



# RECORD OF PROCEEDINGS

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## FIRST SESSION OF THE FIFTY-FIFTH PARLIAMENT

### Wednesday, 30 November 2016

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## WEDNESDAY, 30 NOVEMBER 2016

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The Legislative Assembly met at 2.00 pm.

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

### PRESENTATION OF APPROPRIATION BILL



**Mr SPEAKER:** Honourable members, I have to report that on Friday, 11 November 2016 I presented to His Excellency the Governor the Appropriation Bill (No. 2) 2016 for royal assent and that His Excellency was pleased, in my presence, to subscribe his assent thereto in the name and on behalf of Her Majesty.

### ASSENT TO BILLS



Messenger admitted to the House and presented to the Speaker a message from His Excellency the Governor.

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

#### Message

The Governor informs the Legislative Assembly that Bills intituled:

“A Bill for an Act authorising the Treasurer to pay amounts from the consolidated fund for particular departments for the financial year starting 1 July 2015”

“A Bill for an Act to amend the Adoption Act 2009, and the Acts mentioned in schedule 1, for particular purposes”

“A Bill for an Act to amend the Gaming Machine Act 1991, the Keno Act 1996, the Land Act 1994, the Major Sports Facilities Act 2001, the Transport Infrastructure Act 1994 and the Acts mentioned in schedule 1 for particular purposes”

“A Bill for an Act to amend the Corrective Services Act 2006, the Youth Justice Act 1992, and the Acts mentioned in schedule 1, for particular purposes”

“A Bill for an Act to amend the Civil Proceedings Act 2011, the Legal Profession Act 2007, the Limitation of Actions Act 1974, the Personal Injuries Proceedings Act 2002, the Personal Injuries Proceedings Regulation 2014, the Queensland Civil and Administrative Tribunal Act 2009 and the Queensland Civil and Administrative Tribunal Regulation 2009, for particular purposes”

having been passed by the Legislative Assembly and having been presented for the Royal Assent, were assented to in the name of Her Majesty The Queen on 11 November 2016.

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

GOVERNOR

30 November 2016

*Tabled paper:* Message, dated 30 November 2016, from His Excellency the Governor advising of assent to certain bills on 11 November 2016 [\[2169\]](#).

## REPORTS

### Auditor-General




**Mr SPEAKER:** Honourable members, I have to report that I have received from the Auditor-General report to parliament No. 5 of 2016-17 titled *Energy: 2015-16 results of financial audits* and report to parliament No. 6 of 2016-17 titled *Rail and ports: 2015-16 results of financial audits*. I table the reports for the information of members.

*Tabled paper:* Auditor-General of Queensland: Report to Parliament No. 5: 2016-17—Energy: 2015-16 results of financial audits [\[2170\]](#).

*Tabled paper:* Auditor-General of Queensland: Report to Parliament No. 6: 2016-17—Rail and ports: 2015-16 results of financial audits [\[2171\]](#).

## SPEAKER'S STATEMENTS


### Sessional Orders

 **Mr SPEAKER:** Honourable members, yesterday there was an issue about the application of time in the sessional orders. Sessional orders set out the days and hours of sitting and order of business. The House rarely operates to the strict times set out in the sessional orders. By practice, the Speaker in the chair has some discretion as to time. For example, most days private members' statements are allowed to intrude into the normal time set for question time to commence. The Speaker then adjusts the start and finish times for question time.

The dinner break is regularly delayed to enable divisions on the private member's motion to be concluded and the start time after dinner similarly extended. In debates where a number of members are allocated time to speak, such as private members' statements, private members' motions, matters of public interest and adjournment debates when there is an interruption, such as by points of order, divisions or rulings by the chair, individual members allocated time to speak are not disadvantaged by those interruptions and debate has, by practice, been often extended to enable those allocated members their time. The chair has also declined to extend some debates where there have been interruptions and no individual members have been affected, such as divisions in question time.

Practice and practicality dictate that the chair has some discretion as to time. Yesterday the morning's proceedings were delayed for a condolence motion. Thus matters of public interest started later than normal. The debate was also interrupted by a division. In these circumstances to enable all allocated members time to speak, matters of public interest concluded after the lunch break. There was nothing irregular in what occurred.

### Member for Callide

 **Mr SPEAKER:** Honourable members, yesterday the member for Bulimba raised the issue of potential disrespectful behaviour that the member for Callide showed to the Deputy Speaker in the chair. I undertook to review *Hansard*. I have reviewed *Hansard*, caused a review of the audio and video of the proceedings, and spoken to relevant officers. My review indicates that, after the Deputy Speaker made a ruling on the allocation of time, both the member for Toowoomba North and the member for Callide rose on separate points of order to essentially question that ruling.

After the division that then occurred on the member for Callide's motion, the member for Callide continued to rise on points of order to effectively question the earlier ruling by the Deputy Speaker, despite his assertions that he was not doing so. I required the member to withdraw for his behaviour on one occasion. My inquiries also reveal that during the division the member for Callide ignored calls for order by the Deputy Speaker and deliberately turned his back on the Deputy Speaker and walked with his back to the Deputy Speaker. It appears that the member for Callide in response to a direction from the Deputy Speaker to come to order and to take his seat said words to the effect that he could do what he liked during a division. That is not the case.

I refer to the ruling by Deputy Speaker Robinson on 17 October 2013 where the Deputy Speaker stated—

The House is required to be in order at all times, whether or not the bells are ringing.

...

According to the standing orders, it makes no difference if it is in a division or not. Offence can still be taken across the chamber.

This was after a similar ruling by Speaker Simpson on 4 June 2013 at page 1898 where she stated—

... I remind members that the chair can still in fact warn members if they are unhappy with behaviour during divisions.

On 29 October 2013, Speaker Simpson gave a more detailed ruling about order during divisions where she stated—

... it has come to my attention there are some myths about parliamentary procedure and practice circulating amongst members which need to be dispelled. While members will often learn their procedure from each other, this can have the effect of simply perpetuating misunderstanding and it seems this is happening in some instances.

Firstly, some members have raised with my Deputy Speakers their view that standing orders do not apply during divisions. This is a novel interpretation and is quite wrong. A division—either when the bells are being rung or after the bars have been closed for counting—does indeed form part of the proceedings of the parliament and standing orders do apply. It is vital that the chair clearly be able to hear what is transpiring in the chamber at all times, including during divisions.

She continued—

I refer to my ruling of 4 June 2013. In short, members can and will be warned or named during divisions when their behaviour warrants it and I will be asking my Deputy Speakers to act accordingly, consistent with standing orders. The removal of the member from the chamber who has behaved in a disorderly way and been warned or named under standing orders is executed after the division and tally has been completed.

Unlike many Westminster style parliaments, members in our parliament who feel aggrieved by a decision of the Speaker can appeal that decision under standing orders by way of a motion of dissent. That is the appropriate procedure to be followed by members. In any event, in accordance with my previous ruling today, the Deputy Speaker made the correct ruling in relation to time about which the member for Callide was aggrieved. However, the totality of the behaviour of the member for Callide fell well short of the standards of what is to be expected by members of this House. I find the member for Callide's behaviour was disrespectful and intimidatory to the Deputy Speaker both immediately prior to and during the division. That disrespect and intimidation was demonstrated by words, tone and actions. This is a House for vigorous and robust debate, but there are rules and standards of conduct, and respecting the Speaker in the chair is a vital rule and standard. It is a serious contempt to show disrespect to the Speaker in the chair. I now give the member for Callide the opportunity to withdraw his disrespect to the Deputy Speaker yesterday.

**Mr Seeney:** I withdraw and I apologise to the House.

## PETITIONS

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

### Navua Sedge, Eradication

**Mr Knuth**, from 67 petitioners, requesting the House to research and develop a long-term management solution into Navua Sedge; establish a Navua Sedge pilot program on the Atherton Tablelands and continue spraying roadsides and verges at the minimum rate of five per year [\[2172\]](#).

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

### Fitzgibbon Urban Development Area Development Scheme

From 1,192 petitioners, requesting the House to ensure a genuine consultation process with residents directly affected by the development plans for the Fitzgibbon Urban Development Area Development Scheme [\[2173\]](#).

### Kingaroy, Open-Cut Coal Mine

From 780 petitioners, requesting the House to recognise that the development of an open-cut coal mine so close to Kingaroy is not economically or socially viable and to not grant Moreton resources the required mining licences and permission for the mine to proceed [\[2174\]](#).

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

### Mandatory Sentencing, Assault of a Public Officer

**Ms Bates**, from 2,077 petitioners, requesting the House to consider amendments to the Criminal Code 340(2AA) to provide for a minimum mandatory sentence of six months for assault of a public officer [\[2175\]](#).

Petitions received.

## TABLED PAPER

### MEMBER'S PAPER

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

Member for Callide (Mr Seeney)—

[2176](#) Overseas Travel Report: Report on travel to China as part of a trade delegation in conjunction with the Toowoomba Surat Basin Enterprise Group by the member for Callide, Mr Jeff Seeney MP, 23-28 October 2016

## MINISTERIAL PAPER


The following ministerial paper was tabled—

Attorney-General and Minister for Justice and Minister for Training and Skills (Hon. YM D'Ath)—

[2177](#) Legal Affairs and Community Safety Committee: Report No. 36—Oversight of the Information Commissioner, government response

## MINISTERIAL STATEMENTS

### Security of Payment for Subcontractors

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for the Arts) (2.13 pm): This is a landmark day for all of our subcontractors and small businesses that rely on them. This morning I took great pride in meeting with subcontractors, along with my housing and public works minister, to tell them that my government had heard their pleas. The minister and I met with John and Kylie, who have operated a scaffolding business from Townsville. John said that the business was owed \$270,000 at the time of Walton Construction's collapse and that that had grown to \$400,000 over time. They spoke of stress not only on their business but also on their family life. As Kylie asked, 'Why should people go to work and not get paid?' Kylie told us stories about people who have lost their homes and were forced to sleep in cars. Les Williams from the Subcontractors Alliance told of the horrific stories not just in Queensland but also across the nation. As Premier, I will not stand for this. This practice hurts Queensland families.

**Mr Rickuss** interjected.

**Mr SPEAKER:** Member for Lockyer, you are warned under standing order 253A. If you persist, I will take the appropriate action.

**Ms PALASZCZUK:** Subcontractors expected us to act to guarantee secure payments for them and we will. There will be no more excuses. There will be no tinkering around the edges. My government will move to ensure contractors in the building and construction industry get paid in full and on time. They rightfully expect a just, fair and secure payment system. We plan a stand-out, secure payment system. The wholesale reform my government intends to legislate has been far too long in coming. I have heard countless horror stories of subbies being frozen out of their rightful payments.


We made an election commitment to review and consult widely on the problems that subbies faced. We have done that. Now the economic analysis by Deloitte is in. It makes for shocking reading. Illuminated in full glare are the myriad problems that subcontractors encounter far too often. Most alarmingly, it confirms that 'what was once considered poor business practice is a standard operating model in the industry'.

There are repeated instances of head contractors and other contractors delaying payments to subcontractors to supplement their own cash flow—to offset the costs of other projects, to receive interest and to avoid additional financial costs for accessing further funding. These shocking practices have resulted in so many of our subbies being used as pseudo overdraft facilities. The current top-down contractor's payment system has in far too many instances become purely cannibalistic. The sad result is that too many businesses have been wrecked, too many families have been torn apart and too many good, hardworking people have simply lost everything.

To end the shonky practices in the building and construction sector, we want to have project bank accounts eventually installed on all construction projects over \$1 million in this state. We will start the reform process by having project bank accounts on all government projects between \$1 million and \$10 million from January 2018. The Minister for Housing and Public Works will introduce other supportive, legally binding measures to back up and strengthen our planned new secure payment system.

It is an economic imperative that we restore fairness and proper payments for our subcontractors. Subcontractors have been pleading for help from successive governments for decades. We have heard them and today we will deliver. I understand there will be some who oppose these fundamental reforms, but the great community good must be paramount. These reforms are reforms for Queensland subcontractors and those Queensland small businesses and Queensland families they support. I remind members that our construction sector contributed around \$44 billion in 2015-16 to the state's economy and currently provides around 220,000 jobs. Payment certainty will generate even more jobs. Outlawing the blatant rip-offs in the sector will not only restore confidence and the bank balances of our hardworking subbies but also benefit small businesses everywhere.

### Electricity Prices

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for the Arts) (2.18 pm): Today our government released its response to the Queensland Productivity Commission electricity pricing inquiry. My government believes in supporting our most vulnerable Queenslanders, and that is why I am proud to inform the House of the decision to extend the electricity rebate to low-income households.

Previously, low-income households have not received any energy bill assistance, with the rebate exclusively available for pensioners and seniors. My government recognises that it is often vulnerable families who need the most support. That is why we have decided to extend the electricity rebate to households that are eligible for a low-income healthcare card.

