12.48 am): I thank the member for Cook for his very meaningful and moving words. At about 7 am on 30 March this year, while riding his pride and joy, an Italian carbon road bike, on the quiet streets of Lota, my husband, Peter, was struck by a car that went through a give-way sign. The collision caused the driver's side mirror to be torn from the car. The car had a number of dents down the right-hand side and scratches the length of the car, and Peter's hip and shoulder left huge indentations on the rear panel of the vehicle. Peter ended up on his back in the middle of the intersection. There were no other cars in the street and Peter was the only other road user at the time, apart from me. I was just 100 metres further up the same street on my bicycle.

Within minutes of the accident, an ambulance was at the scene and paramedics attended to Peter's injuries. Not long after, Fire and Rescue officers arrived and the police followed closely behind them to investigate the collision. The paramedics assessed Peter's injuries and determined that he required further assessment at the PA Hospital. Twenty-five minutes later, Peter was in the accident and emergency department at the PA. The staff at the PA were fantastic. They were incredibly efficient and quick. Peter was in triage immediately on arrival, where numerous X-rays and blood samples were taken, the ECG monitor was in place, and contusions and abrasions were assessed and treated. Within 60 minutes of the accident occurring, Peter was in the admissions section of the PA accident and emergency ward, having been assessed and treated, and was under observation. He now has a digital record.

My thanks go to the emergency personnel of our ambulance, fire and rescue and police services, as well as to the nurses, doctors and other medical staff at the PA Hospital for their professional, efficient and fast work in dealing with this emergency. The personnel of the Queensland emergency services and our public hospitals deal with those types of incidents each and every. Seeing firsthand how those quiet achievers go about their jobs was eye-opening and heartwarming.

Fortunately, I have not had to deal with the trauma of traffic collisions until now. However, our front-line emergency service personnel do that daily, and all Queenslanders should be thankful for the world-class services provided by our paramedics, firefighters, nurses and doctors. As a government, it is incumbent on us to support our emergency personnel to ensure that they can continue to provide world's best practice emergency services. Fortunately, my husband had minor injuries and was up and riding his bike a few days later.

That brings me to cycling safety. The collision that occurred that morning, which left my husband lying bleeding in the middle of an intersection, was completely avoidable. How do we prevent such collisions occurring again? There are a few things that each of us can do that will immediately improve safety. I ask that everyone adhere to the one- or 1.5-metre rule and be aware and considerate of vulnerable road users such as cyclists and pedestrians.

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 12.52 am (Thursday).

ATTENDANCE

Bailey, Barton, Bates, Bennett, Bleijie, Boothman, Boyd, Brown, Butcher, Byrne, Costigan, Cramp, 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, 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, Stewart, Stuckey, Trad, Walker, Watts, Weir, Wellington, Whiting, Williams