From 1 January 2017, low-income households and families will become eligible to receive around \$330 a year to help pay their energy bills. Thanks to this change, another 157,000 low-income Queensland households will receive direct assistance support to pay their electricity bills. This is important and very good news for families across our state.


We are also committed to continuing to support older Queenslanders. As I promised when the Productivity Commission's draft report came out in April, seniors and pensioners will continue to receive the full electricity rebate. The Treasurer, the Minister for Energy and the Minister for Employment had the opportunity to meet with pensioners this morning. They told us the importance of the concession on their electricity bills. Pensioners should not have to think twice before putting their fans on. The extension to the rebate will be fully funded.

I remind honourable members that it was the member for Clayfield as treasurer of this state who was prepared to allow pensioners to pay more for their electricity. It took Campbell Newman two days to show some compassion and overturn the member for Clayfield's decision. The government will provide additional funding starting at \$48 million per annum, or \$170 million out to 2019-20. The cost of the rebate will be met in the Mid Year Fiscal and Economic Review. The Treasurer will discuss the total costing of the electricity rebate in the Mid Year Fiscal and Economic Review next month.

I want to pay tribute to the Treasurer and the energy minister for their work on this response to the Queensland Productivity Commission report. This is another step in delivering price stability to electricity consumers. This follows the 43 per cent increase in power bills under the former LNP government. My government has already taken firm action to stabilise electricity prices. The government has issued a directive to distributors Energex and Ergon Energy not to challenge an Australian Energy Regulator decision on network revenues—a challenge that would have seen bills increase if it had been successful.

Due to this action, under the first two years of the government the average annual electricity price increase for households will be just 1.2 per cent. I remind honourable members that the government would not have been able to issue the directive if Energex and Ergon were sold, as the member for Clayfield had planned. We are determined to be a government for all Queenslanders working in their best interests.


### **Correction to Record of Proceedings**

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for the Arts) (2.20 pm): Yesterday in an answer to a question without notice, I said—

Where child safety officers are found not to be performing they have been made redundant.

I wish to correct the record. No staff have been made redundant during my term of government. There is a range of disciplinary options for staff found not to performing right up to dismissal.

### **Security of Payment for Subcontractors**

 **Hon. MC de BRENNI** (Springwood—ALP) (Minister for Housing and Public Works) (2.21 pm): This morning the Premier announced that the Palaszczuk Labor government will take unprecedented and historic action to secure payment for subbies and tradies across this great state. This Labor government will make sure that subbies get paid in full, on time and every time. By making sure that subcontractors are paid in full, on time and every time, we are putting construction back on the level in this state. This will deliver job security for the hundreds of thousands of tradies employed by those subbies across this state. Our suite of security payment reforms will unlock small business investment, creating jobs and spurring economic activity in regional economies across Queensland.

Our government will put construction back on the level. We are backing in our state's 69,000 small business subcontractors who sit at the heart of our \$44 billion construction industry. As the Premier said, this reform has been a long time coming for the construction industry. In the words of Les Williams of the Subcontractors Alliance, 'It's a hundred and forty years in the making,' and in all that time, so much damage has been done to subbies and tradies and their families. Marriages have busted up. People have lost their homes and have been left living in their cars. Heartbreakingly, in some circumstances the consequences have been much more tragic than that.

On Sunday I stood with John Belden and Kylie McIlroy, who are here in the gallery today, who run a bricklaying and scaffolding company in Townsville. I stood with them to unveil the Deloitte report into security of payment reform in Queensland. John and Kylie have lost \$390,000 in nonpayment since October 2013. I know, and we recognise, that they have struggled with what has been a very difficult time. John told me that if he could just ensure that he got paid for all of the work that his business had done they would have employed more staff and invested more in their own business and in purchasing more equipment. However, he knows that unscrupulous parts of the industry are using nonpayment of subbies as a business model to undercut the competition; they are pricing it in. Unfortunately, so are John and Kylie and other subbies across the state. They are holding off on creating jobs knowing that one day inevitably—it could be tomorrow—they will get shafted, too. Valuable local economic investment is drying up. According to the Deloitte report, comprehensive action on security of payment could increase employment in Queensland by 1,089 full-time jobs in average annual terms, increasing gross state product by up to \$6.42 billion over 20 years. This Palaszczuk Labor government is backing people like 'Beldo' and Kylie to be the drivers of the state economy and the construction industry.

We are preparing legislation to introduce project bank accounts on all construction projects over \$1 million, commencing 1 January 2019. We will be setting a foundation for these reforms by commencing those project bank accounts on all government projects between \$1 million and \$10 million from 1 January 2018. Our reform package will also include comprehensive changes to the Building and Construction Industry Payments Act, levelling the playing field for subbies in disputes. This is comprehensive reform, and I table the reform package, the building plan, for the benefit of the House.

*Tabled paper:* Department of Housing and Public Works: Queensland Building Plan, A discussion paper for industry and consumers [2178].

Our historic reforms will benefit all Queenslanders, they will strengthen our economy and they will put the construction industry on the level. Even if the economic impact of these changes was zero, they would still, fundamentally, be the right thing to do. Too many kids have seen their parents separate under the extreme financial pressure of nonpayment. Too many hardworking tradies have lost their jobs as subcontractors have gone bankrupt after being left carrying the can from insidious prepackaged insolvencies. Too many subbies have been tormented by their own thoughts and anxieties in the small hours of the morning.

This is an economic issue; it is a business issue; but, most importantly, it is a moral issue. It is a matter of family values. We believe that if people do the work they should be paid, and in Queensland they will. They will be paid in full, on time and every time. That is why I call on all members of this place to back the painters, plumbers, concreters, scaffolders, landscapers, sparkies, glaziers and roofers—all of the men and women who run the small businesses and those who work in them that drive our building industry—and support our reforms to put construction back on the level.

**Mr SPEAKER:** Before I call the Deputy Premier, I ask the member for Toowoomba North and opposition leader: have you finalised your speaking list yet?


**Mr Watts:** Yes.

**Mr SPEAKER:** Can you please provide me with a copy? Is there any reason you are delaying it?

**Mr Watts:** No.

**Mr SPEAKER:** Thank you.

### Carseldine Urban Village

 **Hon. JA TRAD** (South Brisbane—ALP) (Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment) (2.26 pm): I am pleased to inform the House of the upcoming community engagement around Carseldine Urban Village in February. I note the petition that was presented this morning by the member for Aspley—some 1,992 petitioners. I confirm for the benefit of the House and the member for Aspley that consultation was always scheduled to occur in relation to the Carseldine Urban Village in February.

This is a site which was first identified for renewal in 2008 when the Fitzgibbon priority development area was declared. The Carseldine site underwent community engagement in 2009 and then again in 2010 and 2011. The second round was extensive and specific to the planning of the Carseldine Urban Village precinct—the site we are now progressing. This process, which included a public notification period, saw 26 submissions received. A publicly available submissions report was prepared outlining the ideas and issues raised by the community and how they were incorporated into the revised PDA development scheme prior to its formal adoption in July 2011.

It is no wonder the member for Aspley gets it wrong when she does not listen. This is consistent with the process local governments like Brisbane City Council follow for—

**Honourable members** interjected.

**Mr SPEAKER:** Thank you, members. I urge the Deputy Premier and member for Aspley not to be provocative in your comments.

**Mrs Frecklington** interjected.

**Mr SPEAKER:** Deputy Leader of the Opposition, you are warned under standing order 253A. If you persist I will take the appropriate action.

**Ms TRAD:** This is consistent with the process local governments like Brisbane City Council follow for planning scheme amendments. The next phase of community engagement for the renewal of this site will focus around place making and community development opportunities to build on the existing land use plan to identify—

**Mrs Smith** interjected.

**Mr SPEAKER:** Member for Mount Ommaney, you are warned under standing order 253A. I rule that interjection was designed to be disruptive. If you persist, I will take the appropriate action.

**Ms TRAD:** The next phase of community engagement for the renewal of this site will focus around place making and community development opportunities to build on the existing land use plan to identify a vision for a viable, socially inclusive and sustainable development now and into the future. The result of this engagement will be an integrated master plan focused on the future of the urban village including types of housing, sport and recreation, green and open space, education, employment, community services and organisations.


This project is part of the Queensland government's Advancing our cities and regions strategy, which will see surplus and under-utilised state property renewed and repurposed. I have tasked Economic Development Queensland within my department to revitalise the former QUT campus grounds to deliver an urban village incorporating bushland and open space with residential, commercial and retail opportunities delivering local jobs and economic growth.

We already know that a major component of the village's design is the retention of around 25 hectares of green and open space, including significant tracts of vegetation such as over 18 hectares adjoining Cabbage Tree Creek. The government office precincts and the public servants who work there, the Carseldine markets, the C&K Childcare Centre and Kedron Wavell Ballpark will all remain in place and will form an integral part of the success of the urban village.

We are asking residents and businesses to work with us to breathe new life into this suburb and this site. EDQ officers will be at the Carseldine markets on the first three Saturdays in December taking registrations for February's engagement. People can also register online. The Carseldine Urban Village community newsletter will be delivered to over 8,000 residents in the suburbs of Carseldine, Aspley and Fitzgibbon commencing early December. The newsletter will contain information about the project and February's community engagement. I encourage the surrounding residents and businesses to get involved. We want your ideas and we want to hear from you.

I do want to take this opportunity to thank the Minister for Transport and the Commonwealth Games for his involvement in, and advocacy for, the Fitzgibbon PDA over very many years. I look forward to keeping the House informed on this important community project as we move into the engagement phase.

### **Productivity Commission, Electricity Pricing Inquiry**

 **Hon. CW PITT** (Mulgrave—ALP) (Treasurer, Minister for Aboriginal and Torres Strait Islander Partnerships and Minister for Sport) (2.32 pm): Today I tabled the Queensland government's response to the Queensland Productivity Commission electricity pricing inquiry. Following the soaring electricity pricing increases of the former government, we established the independent Queensland Productivity Commission and directed it to undertake an electricity pricing inquiry. Issues that we asked the QPC to consider included: the competitive electricity market; productivity growth; efficiency and reliability; environmental outcomes; and vulnerable customers—all of this in the framework of the responsible management of the state's finances. The QPC delivered its final report to the government on 31 May 2016, and the government had a six-month period in which to respond. I thank the staff of the Productivity Commission for their hard work in consulting all across Queensland to provide us with this report.

*Tabled paper:* Document, dated November 2016, titled 'Queensland Government response to the Queensland Productivity Commission Electricity Pricing Inquiry' [[2179](#)].


The QPC inquiry has not delayed this government's efforts to stabilise electricity prices. Since the government issued the terms of reference for the inquiry, we have taken strong steps to stabilise prices and promote a more efficient and modern electricity sector which delivers real benefits to Queensland electricity consumers. We directed government owned Energex and Ergon Energy not to challenge a decision of the Australian Energy Regulator aimed at reducing network prices. This action was possible only because those bodies have remained in government ownership. That could not have occurred if we had sold these businesses. We have merged Energex and Ergon Energy to form Energy Queensland, delivering savings and reshaping the industry to provide more modern, customer focused services with projected savings of \$680 million over five years. Our actions have helped keep annual electricity price increases for households to just 1.2 per cent over the past two years—which is below inflation—compared to 43 per cent over the full term of the previous government.

Although electricity price rises have stabilised under this government, we are committed to identifying further opportunities to support an efficient and innovative electricity sector that delivers benefits for Queenslanders and supports the state's most vulnerable electricity customers. The Premier has already informed the House of the move to extend the electricity rebate to healthcare cardholders so that an additional 157,000 low-income Queensland families are better supported.

This government knows the importance of supporting regional businesses, especially those most vulnerable to price increases. That is why a cornerstone of our response to the Productivity Commission is the Regional Business Customer Support package to assist customers on transitional and obsolete tariffs as they transition to more modern tariffs. The transition path for these customers was set in 2013 under the former government. This government, however, will provide \$10 million over two years to regional businesses most at risk of price increases. The package includes: an innovative tariff trial for small agricultural customers to better understand price signals; promoting energy audits and case studies to increase understanding of how energy use can be changed to lower bills; deploying digital meters to large customers for real-time energy use feedback; and a \$6 million large customer adjustment trial which offers government co-contributions to help customers invest in operation and equipment changes to manage bill impacts. This assistance package is a real opportunity for businesses to work with government to drive their costs down—businesses like the Northern Iron & Brass Foundry in Wangan near Innisfail, which we have been working with to identify opportunities to manage price pressures.

I would like to thank the hardworking officers from Treasury and the Department of Energy and Water Supply for their work in organising a government funded independent energy audit for the business. The government's response to the QPC inquiry shows that we are providing innovative responses which contribute to the continuation of price stability we have already delivered to business, industry and Queensland households.

### **Productivity Commission, Electricity Pricing Inquiry**

 **Hon. MC BAILEY** (Yeerongpilly—ALP) (Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply) (2.35 pm): The Palaszczuk government's response to the recommendations of the Queensland Productivity Commission inquiry into electricity pricing in Queensland demonstrates our commitment to ease cost-of-living pressures for households and businesses and ensure that support is provided to those who need it most. We have already taken action to stabilise electricity prices by directing Energex and Ergon not to challenge the decision of the Australian Energy Regulator and to reduce network revenues to ensure better outcomes for consumers.

As a result of this action, during the first two years of the Palaszczuk government the average annual electricity price increase for households will be just 1.2 per cent, which is below inflation. Compared to the increase of 43 per cent under the term of the previous LNP government, those opposite should be ashamed. The government has also merged Energex and Ergon to achieve significant savings and positive impacts for energy customers across the state. In response to the commission's recommendations, and in addition to broadening electricity concessions to 157,000 healthcare cardholders, the government will continue to grow the renewable energy sector in Queensland—especially in North Queensland—to create jobs of the future, boost investment, act on climate change and increase competition in the power market.

At the end of October nearly 425,000 residential rooftops had solar PV for a total installed solar PV capacity in Queensland of almost 1,600 megawatts. During the year to date we have seen 20,000 solar PV residential rooftops installed in Queensland. The government remains committed to certainty for existing customers of the Solar Bonus Scheme on the 44-cent feed-in tariff, and our response to the

commission's recommendations reaffirmed our commitment to honour their contracts. We reject the Leader of the Opposition's comments that those who signed up for the solar bonus schemes are 'champagne sippers' and the 'latte set'.

While Queenslanders continue to embrace small-scale solar, what has been pleasing as well in the last year has been the growth of Queensland's large-scale renewable energy industry. At the last election our side of politics committed to support for 40 megawatts of large-scale solar through a reverse auction process. In September 2016 the Premier and I announced that this had grown to 150 megawatts of solar generation, representing more than a tripling of our election commitment and supporting four new solar farms for our state. The Australian Renewable Energy Agency will also provide funding support to six Queensland projects with construction set to begin very soon in early 2017, and I look forward to it. These projects are part of the 680 megawatts of new renewable energy capacity that have been committed to this year and are set to deliver \$1.5 billion worth of new investment for Queensland and more than 1,200 jobs—most of them in regional Queensland.

As part of the government's planned approach to increase renewable energy in our energy mix, the government appointed an independent expert panel of industry specialists to provide credible pathways to a 50 per cent renewable energy target by 2030 over the next 14 years. In its draft report the panel found that Queenslanders can continue to enjoy reliable electricity supply on the path to meeting a 50 per cent renewable energy target with a cost-neutral impact for consumers. The government will receive the final report from the panel shortly, and we will deliver our response early in 2017. Importantly, the QPC undertook indicative high-level modelling of a 50 per cent renewable energy target in Queensland last year which relied on technology cost assumptions which are now out of date, used previous demand forecasts and included costs which are not required to reach the 50 per cent target under the expert panel's approach; therefore, the commission's estimate of a \$10.8 billion subsidy requirement is overtaken by the expert panel's estimate of \$500 million to \$900 million net present value.

Finally, I would like to also, along with the Treasurer, thank the commission for undertaking a thorough and wide-ranging inquiry and for presenting such a comprehensive report to the government.

### **Emergency Services Personnel; Bushfire Preparedness**



**Hon. MT RYAN** (Morayfield—ALP) (Minister for Police, Fire and Emergency Services and Minister for Corrective Services) (2.39 pm): Firstly, I wish to pay my respects to the family and friends of rural firefighter Milton Brunton, who passed away on Russell Island on Monday night. I understand that he was off duty at the time. On another sad note, last week Queensland Fire and Emergency Services lost one of their senior firefighters, Jason Caswell, in a light aircraft crash in Rockhampton. I know that members of this House will join me in sending our thoughts and prayers to his family, friends and colleagues at this sad time.

With temperatures set to soar across much of the state in the coming days, our emergency services personnel are equipped and ready to swiftly respond to the threat of bushfires. The heat wave—up to 10 degrees above average in some areas this week—is expected to generate a very high to severe fire danger. I have been assured by Queensland Fire and Emergency Services Commissioner Katarina Carroll that front-line firefighters are ready for action. Extra crews are now on standby in areas of high risk. Firefighters have spent many months preparing for the summer bushfire season. Emergency services personnel are constantly and closely monitoring wildfire alert levels so that the resources, including water-bombing aircraft, can be immediately dispatched to communities in need and support crews on the ground.

In emergency services, preparation is crucial. For instance, Operation Cool Burn, which runs from April to August each year, is all about mitigation. It is about taking early action. I am advised that this year Operation Cool Burn was highly successful, with 122 hazard-reduction burns, 67 upgrades to firebreaks and around 150 public awareness campaigns for people living and working in at-risk communities.


Last week I visited the State Disaster Coordination Centre. It is maintained in a state of high operational readiness and is prepared for activation should disaster strike. Seven hundred highly trained personnel across government are ready to swiftly respond to emergencies.

I take this opportunity to commend all our emergency services personnel, the Rural Fire Service, SES, fire and rescue, Emergency Management, police and all our dedicated emergency services volunteers across Queensland. They are the front line when times are tough. Their job is not nine to

five. Their job is often dangerous and undertaken in difficult conditions. Sadly, sometimes they see the human face of tragedy. That is when they show the depth of their commitment to their community. Their drive and dedication are inspiring. Queenslanders know that they can count on them in the best and worst of times. For that, we owe them all a huge debt of gratitude.

## LEGAL AFFAIRS AND COMMUNITY SAFETY COMMITTEE

### Reports

 **Mr FURNER** (Ferny Grove—ALP) (2.42 pm): As chair of the Legal Affairs and Community Safety Committee I lay upon the table of the House two reports: report No. 45, *Subordinate legislation tabled between 31 August and 11 October 2016*; and a report to the Queensland Legislative Assembly by the Office of the Information Commissioner titled *Follow-up of report No. 2 of 2014-15: Review of universities' implementation of recommendations—compliance with right to information and information privacy: Griffith University; Queensland University of Technology; University of Queensland and University of Southern Queensland*.


*Tabled paper:* Legal Affairs and Community Safety Committee: Report No. 45—Subordinate legislation tabled between 31 August and 11 October 2016 [[2180](#)].

*Tabled paper:* Office of the Information Commissioner: Report No. 3 of 2016-17—Follow-up of report No. 2 of 2014-15: Review of universities' implementation of recommendations—compliance with right to information and information privacy: Griffith University; Queensland University of Technology; University of Queensland and University of Southern Queensland [[2181](#)].

The committee chair is required to table the latter report under the Right to Information Act 2009 and the Information Privacy Act 2009. I commend the reports to the House.

## NOTICE OF MOTION


### Child Protection

 **Ms BATES** (Mudgeeraba—LNP) (2.43 pm): I give notice that I shall move—

That, given the current child safety crisis, this House expresses no confidence in the Minister for Child Safety.

## PRIVATE MEMBERS' STATEMENTS

### Electricity Prices

 **Mr HART** (Burleigh—LNP) (2.43 pm): Labor promised so much yet has delivered so little. This is an inexperienced government that, after 18 months, has to begrudgingly release the Productivity Commission report into electricity pricing which shows that Queenslanders will be paying more under Labor. The draft Productivity Commission report, which has been ignored by Anastacia Palaszczuk, was unequivocal. It said that a subsidy of nearly \$11 billion would be required for Labor's extreme renewable energy policy; electricity prices for households and industry would increase; Queensland's economy would shrink; and Queenslanders would be subsidising electricity prices for consumers in other states.

The bottom line is that Labor's extreme energy policy is unfair, unaffordable and unachievable. Again, Labor has abandoned workers and their economic security by being hell-bent on appeasing the Greens to protect their own jobs. As at 1 pm today the final report from the Productivity Commission had not been released, yet 10 minutes ago the Treasurer released the government's response. What is Labor hiding? It has now been 183 days since that final report was given to the government. This is the last possible day on which this government could respond to that report.

The government is hiding behind some means tested subsidies, but what about the rest of Queensland? What about the other 1.1 million households? What about the majority of Queenslanders? Given Labor's secrecy, it will not be good news. Honest, hardworking Queensland householders will be paying more. Taxpayers will be funding Anastacia's crazy green schemes. Workers will pay by losing their jobs as Queensland industries become uncompetitive and as jobs move to other states and overseas. Labor is not working. Labor is failing workers. Labor is failing families.


If the Premier is serious—if the Premier is fair dinkum—she will rule out higher prices for Queensland families, rule out billions of dollars of taxpayer funded subsidies and rule out job losses because of Labor's crazy green schemes. Labor has broken its election promise that more renewable

energy would lower electricity prices for families and businesses and create more jobs. Labor has broken its election promise to develop policy responses that help put downward pressure on electricity prices. Labor has provided Queensland families with no certainty.

*(Time expired)*

**Mr SPEAKER:** Member for Ferny Grove, you will join the member for Lockyer with a first warning under standing order 253A for those interjections. They were not relevant to the matter raised by the member for Burleigh.

### Renewable Energy

 **Hon. MC BAILEY** (Yeerongpilly—ALP) (Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply) (2.47 pm): What a fascinating, if dreary, contribution from the member for Burleigh. Who gave us high electricity prices? It was the LNP—43 per cent over three years. They did not get network costs under control. Here he is complaining. What did he do when prices increased by 43 per cent? He did absolutely nothing.

The Palaszczuk government's energy policies are absolutely clear. Electricity price stabilisation is happening—1.2 per cent per annum on average over the first two years. This is in stark contrast to the appalling record of the member for Clayfield and the member for Burleigh. We are committed to the transition to renewable energy and are playing an active role in that space. If Germany can do 32 per cent and California can do 30 per cent today, we can do a lot better than seven. That is what Queenslanders want us to do. They want us to get on with it.

They also look forward to more than \$630 million worth of investment coming into Queensland for renewable energy—a lot of it in North Queensland. The largest solar farm in Australia will be at Dalby. That will be delivered under this government and is something the Newman government could have done but chose not to do. Those opposite say that they are for jobs, but they gave us the highest unemployment level in 11 years under Tim Nicholls. That is because they missed opportunities such as large-scale renewables in Queensland.

We are also very clearly committed to keeping our assets in public hands. When we do that, we can get better outcomes for electricity consumers in Queensland. That is what we did when we directed Energex and Ergon to cop it sweet with the determination and pass it on to consumers—something the opposition did not do for three years. That is why they are in opposition.

We also commit to supporting vulnerable Queenslanders. There are 157,000 Queenslanders on low incomes who will be better off because of today's response to the QPC report—a compassionate government, an in-touch government. We will back consumers who need it, unlike those opposite. All we got from them was the promise of a \$120 reduction on power bills. Remember that one? What a cracker that was! I guess we will get another version of that sometime in the next 12 months, but it will not be worth the paper it is printed on. We also saw the member for Burleigh come out with a policy. He came out with a policy, and let me quote the article—

'We have to start thinking outside the box,' he said in an interview in Charleville ...


...

... why don't we build some sort of power station here in town?

That is the great contribution from the member for Burleigh. He did not say what kind of power station but some kind of power station in Charleville. What an amazingly comprehensive policy!

*(Time expired)*

### Palaszczuk Labor Government, Renewable Energy

 **Mrs FRECKLINGTON** (Nanango—LNP) (Deputy Leader of the Opposition) (2.50 pm): Today we have seen more evidence of this Labor Party completely forgetting its roots and selling out those blue-collar workers in rural and regional areas. Not having learned the lesson from the disastrous federal government's proposal of a carbon tax, federal Labor is now advocating to close all coal-fired power stations across Australia—a move that would simply do one thing, and that would be drive up power prices. The other thing it would do is it would cruel hundreds of thousands of jobs across Queensland. I am a representative of one of those regions that has a power station that has been supported by the coalmine beside the power station supporting something like 600 direct jobs and

thousands of indirect jobs in all the surrounding towns such as Maidenwell, Nanango, Yarraman, Wondai and Kingaroy, yet this minister stands in this House and advocates for renewable energy alternatives.

Let us talk about, for example, the proposed wind farm. That will be great and provide 10 jobs ongoing. The minister sat opposite and said it would provide 1,600 jobs across Queensland, but the minister's maths do not quite add up when there are 600 direct jobs at the power station in Kingaroy and he is proposing they be replaced by 10 jobs. Maths is obviously not the minister's strong point. It is incredible that we even have support from the CFMEU, which said—


Mass redundancies, especially in a regional area with limited other industries, can entrench high unemployment and social disadvantage and dysfunction that can take decades to repair, if ever.

The CFMEU goes on to say—

It should be acknowledged that the social impacts of power station closures in particular regions are not likely to be greatly different to the adverse impacts that have occurred in other regions hit by major industry closures.

Today the Premier needs to distance herself from federal Labor's forced closures policy. Today she should reassure the thousands of workers across Queensland employed by that industry that their jobs are safe and that she is not bending to the Greens agenda. Obviously the LNP supports an orderly, evidence based approach in the transition to renewables but, unlike Labor, we will not sell out jobs across rural and regional Queensland.

### Health, Member for Clayfield

 **Hon. CR DICK** (Woodridge—ALP) (Minister for Health and Minister for Ambulance Services) (2.53 pm): There are some partnerships that are so closely linked in the public mind that it is almost impossible to think of one without thinking of the other: Fred Flintstone and Barney Rubble; Vladimir Putin and Donald Trump; and, closer to home, the very close personal working relationship between the member for Callide and the member for Noosa as we saw on display yesterday; and of course that old Queensland team of 'Can-do' and 'Will cut'.

It pains me, and I am very sad indeed, to report that the greatest bromance in the history of our state—the relationship between Campbell Newman and the member for Clayfield—is at an end. It is over. I know that the Queensland community is shattered by that thought, and we saw that in full flight last week when Campbell Newman furiously agreed with Senator George Brandis that the Leader of the Opposition and his LNP opposition were in fact very, very mediocre.


Nowhere has the Leader of the Opposition's performance been more mediocre than in health. He was in Cairns last week crying his crocodile tears, powering through the tissues, putting the bandaid over the bleeding heart, spruiking, of all things, a petition to save the Cairns Hospital—from the man who cut 61 full-time equivalent nursing positions from the Far North. The member for Clayfield campaigning for hospitals is like Peter Dutton campaigning for the Australia-Lebanon friendship society. It simply lacks any shred of credibility. He has had so many contradictory positions on health that he cannot move in any direction without tripping over his own hypocrisy.

Where was he when the federal government ripped \$10 billion out of the state healthcare system? Where was he then? Nowhere! Where was he when the cuts came through for mental health from the Turnbull government, for aged care, for dental services? Nowhere to be seen, and of course this is the man who cut over 4,000 jobs from the health system—1,800 nurses and midwives and 61 full-time equivalents from the Far North. Where was the apology for the closure of the Barrett centre? I know some of the members up the back have a shred of decency about them, but where is the apology to the families affected by that? The only government in history to cut mental health funding in Queensland and where is the apology from the Leader of the Opposition?

**Government members:** Shame!

**Mr DICK:** I take the interjection from government members that it is a shame. There is only one job that the Leader of the Opposition is interested in saving, and that is his own.

### Palaszczuk Labor Government, Electricity Prices

 **Mr NICHOLLS** (Clayfield—LNP) (Leader of the Opposition) (2.56 pm): Another day and another broken election promise by this inexperienced, asleep-at-the-wheel Palaszczuk Labor government. The sad reality for Queenslanders is that this is the same old broken Labor when it comes to power prices, when it comes to managing energy supply, when it comes to protecting Queenslanders. Today Labor has broken its election promise where it said it will develop policy responses to help put downward

pressure on electricity prices, yet all we are going to see from this response is prices going up. Prices will continue to rise for ordinary, hardworking Queenslanders across this state. They will continue to go up. We have not heard this government say, 'We are driving the price down.' All we have heard it give is mealy-mouthed excuses for why the price is going to increase. Under Labor, Queensland families, Queensland industry and Queensland farmers will be paying more. Their next power bills are still going up under Labor.


The Beattie-Bligh government was a master of this program. It started it off. It was addicted to dividends. What did it do? It increased dividends to 100 per cent. What has this government done? Increased dividends to 100 per cent. What did that do? That forced them to borrow more. What has this government done? Forced them to borrow more. There is only one conclusion: when Labor interferes with energy companies, when Labor imposes its crazy extreme green ideology on these power companies, Queenslanders always end up paying the price. How do we know that is the case? Because the Queensland Productivity Commission has told us so. The Queensland Productivity Commission has said that the cost of Labor's failed Solar Bonus Scheme will be over \$3 billion to 2028. So bad is it that the Treasurer's hand-picked Queensland Productivity Commission said it should turn the switch off right now. That is what it said to this Treasurer. This is a Treasurer who was going to listen to his Queensland Productivity Commission but has ignored the major recommendations because he has no solutions. He does not know what to do. This is the Treasurer who voted to put \$3 billion on to the cost of power bills for ordinary Queenslanders and this Premier voted to put \$3 billion on to the power bills of ordinary Queenslanders.

This Premier and this Treasurer were part of a government when Treasurer Andrew Fraser wrote to the Australian Energy Regulator and said, 'We want to charge more,' and locked in power price increases from 2010 that we had to fix up and were fixing up. Only the LNP has a plan to reduce power prices.

**Mr SPEAKER:** Thank you, members. We now commence question time. Question time will finish at 3.59 pm.

## QUESTIONS WITHOUT NOTICE

### Coal-Fired Power Generation

 **Mr NICHOLLS** (2.59 pm): My first question is to the Premier. I table this report titled *Retirement of coal fired power stations*, authorised by the Greens' Larissa Waters and Labor's Anthony Chisholm, which states—

... it is inevitable that many of these coal fired generators will cease operations in the medium term.

Does the Premier support federal Labor's call for the closure of all Queensland's coal-fired power generators?

*Tabled paper:* Report of the Commonwealth Senate Environment and Communications References Committee, dated November 2016, titled 'Retirement of coal fired power stations, Interim report' [\[2182\]](#).

**Ms PALASZCZUK:** I thank the Leader of the Opposition for that very, very mediocre question. Let us be very clear: the coal industry in this state supports thousands of jobs for workers, which I support.

**Mr Cripps** interjected.

**Mr SPEAKER:** Pause the clock. Member for Hinchinbrook, you are warned under standing order 253A. I rule that you are trying to debate the issue with the Premier. If you persist, I will take the appropriate action.

**Ms PALASZCZUK:** Of course, the modelling by the Queensland Renewable Energy Expert Panel also stated that the early retirement of coal-fired generation in Queensland is not required in order for us to reach our 50 per cent renewable energy target by 2030. My government firmly believes that we can get the balance right. I hear those opposite being critical of renewable energy in this state. Where are the billions of dollars being spent for solar generated projects across the state? In regional Queensland.

Those opposite do not support jobs for working families in this state. We on this side of the House will stand up for families and we will stand up for jobs. That is what we will do. I also find it incredibly ironic that I had to sit here and for three minutes listen to a former treasurer of this state who increased electricity prices for the average family by 40 per cent. The members opposite went to the election promising to look after the cost of living. Did they do that? No, they did not.

**Mr SPEAKER:** Premier, I will ask you to not debate the issue with the Leader of the Opposition.

**Ms PALASZCZUK:** I would just like to see a bit more Christmas spirit.

**Mr SPEAKER:** No, I just want you to answer the question, please.

**Ms PALASZCZUK:** The Grinch over there is a little bit upset at the moment, the member for Callide.

**Mr SPEAKER:** Premier, do you have anything further to add?

**Ms PALASZCZUK:** Absolutely. Those opposite are in an insular world. I have just come back from Japan. I sat down with senior members of Japanese companies. They are talking about a renewable energy mix for Japan. In the US, they are talking about a renewable energy mix. This is the way of the future. Under my government, we will support jobs in the energy industry. What do those opposite want to do? They wanted to sell off the assets. That would not have even created—

*(Time expired)*

### Coal-Fired Power Generation

**Mr NICHOLLS:** My second question is to the Premier. The Labor-Greens Senate report also states—

The question is not if coal fired power stations will close, but how quickly and orderly these closures will occur...

If the Labor-Greens report is fully implemented, can the Premier advise how much household power bills will increase by?

**Mr BAILEY:** I rise to a point of order. I believe that the question was hypothetical in nature. Does that conform with the standing orders?

**Mr SPEAKER:** If the Premier wishes to answer the question, I will allow her to answer it.

**Ms PALASZCZUK:** I believe that the question is hypothetical, because, as I have said, the expert panel has analysed this issue in detail.

**Mr Watts** interjected.

**Mr SPEAKER:** Member for Toowoomba North, if you persist you will be warned under standing order 253A.

**Ms PALASZCZUK:** Queensland has the energy mix right. We will protect existing jobs and we will grow new jobs in this state. That is what my government is focused on. Those opposite want to have their heads in the sand. They do not want to face the truth that it was under their leadership—

**Mr NICHOLLS:** I rise to a point of order. I was pleased to be able to hear where the Premier was going with her answer. My question was not as to how much it would be; my question was: can the Premier advise how much household power bills are going to go up under the Labor-Greens closure of coal-fired power stations? If the Premier cannot, she cannot. If the Premier can, she ought to.

**Mr SPEAKER:** Premier, you are invited to answer the question, but not to debate the issue with the opposition.

**Ms PALASZCZUK:** Thank you, Mr Speaker, but it is a hypothetical question, talking about a Greens report—

**Opposition members** interjected.

**Ms PALASZCZUK:** No, I have said very firmly in this House that we support our coal-fired power stations in this state because of the jobs that they enhance. Once again, those opposite are rejecting the renewable jobs that are available in regional Queensland. The member for Whitsunday does not like the renewable project and jobs in his electorate. The members opposite do not support the largest solar farm being built in Dalby.

**Opposition members** interjected.

**Mr SPEAKER:** Thank you, members. We will pause the clock. Leader of the Opposition, you have asked the question. I want members to allow the Premier to answer the question.

**Ms PALASZCZUK:** As I said, we have the energy mix right. I am speaking on behalf of Queensland. I am the Premier of this state and I firmly believe that we have the energy mix right. Unlike those opposite, who wanted to sell off our assets, that was—

**Mr SPEAKER:** One moment, Premier. I do not want you to debate the issue.

**Ms PALASZCZUK:** It is highly relevant, because they wanted to sell off the coal-fired power stations. They were getting them ready for sale.

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

### **Biofuels Industry**

**Mrs GILBERT:** My question is to the Premier. Will the Premier update the House on the government's efforts to create a large scale biofuels industry in Queensland?

**Ms PALASZCZUK:** We on this side of the House are happy to talk about new industries and creating new jobs for Queenslanders. We are waiting to hear any new ideas from those opposite. When I heard that the members opposite were going to announce a tourism policy, I was thinking, 'Where are the jobs going to be?' No, all it was was a social media strategy. That was the opposition's tourism policy. We are absolutely determined to create a biofuels industry in this state.

**Mr Hinchliffe** interjected.

**Mr SPEAKER:** Leader of the House, you are warned under standing order 253.

**Ms PALASZCZUK:** As the member for Mackay is probably aware, last week I had the great honour to meet the US Secretary of the Navy, Ray Mabus. It was his first formal meeting of a Premier in Queensland. His visit was one of the highest delegations that we have seen from the US Navy to date. I was joined by the Minister for State Development, the Minister for Biofuels and, of course, the Minister for Agriculture, because we know that putting in place this new industry in Queensland will create thousands of jobs. Once again, let me reaffirm my government's pro jobs mantra. Every single day we are focused on delivering jobs.

We also found out that the US Navy is very supportive of this green fleet initiative. They have been able to achieve it through bipartisan support from both the Democrats and the Republicans when this issue came up through the senate. I would hope that we would get bipartisan support in this parliament as we move forward to create this new industry.

In fact, next week we will be having a seminar here in Queensland to progress biofuels to the next stage. I encourage any members who are interested to come along. We have 124 delegates who are already registered. Representatives from over five countries are attending. They will represent biofuels producers, financial investors, academics and also potential customers. Deputy Under Secretary of the Navy Tom Hicks from the US will be our keynote speaker at the 2½-day event, something that will show the world how keen the US is to partner with Queensland. In closing, once again I urge those opposite to get on board to support this initiative so that we can create jobs right throughout our great state of Queensland.

### **Coal-Fired Power Generation**

**Mrs FRECKLINGTON:** My question without notice is to the Premier. I refer to the Grattan Institute's statement that Queensland's independent expert panel's claim that her government's aggressive 50 per cent renewable energy target will have no price impact for consumers was 'an economic illusion'. Can the Premier guarantee that Queensland householders will not pay higher electricity prices or higher taxes because of the government's extreme renewable energy policy?

**Ms PALASZCZUK:** As I said in this House before, I believe that we have the energy mix right for our state, which will see the growth of jobs into the future. It is obvious from the questions today from those opposite that they do not care about renewables in this state. We know that because they do not care about families; they only care about themselves.

**A government member** interjected.

**Ms PALASZCZUK:** That's right; we all remember the pre-Christmas card that the former treasurer sent out to people with his Strong Choices. We all remember that.

**Mr SPEAKER:** Thank you, Premier. Table it if you are going to.

**Ms PALASZCZUK:** Already we have seen today our commitment to families across Queensland. Over 150,000 vulnerable families will get access to the electricity rebate for the first time because on this side of the House we care about working families.

**Mrs FRECKLINGTON:** I rise to a point of order on relevance. I have asked the Premier a simple question: can the Premier guarantee that Queensland householders will not pay higher electricity prices?

**Mr HINCHLIFFE:** I rise to a point of order. The Deputy Leader of the Opposition simply took that point of order for an opportunity to restate the question.

**Opposition members** interjected.

**Mr Seeney** interjected.

**Mr SPEAKER:** Thank you, members. You will have an opportunity, member for Callide, to rise on a point of order if you wish to. I will hear the Leader of the House first.

**Mr HINCHLIFFE:** Clearly, the Premier was answering the question around prices in relation to electricity and the effects and impacts on the nature of the different mix of the sources of that electricity.

**Mr SPEAKER:** I will accept the point of order from the Deputy Leader of the Opposition about relevance. I call the Premier to make her answer relevant to the question.

**Ms PALASZCZUK:** I will back my record against those opposite when it comes to electricity prices in this state. Since my term of government, the average increase has been around 1.2 per cent. Under the Leader of the Opposition what was it? Over 40 per cent! We will get the energy mix right. We will keep the jobs, we will keep the assets and we will look after families across this state when it comes to a very important issue for them which is the cost of living.

### Regional Telecommunication Services

**Mr PEARCE:** My question is of the people's Premier.

**Honourable members** interjected.

**Mr SPEAKER:** Member for Mirani, I would ask you to refer to the Premier by the appropriate title, please. Can you repeat your question, please?

**Mr PEARCE:** It is Christmas time, Mr Speaker! My question is of the Premier. Will the Premier update the House on the government's effort to ensure Queenslanders, no matter where they live, can access services?

**Ms PALASZCZUK:** I thank the member for Mirani very much for that question because this government is a government for all of Queensland, no matter where you live across our great state. I am very pleased to report that, because we listened to Queenslanders, we have worked with the Barcoo and Diamantina shires to bring high-speed internet to their communities for the first time. We provided \$6.25 million for the project to use 600 kilometres of fibre optic cable to connect the towns of Jundah, Windorah, Stonehenge, Birdsville and Bedourie. Who delivered that? My government! My government delivered for the bush again.

I had the opportunity to visit Windorah in January to reaffirm our commitment and confirm that we had been able to secure funds from Canberra. My government is determined that Queenslanders are not left behind. We know the importance of telecommunications out in those regions and how important it is for families to be connected. That is why the Treasurer and the minister for the digital economy announced in the budget an investment of \$15 million to further improve mobile coverage in Queensland. On Friday the mayor sent me a message. I might read that out to the House.

**Opposition members** interjected.

**Mr SPEAKER:** Member for Toowoomba South and member for Kawana, you are both warned under standing order 253. If you persist I will take the appropriate action.

**Ms PALASZCZUK:** The mayor states—

At times I didn't think I would ever see the day when someone could use a mobile phone in Windorah except for taking photos and checking the time. Well, today it has happened and we in Barcoo shire have many of you to thank for this legacy and the opportunities that the switching on of modern 4G mobile technology can do for the social and economic future for this and the other Barcoo shire communities.

We are delivering for the people of Queensland, unlike those opposite. All they ever did was cut. Speaking of cuts, what have we found out from the LNP? That they are buying up domain names! What are those domain names—slashedbytim.com, slashedbynicholls.com, timscuts.com.au, nichollscuts.com.au. But wait, there's more! It has been brought to my attention that the LNP has bought

up more—nichollsnewmancuts.com, newmannichollscuts.com and lnpcuts.com. I would urge all Queenslanders to go to this new domain name—fixingtimscuts.com—to see for themselves what we have done to restore services.

**Honourable members** interjected.

**Mr SPEAKER:** We will pause the clock for a moment. We will just wait. I know everyone is excited about the last sitting week.

### **Coal-Fired Power Generation**

**Mr HART:** My question without notice is to the Premier. The Labor-Greens report names 10 Queensland power plants which supply approximately 73 per cent of Queensland's energy supply, saying those plants will be closed 'in the medium term'. Will the Premier explain to the House what the cost will be of building brand-new energy generators to replace the more than 8,000 megawatts of cheap coal-fired power currently generated in Queensland?

**Ms PALASZCZUK:** I thank the member for the question. I have answered this question at length. We have the energy mix right with the coal-fired power stations. We are keeping the jobs. They wanted to sell them off, but we are not selling them off. We are keeping them in public hands. We have the renewable energy mix right. Coal will continue to play a valuable role in our economy and our state for many years to come. Renewables are also coming on line and creating jobs in regional Queensland. Once again, my question to those opposite is this: what do they have against renewable energy in this state?

**Mr HART:** I rise to a point of order. Clearly, the Premier cannot answer the question, Mr Speaker—

**Mr SPEAKER:** No, this is not an opportunity for debate. What is your point of order? I hope it is not a frivolous point of order.

**Mr HART:** It is with regard to relevance. I asked the Premier whether she could tell us how much it would cost to replace those 8,000 megawatts of power. Clearly, the Premier cannot answer the question.

**Mr SPEAKER:** Thank you, member for Burleigh. The Premier has resumed her seat. She has answered the question.

### **Natural Disaster Relief and Recovery Arrangements**

**Mrs LAUGA:** My question is to the Deputy Premier. Yesterday, the Deputy Premier updated the House on the \$1 billion owed to Queensland by the Commonwealth government in NDRRA payments.

**Opposition members** interjected.

**Mr SPEAKER:** I am sorry, member for Keppel. I warn the member for Gaven and member for Albert. Correct me if I am wrong, but I understand you were trying to interrupt the member for Keppel in her question. Accordingly, you are both warned under Standing Order 253A. Member for Keppel, please restate your question?

**Mrs LAUGA:** My question is to the Deputy Premier. Yesterday, the Deputy Premier updated on the House on the \$1 billion owed to Queensland by the Commonwealth government in NDRRA payments. Will the Deputy Premier inform the House of any further developments in relation to this issue?

**Ms TRAD:** I thank the member for Keppel for the question, because I know that the member for Keppel, like all members on this side of the House, is deeply interested in making sure that there are effective transparent and cooperative natural disaster relief and recovery arrangements here in Queensland and right across Australia. I know that the people on this side of the House are prepared to stand up to make sure that Queensland gets what they are entitled to in the recovery and reconstruction after a natural disaster.

After yesterday's update to the House, which both the Premier and I gave in relation to the outstanding \$1 billion, what we saw from the Commonwealth government was absolutely breathtaking in its insult and injury to Queensland and Queenslanders, particularly those communities suffering and rebuilding after natural disasters. The Minister for Justice and Minister Assisting the Prime Minister for

Counter-Tourism put out a press release essentially accusing the Queensland government and Queensland councils of a history and pattern of roting NDRRA claims. For the benefit of the House, I table the insulting press release put out by the federal minister.

*Tabled paper:* Media release, dated 29 November 2016, by the Minister for Justice and Minister Assisting the Prime Minister for Counter-Terrorism, Hon. Michael Keenan, titled 'Getting disaster payments right in Queensland' [2183].

What does the federal minister base that claim on? He bases it on the PWC report that he instigated in order to ensure the quality of the work that the QRA, the Queensland government and Queensland councils put in to claims that they put forward to the NDRRA after natural disasters. What did that PWC report find? It found that our practices were sound. It found that there were no differences between the sampling that they did and the sampling that the QRA did. We are a nation leader in this field. Minister Keenan based his allegations on a figure of \$50 million, which is not reported in the PWC report. In fact, of that money \$43 million was in advance payments for natural disasters that were not even part of the claim that we put forward for the \$1 billion and another \$7 million was put aside by both the QRA and the Commonwealth government, through Emergency Management Australia, to go through calculation adjustments. Adding insult to injury for communities suffering from natural disasters just goes to show how little the federal Turnbull government understands Queenslanders. It shows that we cannot depend on them. I said as much in the letter that I sent to Minister Keenan today, which I table.

*Tabled paper:* Letter, undated, from the Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment, Hon. Jackie Trad, to the Minister for Justice and Minister Assisting the Prime Minister for Counter-Terrorism, Hon. Michael Keenan, regarding a media statement released by Hon. Michael Keenan, dated 29 November 2016, about disaster payments for Queensland [2184].

*(Time expired)*

### Coal-Fired Power Generation

**Mr EMERSON:** My question is to the Premier. Given that Labor's debt reduction strategy relies on dividends received from electricity GOCs, how can the Premier repay debt if coal-fired generators are shut down and no dividends are paid to the government?

**Ms PALASZCZUK:** It interesting to hear the members opposite ask about dividends. We have kept the assets in public hands so that the government can get those dividends. We get a regular income stream. However, what was the plan of those opposite? Their plan was to strip the assets, sell them off, cut the jobs and bring it right down. That was going to be their legacy. We have kept the assets in public hands and thus the dividends come back to our government to help pay down the debt and restore front-line services.

**Mr SPEAKER:** One moment, members. I remind the Deputy Leader of the Opposition that you are already under a notice. Member for Indooroopilly, I find some of your interjections are designed to simply try to interrupt the Premier in answering your question. If you persist, I will make a ruling accordingly.

**Ms PALASZCZUK:** That is their record. That is what they wanted to do. Let us talk about their record, because when they went to the election they said that they were going to lower people's household electricity bills. I have here Campbell Newman's contract with Queensland. Who can forget it? They said they would act to address Queensland's rising household energy bills and immediately freeze the standard domestic tariff, providing a saving of around \$120 a year on power bills. What did we get? A 43 per cent increase.

**Mr SPEAKER:** Premier, one moment. I do not want an argument. I think you have answered the question, thank you.

### Sale of Public Assets

**Mr KELLY:** My question is to the Treasurer. I refer to the government's position against the sale of income-generating state assets. Is the Treasurer aware of alternative policies regarding asset sales and the implications of those policies?

**Mr PITT:** I am very happy to answer the question from the member for Greenslopes. Like me, he has a very strong view that we should retain income-generating assets in public hands. That is very important indeed. We promised to not sell those assets. Those opposite still harbour those views and I will get to that in a moment. I find it very interesting that today we are hearing questions about what is

going to happen with dividends and whether we have moved to 100 per cent dividends. What were the dividends going to be under that lot? We would have zero per cent dividends under the LNP and potential premier Tim Nicholls. He was just waiting for that on election day, wasn't he? I will come back to that.

Our economic plan has delivered. We have delivered a plan that has seen two state budgets in surplus, state budget surpluses across the forward estimates, nation-leading growth, a lower unemployment rate and a debt action plan that is reducing general government sector debt considerably.

**Mr Nicholls** interjected.

**Mr PITT:** I hear the member for Clayfield going on again. He was the architect of the promise that they would reduce electricity prices by \$120 a year. What did we see? Nothing! We saw the average bill go up by \$450. I go back to the fact that we have retained those assets in public hands. Do members know why that is a great idea? We know it is a great idea because of the very interesting news coming out of New South Wales. The member for Clayfield certainly would not have been content with cutting the jobs of thousands of government workers in his first budget; if the privatisation of Queensland electricity assets had occurred, he would have seen mass job losses. How do we know that? In New South Wales, where they have privatised their power companies, they have welcomed a Fair Work Commission ruling that makes it easier to impose compulsory redundancies. The commission has given one power company the green light for up to 600 compulsory redundancies, that is, 600 sackings by June 2018. After that, job cuts could be uncapped. They are in the federal system. They are not in the state system as we are, where our people are under our industrial relations regime—

**Mr Nicholls** interjected.

**Mr SPEAKER:** Treasurer, I apologise for interrupting your train of thought. Leader of the Opposition, I find that the Treasurer is answering the question. I also find that your interjections are designed to simply disrupt him. If you want to raise a point of order on relevance, I invite you to do so. Treasurer, do you have anything further to add?

**Mr PITT:** I will add a few more comments. The member for Clayfield is a little testy today. There is a lot of stirring up of old memories.

**Mr SPEAKER:** Please do not provoke the Leader of the Opposition.

**Mr PITT:** We all know the promises that were made to Queenslanders that were broken. You could not trust the LNP when it came to any of their promises, whether it was job cuts in the public sector or whether it was how much people would be saving on their electricity bills. We simply cannot trust the LNP when they make promises.

That is what is so galling about the shadow minister for energy asking for an ironclad guarantee today as to what we will do as a government. Our ironclad guarantee is that we will not make promises like that lot did that would disappoint and the let down Queenslanders right across the state. We know that six months ago the member for Clayfield promised that he would reveal his stand on asset sales. I can say that, because he is very, very lazy, I think we will be waiting for a very, very long time to hear his position.

### Electricity Prices

**Mr LAST:** My question is to the Premier. The energy minister said today that there would be changes to the community service obligation payment for the uniform tariff policy. I ask: will the Premier guarantee regional Queenslanders will not see their power bills rise?

**Mr BAILEY:** I rise on a matter of privilege suddenly arising. I said no such thing. I believe the member is misleading the House.

**Mr SPEAKER:** So you find it offensive and ask for it to be withdrawn?

**Mr BAILEY:** I certainly do find it offensive and I ask that it be withdrawn.

**Mr SPEAKER:** Member for Burdekin, can you authenticate the basis of your question?

**Mr LAST:** Certainly, Mr Speaker. I have the document here. It is the Queensland government's response to the Queensland Productivity Commission's electricity pricing inquiry. It is in there.

**Mr SPEAKER:** Premier, I will give you the call. I give you latitude to answer the question.

**Ms PALASZCZUK:** The CSO is guaranteed under my government, but it would not have been guaranteed if the LNP had sold the assets. That is a fact. Once again, in addressing—

**Opposition members** interjected.

**Mr SPEAKER:** Members, I am having difficulty hearing the Premier and she is very close to me.

**Mr Nicholls** interjected.

**Ms PALASZCZUK:** You are very, very lazy and very, very mediocre.

**Mr SPEAKER:** Leader of the Opposition and Premier! Premier, do you have anything further?

**Ms PALASZCZUK:** I do, Mr Speaker. I have found a brochure which has Campbell Newman's picture on the front. There is a picture of the member for Clayfield too. It reads 'Our team's plan to get Queensland back on track—lower cost of living for families.' Let me read it because it is very important. It reads—

We understand that Labor's cost-of-living increases are hurting Queensland. With an unstable global economy Queensland families need cost-of-living relief. The LNP will save Queensland families up to \$330 per year.

They lied to the people of Queensland. You told an untruth.

**Mr SEENEY:** I rise to a point of order, Mr Speaker. That has long been regarded as unparliamentary.

**Mr SPEAKER:** Yes.

**Ms PALASZCZUK:** I withdraw.

**Mr SPEAKER:** The Premier has withdrawn. I think you have answered the question, Premier. I would urge members to speak through the chair.

### **Emergency Services, Staffing**

**Mr CRAWFORD:** My question is to the Minister for Police, Fire and Emergency Services and Minister for Corrective Services. Will the minister update the House on any recent steps the Palaszczuk government has taken to boost the ranks of emergency services personnel across Queensland?

**Mr RYAN:** I thank the member for Barron River for his very good question. It was not a mediocre question, but a very good question. I know he understands the importance of emergency services personnel and the support that our government, the Palaszczuk government, provides to them. The member for Barron River was an emergency services worker himself. He was a volunteer firefighter for 20 years and an ambulance employee for 20 years. He does not look old enough, but I thank him for his contribution to emergency services.

The Palaszczuk government is delivering more emergency services officers to Queensland than ever before. We remain committed to keeping Queenslanders safe and we are about jobs, not job cuts. Today I am pleased to announce that 39 new police officers will hit the beat after they graduate next month.

I am glad that the member for Barron River has asked this question because I have some excellent news for him and the people of North Queensland. Twelve new recruits will be deployed to the Cairns patrol group in the Far North district. Three of those will be stationed at Smithfield in the member for Barron River's electorate. Another three will head to the Tablelands patrol group, three to Innisfail, 15 to the Townsville district, three to the Mount Isa station and three to the North Rockhampton station.

But there is more. Last month saw the graduation of 26 Queensland Corrective Services officers and seven Dog Squad officers and their four-legged offsiders—Zeffer, Juke, Aussy, Odin, Yoshi, Chippy and Ellie. These custodial officers have been assigned to the Brisbane, Brisbane women's and Woodford correctional centres and the Escort and Security Branch. The seven Dog Squad officers have been assigned to the Arthur Gorrie, Maryborough, Woodford, Capricornia, Wolston and southern Queensland correctional centres.

But there is more. Seven Queensland Fire and Emergency Services fire communications recruits will graduate next month from the Lytton academy. They will be assigned to Brisbane, Townsville, Rockhampton, Toowoomba and Kawana. I would also like to congratulate all these men and women on their achievements and thank them for putting their hands up to serve the people of Queensland. Their jobs will sometimes be difficult and possibly dangerous, but I am confident they will rise to the challenge. I wish them very well in their chosen careers.

I have been getting around Queensland for the last couple weeks as the new Minister for Police, Fire and Emergency Services and Minister for Corrective Services. Can I say that I am humbled every time I meet one of our front-line officers. They are outstanding officers. They do their best to keep Queenslanders safe every day, and I am very proud to be their minister.

Interruption.

## PRIVILEGE

### Alleged Deliberate Misleading of the House by Members

**Ms PALASZCZUK:** I rise on a matter privilege suddenly arising. It has been brought to my attention that during the course of question time today there have been some questions that have been asked by those opposite which I believe are deliberately misleading. They have referred to a report labelling it 'a Greens-Labor report'. I have a copy of the report in front of me now. The members of the committee that produced this Senate committee interim report are: Senator Larissa Waters; Senator David Bushby, Liberal Party, Tasmania; Senator Anthony Chisholm, ALP, Queensland; Senator Sam Dastyari; Senator Jonathon Duniam, Liberal Party, Tasmania; and Senator Anne Urquhart, ALP, Tasmania. The participating members for this inquiry were two Liberal Party members: Senator Jane Hume and Senator James Paterson. I will be writing to you about this, Mr Speaker. What we have seen in this House today is a disgrace. I will be writing to you about that because they have deliberately misled this House, I believe.

**Honourable members** interjected.

**Mr SPEAKER:** I know everybody is a bit willing, but we have another day to go.

## QUESTIONS WITHOUT NOTICE

Resumed.

### Electricity Prices

**Mr BENNETT:** My question without notice is to the Premier. The Queensland Productivity Commission's final report just released states on page 108 that the residential electricity prices will increase because of Labor's extreme renewable energy policy. Will the Premier concede that the majority of Queensland families will not receive any state government subsidy for electricity prices but will face higher prices?

**Ms PALASZCZUK:** Let me reiterate. We understand the cost pressures on families. That is why we did not appeal to the regulator. That is why we have kept electricity prices low for the consumer with a 1.2 per cent increase, unlike those opposite with a 43 per cent increase. I find it incredibly ironic that those opposite come in here and talk about cost of living for families when they cannot even keep their election commitments and deliver for the people of Queensland.

Today I have said very clearly—and let me say it again—that we have enabled 150,000 vulnerable families to access the electricity rebate. This is a win for vulnerable families, and every member of this House should be thankful that my government has taken swift action to correct something that no-one has dared to look at for many, many decades. Once again, we will look after Queensland families in this state, unlike those opposite.

### Dental Services, Federal Funding

**Mr FURNER:** My question is to the Minister for Health and Minister for Ambulance Services. Will the minister advise the House on the current state of Commonwealth funding arrangements for the provision of public dental services in Queensland?

**Mr DICK:** I thank the member for Ferny Grove for his question and for his genuine concern, along with so many other members on this side of the House, about the lack of certainty that continues to swirl around the funding of the Commonwealth public dental health scheme. It is hard to think of a public policy in health care in recent times that has been so badly mishandled as the Commonwealth's decision to replace the Adult Dental Services National Partnership Agreement and the Child Dental Benefits Schedule with the Child and Adult Public Dental Scheme.

**Mr Seeney:** What about the nurses' payroll?

**Mr SPEAKER:** Pause the clock. Member for Callide, you are warned under standing order 253A. If you proceed, I will take the appropriate action.

**Mr DICK:** I take the interjection from the member for Callide. Our government is pleased to pay a record number of nurses in this state and not sack them.

**Mr SPEAKER:** Hang on. If you have taken the interjection, I withdraw the ruling.

**Mr DICK:** First raised in April—

**Mr Seeney:** What about the nurses' payroll?

**Mr DICK:** It is very interesting that the member for Callide is interested in this, given that he did not want to serve in this House. He sought preselection for the federal division of Wide Bay and was rejected by his own party. He could not even get over the threshold to get preselection, to get in the race, because his party did not want to let him participate. Of course, his behaviour in this House has been terrible in the last two days.

We were told in April that this scheme would be operating by 1 July. After the folly of that whole process became evident, we were told that it would operate by 31 December. Health ministers were reassured by the federal health minister, Sussan Ley, that it would get through the Commonwealth parliament. We were assured at our recent health ministers meeting. Now the Commonwealth parliament has exactly 1½ sitting days to pass this new scheme through the federal parliament. It was never going to happen.

About \$200 million will come out of public health services across the nation if this scheme gets up. As I said, I asked the federal minister at the health ministers meeting—and I asked her quite sensibly and reasonably—to roll over the scheme as it will not get through the Commonwealth parliament. Of course, she refused to do that. We are now in a policy vacuum. Hospital and health services across the state cannot plan effectively for dental services for next year. It is incompetence hurtling towards negligence.

It will not be the coalition that suffers—I hope it does at the ballot box. Of course, it will be the patients who need public health support in the dental health space who are often low socio-economic citizens of our state—people in Indigenous communities, people in rural communities. They have been abandoned by the federal government. Of course, we have heard nothing from the Leader of the Opposition on this—silence. He is silent about cost cutting. He is silent about cost shifting to the state. He is silent about the decimation of dental services. It is not good enough. I know that I and my Labor colleagues in this government will continue to fight for better public funding for dental health services from the Commonwealth government.

### Home Assist Secure, Lawnmowing Vouchers

**Mr KNUTH:** My question without notice is to the Minister for Housing and Public Works. I table a letter from the Atherton Tablelands Home Assist Secure outlining the success of the trial that reinstated the lawnmowing vouchers. This trial expires on 31 December. Will the minister extend this program to support the elderly and the disabled?

*Tabled paper:* Letter, dated 19 October 2016, from the Coordinator, Atherton Tableland Home Assistance/Secure, Mr Danny Carleton, to the member for Dalrymple, Mr Shane Knuth MP, regarding a mowing trial ending on 31 December 2016 [\[2185\]](#).

**Mr de BRENNI:** I thank the member for Dalrymple for the question. I have had the privilege of attending the electorate of Dalrymple during the recent housing strategy discussions. One of the conversations that I had with vulnerable Queenslanders residing in affordable housing and social housing in that region was about some of the difficulties that they face in being able to access the community.

One of the matters that was raised by the member for Dalrymple with me was the now absence of lawnmowing assistance for vulnerable Queenslanders. We are talking about people who live in social housing or people who are remaining in their homes with the assistance of the Home Assist Secure program being unable to access lawnmowing just so that they can get from their front door out to their front date gate, to their letterbox and to be able to go and see their doctor.

This arose after a decision taken by the government that was led by then minister Mander and Tim Nicholls, who decided that they would cut the lawnmowing services for vulnerable Queenslanders. The Labor government has restored lawnmowing services in Far North Queensland, North Queensland

and the Whitsunday region. The member for Dalrymple has made it clear to me that this is helping vulnerable Queenslanders to be able to access their community, to be able to get to their front gate, to be able to participate, to be able to live safely in their homes.

We reinstated the lawnmowing voucher system through Home Assist Secure as a trial because this government believes in the economic and social participation of every Queenslanders, unlike those opposite who, in a callous and ill-thought-out move, cut the lawnmowing services. At the moment the Palaszczuk government is assessing the trial. What I can commit to the member for Dalrymple and all of the recipients of the lawnmowing vouchers that this government reinstated is that we will assess that over the coming weeks. I will sit down with the member for Dalrymple and properly assess the value that that service brings to his community and make a decision about its continuation.

The feedback that I have had from people in Far North Queensland, North Queensland and in places like the Whitsunday is that they are very, very pleased that we were able to reinstate the vouchers. They find it a valuable contribution to their lifestyle and to their living standards. We will make sure that we support Queenslanders to stay living in their homes in their old age or when they have a disability. We will make sure that every Queenslanders can fully participate in society. We will make sure that measures like our lawnmowing vouchers are properly assessed. I will do that in consultation with the community and the member for Dalrymple.

**Mr SPEAKER:** I remind members of the importance of referring to members by their correct title. I know that during question time a number of members have referred to members by other names.

### STEM Teachers

**Ms FARMER:** My question is to the Minister for Education and Minister for Tourism and Major Events. Will the minister outline how the Palaszczuk government is lifting the skills of our teaching workforce to ensure quality science, technology, engineering and mathematics teaching in Queensland classrooms?

**Ms JONES:** We saw today the release of the Trends in International Mathematics and Science Study, which showed that Queensland was showing greater signs of improvement than other states when it comes to science and maths in our schools. On this side of the House, we understand that 75 per cent of the fastest growing jobs in Queensland are going to require additional mathematics and science skills. That is why we have had a real focus on this under the leadership of the Premier in regard to Advancing Queensland and, indeed, our Advancing Education policy.

We have a STEM champion now in every region, providing mentor and professional development for our teachers. We have the Queensland Coding Academy to build teachers' knowledge and skills in digital technologies. We have a STEM hub, with teaching and learning programs to support teachers. As I said previously in this House, for the first time this year, in partnership with Griffith University and QUT, we have been offering an opportunity for state school teachers to upskill their skills in the teaching mathematics disciplines.

One of the things that I am very passionate about as an education minister is making sure that in our classrooms we have real-life examples of the mathematics that people have to use in their day-to-day lives. I would like to read one of the maths questions that I think is very relevant to the day-to-day lives of many Queenslanders. It goes like this—

Kathy was promised by her friend Timmy that she would save \$330 on her power bill but then Timmy broke his promise and actually charged Kathy 43 per cent more than she was originally paid. How much more is Kathy forced to pay because of her very, very mediocre friend Tim?

To come into this parliament and see the crocodile tears of the member for Clayfield when it comes to power bills is a disgrace. I reckon in the Ashgrove electorate I got about 10 letters from the member opposite and Campbell Newman promising that the power bills of Ashgrove would go down. When I spoke to constituents—as the Premier is saying—they said they thought they could hold the member for Clayfield to his word but within weeks it was broken.

They promised the people of Queensland a reduction of \$330 on their power bills and we saw a 43 per cent increase. To come in here and act like the last three years did not happen is shameful. It is about time the member for Clayfield grew a backbone and owned his own record in this state—broken promises when it comes to electricity prices, broken promises when it comes to the cost of living and broken promises when it comes to protecting our assets. The member for Clayfield's record when he was the treasurer in this state is shameful and it is about time he started being honest with the people of Queensland.

### **Cape York Aboriginal Australian Academy, Audit Reports**

**Mr GORDON:** My question is to the Minister for Education and Minister for Tourism and Major Events. In reference to the confidential internal audit reports relating to the Cape York Academy and/or the Cape York Aboriginal Australian Academy, is it the education department or Good to Great Schools Australia which has the responsibility for these confidential internal audit reports? Can the minister confirm if either the minister and/or the Director-General of Education has provided any related documents including the internal audit reports, associated documents and correspondence to the Australian Broadcasting Corporation or any other media outlet?

**Ms JONES:** I thank the honourable member for his question. I am happy to sit down with him and discuss the multiple questions that were in the question from the member for Cook, but I can say this: all decisions that I make as the Minister for Education are about ensuring that we deliver the best possible education for every single child no matter where they live in this state, and that includes the children of Aurukun. That is why in the last few months we have run a very detailed selection process to put a permanent principal—one of the highest qualified principals in Queensland—into that school. I want to acknowledge and thank the principal who will be starting there next year for his enthusiasm about this job, because we know there are great things happening in the Aurukun school.

I can assure the member for Cook that all of my dealings in relation to Aurukun and Good to Great Schools have been in good faith and focused on putting children and children's learning first. I will not be distracted by name-calling or by people making comments and releasing private documents publicly. My focus, as I am sure every single member of this House would want of me, is on the good-quality outcomes of learning in that school. That is exactly what I will do day in and day out.

**Mr SEENEY:** Mr Speaker, I rise to a point of order on relevance. The question from the member for Cook was fairly simple. It asked who was responsible for the audits and whether the department has provided the audits to the ABC. The minister has not gone near either of those elements of the question, and I think that in the interests of providing a reasonable answer to the member for Cook she should answer the question.

**Mr SPEAKER:** The minister indicated that she was going to take the matter up with the member for Cook.

**Opposition members** interjected.

**Mr SPEAKER:** Order! Members, let me finish. Resume your seat, member for Callide; I have not finished. It appeared to me that there were a number of questions in the answer. There was not just one question; there was a series of questions. Does the minister have anything further to add?

**Ms JONES:** Yes, Mr Speaker. My understanding is that the audits were undertaken by the department of education and that they were released to the ABC under the right to information legislation.

### **Townsville, Stadium**

**Mr HARPER:** My question is to the Minister for State Development. Can the minister update the House on the progress of the \$250 million North Queensland stadium in Townsville?

**Dr LYNHAM:** I thank the member for Thuringowa for his obvious interest in the North Queensland stadium. The member for Thuringowa, the member for Townsville and the Minister Assisting the Premier on North Queensland all have a particular interest in how the North Queensland stadium is developing, and I have good news. We are aiming to award three contracts for the \$250 million North Queensland stadium by the end of this year. With the stadium project expected to create 750 jobs during construction and kickstart the local economy, this will be a welcome start to the holiday season for all those in North Queensland.

The quantity surveyor and the audit programmer tenders close next Friday, 9 December and the contracts are due to be awarded by Christmas. The expression of interest process resulted in 10 companies being short-listed and eight of those are from North Queensland. A key Palaszczuk government objective is to engage as much industry and local content as we can in North Queensland to generate jobs in the local economy. I was in Townsville recently, and I was impressed by the passion and commitment that the people of Townsville expressed about this project. They are all very keen, as I am, to maximise local participation.

As of Monday, 28 November, 303 companies have submitted expressions of interest for work packages with the managing contractor, and 105 of these are from North Queensland. One of the assessment criteria for the stadium tenders is the involvement of local businesses. I urge tradies, contractors and businesses to maximise their chances to work on this magnificent project. Local businesses can register their capability and interest in work packages via the Department of State Development's website. Suppliers interested in building and promoting their supply chain capability are also invited to contact the major projects supply chain team in the Department of State Development.

Tenders for the stadium's principal consultant close today. The Palaszczuk government is on schedule to deliver a world-class stadium in Townsville for the start of the 2020 NRL season. Most importantly, this government is very focused on maximising job opportunities for the people of North Queensland. Long after it opens, the stadium is expected to generate more jobs in the tourism, retail, hospitality and commercial sectors. A particular Christmas present for those in North Queensland is that the design should be ready for viewing prior to Christmas.

### Electricity Prices

**Mr JANETZKI:** My question without notice is to the Premier. I refer to the Productivity Commission's final report which has just been released into electricity prices. How will the government fund the billions in subsidies required to implement Labor's extreme renewable energy policy and the \$8.3 billion in forgone revenue stated on page 112 of the report?

**Mr SPEAKER:** Order! I call the Premier for two minutes.

**Ms PALASZCZUK:** I thank the member for the question. We have analysed this at length today. My government is firmly sticking by families. We are making sure that they are not going to be seeing the huge price rises that they saw for their electricity bills under those opposite. We are not going to see under my government the sale of our electricity assets. It has just been brought to my attention that in Western Australia Colin Barnett has just announced the partial privatisation of Western Power.

**Mr Pitt** interjected.

**Ms PALASZCZUK:** Fifty-one per cent! The question for those opposite today is what is their position on asset sales—

**Mr SPEAKER:** Order! Pause the clock. Premier, that may be what you want to talk about, but that is not the question that has been asked. I call the member for Bundaberg for her question.


### Backpacker Tax

**Ms DONALDSON:** My question is to the Minister for Agriculture and Fisheries and Minister for Rural Economic Development. Will the minister update the House on the federal government's so-called backpacker tax?

**Mr SPEAKER:** Order! The time for question time has expired.

## CRIMINAL LAW AMENDMENT BILL

### Introduction

 **Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (4.00 pm): I present a bill for an act to amend the Bail Act 1980, the Criminal Code, the Criminal Proceeds Confiscation Act 2002, the Director of Public Prosecutions Act 1984, the Drugs Misuse Act 1986, the Evidence Act 1977, the Jury Act 1995, the Justices Act 1886, the Penalties and Sentences Act 1992, the Recording of Evidence Act 1962 and the Telecommunications Interception Act 2009 and the acts mentioned in schedule 1 for particular purposes. I table the bill and the explanatory notes. I nominate the Legal Affairs and Community Safety Committee to consider the bill.

*Tabled paper:* Criminal Law Amendment Bill 2016 [\[2186\]](#).

*Tabled paper:* Criminal Law Amendment Bill 2016, explanatory notes [\[2187\]](#).

I am pleased to introduce today the Criminal Law Amendment Bill 2016. The bill comprises an array of criminal law related amendments to acts within my portfolio. Perhaps most notably, it includes amendments to the Criminal Code to ensure that a person who commits murder cannot rely on an unwanted sexual advance, other than in exceptional circumstances, as a basis for the partial defence of provocation. This also fulfils our government's pre-election commitment to make such amendment. The government acknowledges the importance attached to this reform recognising as it does the modern and progressive society Queensland is in 2016.

The other miscellaneous amendments in the bill come both from the lapsed Justice and Other Legislation Amendment Bill 2014 and from stakeholder consultation and aim to improve the operation and delivery of Queensland's criminal laws. I would like to record my thanks to our legal stakeholders who offer valuable insight into ways to enhance aspects of our criminal justice system. Let me now briefly outline the bill's significant amendments, starting with those to the Criminal Code.

As I mentioned, the bill includes amendments to section 304, killing on provocation, of the Criminal Code. First though, it is necessary to remind the House of the context in which section 304 of the Criminal Code operates. The issue of killing on provocation is only relevant where a jury is satisfied beyond reasonable doubt that the defendant has killed with the intent required for murder. It is then up to the defendant to prove that provocation applies. However, it is not a complete defence; it is only a partial defence. The successful application of section 304 reduces the criminal responsibility of the defendant to manslaughter, and therefore means the defendant avoids the punishment of mandatory life imprisonment imposed for murder.

The amendment to section 304 provides that the partial defence is excluded if the sudden provocation is based on an unwanted sexual advance, other than in circumstances of an exceptional character. I know that there has developed a reference to this amendment as removing the 'gay panic' defence—that is, a situation where the defendant claims to have been provoked to murder by a homosexual advance by the deceased. I absolutely acknowledge this amendment's importance to the lesbian, gay, bisexual, trans and intersex community—as it is to all Queenslanders who have voiced their criticism that such an advance could establish the partial defence.

The amendment is not confined to excluding an unwanted homosexual advance but uses the gender neutral phrase 'unwanted sexual advance'. This provides that the partial defence of provocation cannot be based on an unwanted heterosexual or homosexual advance, other than in circumstances of exceptional character. This properly reflects our society's expectations on the exercise of self-control. I want to reiterate section 304 operates where the defendant has killed with murderous intent.

Let me be perfectly clear and remove any doubt: an unwanted homosexual advance is not of itself to be considered an exceptional circumstance. Consistent with the other subsections of section 304, which limit the operation of the defence, a proviso is included to allow for circumstances of an exceptional character. Such a proviso is included to act as a safeguard in case of any unjust outcomes as it is impossible to foresee the myriad circumstances that may arise in homicide matters. As to what circumstances fall within the exception, no examples are provided. This will be a matter for the trial judge to assess on a case-by-case basis.

Having said that, new subsection (6A) makes it clear that for proof of exceptional circumstances regard may be had to any history of sexual conduct, or of violence, between the person and the person who is unlawfully killed that is relevant in all the circumstances. This clear articulation also recognises the amendment's gender neutral language and as such may be of relevance to women, particularly in the context of a woman who unlawfully kills their partner after receiving an unwanted sexual advance in the context of a history of long abuse. This approach is also consistent with existing subsection 304(6) which permits recourse to the history of relevant violence between the parties in considering the operation of the proviso for existing subsections (2) and (3). This in no way is intended to limit the circumstances of an exceptional character to which consideration may be had.

A corresponding amendment is also made to omit the words 'a most extreme and' from the provisions in the existing subsections for consistency in language. This amendment does not, however, lower the applicable threshold. As to the term 'unwanted sexual advance', this is defined in new subsection (9) as meaning a sexual advance that 'is unwanted by the person' and 'if the sexual advance involves touching the person—involves only minor touching'. The term sexual advance is not defined and carries its everyday meaning and the conduct can transpire in infinite ways. It refers to conduct of a sexual nature towards the person, including conduct made up of no words or touching, such as a gesture.

I must remind the House that under existing section 304(2) the partial defence of provocation does not apply if the sudden provocation is based on words alone, other than in certain circumstances—so that a sexual proposition unaccompanied by any physical contact is already excluded. An example of what may be minor touching is included. Relevantly, the non-exhaustive example makes it clear that minor touching of the defendant is to be considered depending on all the relevant surrounding circumstances.

Finally, the amendment is clear that for the purposes of this section 'minor touching' may amount to a sexual assault under section 352(1)(a) of the Criminal Code—that is, an unlawful and indecent assault. This is because the spectrum of conduct that falls within the offence of sexual assault is very broad. Therefore, depending on all of the relevant circumstances of the case, a touch that amounts to a sexual assault may still be considered 'minor touching' by a jury such to exclude the defendant from relying on the partial defence of provocation. What needs to be stressed again though is the context in which the partial defence of provocation operates. Section 304 is only applicable where it is proven to the satisfaction of the jury that the defendant killed with a murderous intent—that is, killed, intending to kill or cause grievous bodily harm.

I know this has been a long-awaited reform, and I want to note the former Labor government's commitment to this issue in 2012. The previous Labor government established an expert committee tasked with reviewing the issue and announced the intention to amend section 304 to give effect to the chair's recommendation. However, that was not subsequently progressed by the Liberal National Party government.

Today, I met with Father Paul Kelly, who is a long-term advocate for changes to this area of the law. Father Kelly was very happy that the government has taken action to clarify the law around this issue. Again, let me thank our legal stakeholders for their comments given during consultation—all of which have contributed to the overall development of the amendment—and all of those thousands of people who signed the change.org petition supporting this change.

I will move to another amendment in relation to misconduct with a corpse. A person involved in the death of another can benefit by destroying or contaminating evidence by disposing of, or hiding, a body. I am sure we can all recognise that, for loved ones, the recovery of a body that has been interfered with, or that cannot be recovered at all, can add to the suffering in an already traumatic situation. The bill acknowledges this and further acknowledges that misconduct with a corpse is serious criminal conduct by increasing the maximum penalty from two to five years imprisonment where a person improperly or indecently interferes with, or offers any indignity to, a body or human remains.

In addition to increasing the penalty, the offence will be added to the list of offences in the serious violent offence regime. This will mean that in those cases where the court orders that imprisonment for this offence is to be served cumulatively with a sentence for a related offence, such as manslaughter, the combined period of imprisonment will be relevant for the purpose of the serious violent offence regime. The effect of this is that if the combined sentence is imprisonment for 10 years or more, the offender is automatically required to serve a minimum non-parole period of 80 per cent of the imprisonment imposed.

The bill will clarify that Public Service officers can be appropriately authorised to provide services in their private capacity. This is often necessary in rural and remote areas. An amendment will be made to the Criminal Code to create an exception to the offence in section 89 (Public officers interested in contracts) for public officers who acquire or hold a private interest made on account of their employment, having first disclosed to, and obtained the authorisation of, the chief executive of the relevant department. The requirement for disclosure and authorisation of the chief executive will limit the application of the exception to appropriate circumstances.

I turn now to the various amendments to other acts. Confiscation of illegally obtained proceeds of crime is a key strategy for disrupting criminal activity. The bill contains amendments to ensure that all contraventions of restraining and forfeiture orders made under the Criminal Proceeds Confiscation Act 2002 are prohibited whether intentional or otherwise. Maximum penalties for contraventions of restraining or forfeiture orders will be increased from the existing 350 penalty units to 2,500 penalty units for a financial institution or 1,000 penalty units for all other persons or the value of the property the subject of the offence, whichever is the greater. The existing defence for a person who had no notice or reason to expect that the property was subject to a relevant order will remain for the protection of those people acting in good faith.

The bill also includes amendments to improve the operation of criminal law related practices and procedures. Amendments to the Justices Act 1886 and the Criminal Code adopt three existing practices from the Supreme and District courts for application in the Magistrates Court. The first is joinder of trials. This amendment will allow trials for a number of different people for offences arising from substantially the same set of facts to be heard at the same time. The second of these amendments extends the procedure providing for admissions of fact to summary trials for simple offences and breaches of duty. This amendment will allow certain facts to be agreed by the parties in a trial without needing to call witnesses to have those facts placed before the court.

The third practice provided for by the bill is bulk arraignments. This amendment will allow legally represented defendants to enter a single plea to a number of charges at the same time in the Magistrates Court. Each of these amendments will improve consistency in practice for criminal proceedings and support efficient trial procedures. A further procedural amendment will be made to the Justices Act to extend the availability of registry committals, which occur on the papers and do not require an appearance in court, to those defendants remanded in custody.

The bill makes a number of amendments to the Evidence Act 1977, including extending the ability of the court to exclude the public from a courtroom while the prerecorded evidence of an affected child witness, or special witness, is being played. This will provide further protection for these most vulnerable witnesses. Amendments will also allow, in certain circumstances, a court to use the soundtrack obtained from a video recording when the video cannot be played. This provides a practical alternative to having to recall the witness. The amendments also allow for appropriate destruction of recordings held by the courts in accordance with court issued practice directions and make a number of technical amendments to reflect contemporary court practices, such as the use of digital recording technology.

The Evidence Act will also be amended to limit the circumstances in which a DNA analyst is required to give evidence about an analyst's certificate. This amendment will not have any impact on the evidence given by analysts about the results of DNA profile comparisons. An amendment to the evidentiary provisions providing for a drug analyst's certificate in the Drugs Misuse Act 1986 will accommodate scientific and technological advances. The amendment acknowledges that an analysis or an examination may not be made by an analyst on every occasion but could be supported by automated processes or laboratory technicians.

The modernisation of the courts' use of technology in the jury selection process will be accommodated by amendments to the Jury Act 1995, for example, by allowing certain notices and summons to be given electronically. The Bail Act 1980 will be amended to clarify the process for forfeiture of cash bail and to encourage police to exercise their discretion regarding bail when a person cannot be taken promptly before a court.

The Penalties and Sentences Act 1992 will be amended to provide a mechanism to return offenders sentenced to a recognisance order who fail to properly enter into the recognisance back to the court and to allow for their resentencing at the court's discretion. The bill will also allow the Director of Public Prosecutions to delegate his or her functions and powers to an appropriately qualified person and make other minor and technical amendments.

This bill enhances the administration of justice and in many ways supports a criminal law response to a modern Queensland. I commend the bill to the House.

### **First Reading**

**Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (4.15 pm): I move—

That the bill be now read a first time.

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

Motion agreed to.

Bill read a first time.

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

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

### **Portfolio Committee, Reporting Date**

**Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (4.15 pm), by leave, without notice: I move—


That under the provisions of standing order 136 the Legal Affairs and Community Safety Committee report to the House on the Criminal Law Amendment Bill by 21 February 2017.

Question put—That the motion be agreed to.

Motion agreed to.

## MENTAL HEALTH AMENDMENT BILL

### Introduction

 **Hon. CR DICK** (Woodridge—ALP) (Minister for Health and Minister for Ambulance Services) (4.15 pm): I present a bill for an act to amend the Mental Health Act 2016 for particular purposes. I table the bill and the explanatory notes. I nominate the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee to consider the bill.

*Tabled paper:* Mental Health Amendment Bill 2016 [\[2188\]](#).

*Tabled paper:* Mental Health Amendment Bill 2016, explanatory notes [\[2189\]](#).

As members of the House know, the Mental Health Act 2016 will better support people living with mental illness in Queensland. The act, which will commence on 5 March 2017, provides a regulatory framework for the fair and respectful treatment of people who are unable to make decisions about their own mental health. The act allows a defendant to be redirected from the legal system to receive appropriate treatment and care if they have a mental illness or condition. Provision for this to occur has been included in legislation since the Mental Health Act 1974, and has been supported over the years by governments of all persuasions. The new act, which received bipartisan support when it was enacted, extends this power to the Magistrates Court.

The Department of Health has been working closely with stakeholders across Queensland in preparation for the commencement of the new act, and particularly to prepare for the enhanced and broadened functions of the existing Court Liaison Service to support this innovation in the Magistrates Court. During this process, stakeholders have given careful consideration to the operational impacts of the bill and, in doing so, have identified an amendment that should be made before the new act commences.

The Chief Magistrate and other members of the Court Liaison Service Steering Committee that was established to implement the Mental Health Act have asked that the Mental Health Act be amended to ensure that statements made by a defendant during mental health assessments and examinations are inadmissible in criminal and civil proceedings. If this amendment is not made, defendants risk making statements during an assessment or examination that are admissible in criminal and civil proceedings and, for this reason, would likely be advised by their counsel not to engage in an assessment or examination. This would frustrate the Magistrates Court's ability to determine fitness for trial and soundness of mind.

I am advised that the agencies that make up the Court Liaison Service Steering Committee were consulted prior to the enactment of the Mental Health Act. I am further advised that this issue was not identified prior to the passage of the act. The enhanced role of the Court Liaison Service to undertake mental health assessments for the purpose of assessing fitness for trial and unsoundness of mind is a new feature of the mental health legislative framework. The need for this amendment only became clear during the detailed planning for specific processes for implementation.

I thank those agencies for their careful consideration of these matters and collaborative approach in bringing this amendment to the House. In particular, I would like to thank the Chief Magistrate for his leadership in this area. The fact that the need for this important change was identified before the new act commences is testament to the value of the committee and the stakeholder engagement that has occurred to ensure the act's success. If enacted, the amendments in the bill will clarify that oral or written statements made by a defendant during an assessment regarding unsoundness of mind or fitness for trial are not admissible in evidence against the defendant in any criminal or civil proceeding.

Amendments will also clarify that statements made during a court ordered mental health examination are not admissible in evidence against a defendant's interests in relation to findings of guilt. The need to make this critical amendment also allows for other operational improvements to be made to the new Mental Health Act. Once again, the need for these amendments became clear during detailed planning for specific processes for implementation. These further amendments demonstrate the value of detailed stakeholder consultation and feedback since the passage of the act and will help ensure that the new act is clear and operates as the members of the Legislative Assembly intended it to upon its commencement.

The operational amendments contained in this bill are straightforward and well-explained in the explanatory notes. The importance of ensuring that the legal frameworks which support Queenslanders dealing with mental health issues are clear and effective cannot be understated. Each year in the state of Queensland more than 80,000 people are referred to our mental health community treatment

services; more than 12,000 people access hospital based mental health services; and more than 48,000 people seek out mental health community support services. In the coming year alone this government will spend \$1.5 billion on mental health, alcohol and drug services. The government has also committed a further \$350 million over the next five years to improve services for Queenslanders living with mental health, alcohol and drug issues. In this context, the amendments proposed in this bill will strengthen protections for people living with a mental illness who find themselves caught up in the legal system are essential.

In conclusion, this bill demonstrates the Palaszczuk government's commitment to better health care for all Queenslanders and to ensure the quality of our regulatory frameworks. It is our vision that by 2026 Queenslanders will be among the healthiest people in the world. The bill aligns with our vision by ensuring we have a legal framework that deals with people with mental illness in a way which is both fair and just. The bill appropriately champions the rights of vulnerable members in society living with a disability or mental health condition who may find themselves caught in the legal system. It does this by making sure that people who undergo mental health assessments or examinations can speak frankly and freely without fear of repercussion. It also does this by ensuring that mental health assessment and examination processes are not undermined by any uncertainty in the law. I commend the bill to the House.

### First Reading

**Hon. CR DICK** (Woodridge—ALP) (Minister for Health and Minister for Ambulance Services) (4.22 pm): I move—

That the bill be now read a first time.

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

Motion agreed to.

Bill read a first time.

### Referral to the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee

**Madam DEPUTY SPEAKER** (Ms Farmer): Order! In accordance with standing order 131, the bill is now referred to the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee.

### Portfolio Committee, Reporting Date

**Hon. CR DICK** (Woodridge—ALP) (Minister for Health and Minister for Ambulance Services) (4.23 pm), by leave, without notice: I move—


That under the provisions of standing order 136 the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee report to the House on the Mental Health Amendment Bill by 21 February 2017.

Question put—That the motion be agreed to.

Motion agreed to.

## WATER LEGISLATION (DAM SAFETY) AMENDMENT BILL

### Introduction

 **Hon. MC BAILEY** (Yeerongpilly—ALP) (Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply) (4.23 pm): I present a bill for an act to amend the Water Act 2000 and the Water Supply (Safety and Reliability) Act 2008 for particular purposes. I table the bill and explanatory notes. I nominate the Transportation and Utilities Committee to consider the bill.

*Tabled paper:* Water Legislation (Dam Safety) Amendment Bill 2016 [\[2190\]](#).

*Tabled paper:* Water Legislation (Dam Safety) Amendment Bill 2016, explanatory notes [\[2191\]](#).

This bill provides important clarification for dam owners and the community about responsibilities for warning the public during an emergency, enhances the focus of the dam safety regulatory framework on public safety and simplifies some regulatory procedures to save small dam owners and the government substantial money. Dams are generally extremely safe. They are built and operated to

some of the highest safety standards of any infrastructure. I am glad to report there have only been two recorded dam failures in Australia which have led to the loss of life, including the tragic loss of Nelani Koefer as a result of an inflatable structure failing on Bedford Weir in a tragic accident in 2008.

In Queensland, dam safety regulation not only protects against the rare risk of dam failure but also explicitly requires dam owners to warn the public about what are called 'downstream release hazards'. These are hazards caused by water coming out of a dam over the spillway automatically or by water being deliberately released by the dam owner. This type of hazard occurs frequently. Dams often spill during rain events without there being any threat to the structural integrity of the dam. As the portfolio minister for water supply during the 2015 flood events I recognised shortcomings in communication processes and I empathised with criticisms from the community, so I asked Mr Iain MacKenzie, the Inspector-General of Emergency Management, to review how they manage their flood release communications.

These two state owned organisations own almost half of the large dams in Queensland, so their performance is important in the effective management of flood events, noting that dams are only part of the picture of any flood event. The Inspector-General's 2015 report found that there were a range of operational and other improvements that could be made. This bill responds to part of that report, which recommended that the government review the dam safety legislation to enhance effective communications.

This bill is supported by a range of operational initiatives that the government has taken over the last year. The Department of Energy and Water Supply has incident management expertise and works with dam owners and disaster management groups to help both understand their roles and responsibilities to improve effective integration. Seqwater and SunWater have already made substantial improvements to how they deliver warnings effectively to the community and how they engage with disaster management authorities. This bill will underpin these operational improvements and ensure that dam owners, disaster managers and the community understand each other's roles.

The bill will clarify the purpose of emergency action plans to help ensure that dam owners, disaster managers and the community have a shared understanding of what plans are meant to achieve. I need to be clear that planning will never guarantee that all circumstances will be foreseen, although it is a critical part of disaster readiness. Plans are intended to agree responsibilities and communications and form the basis of a response, but dam owners may need to adapt their response in the face of unexpected circumstances in order to minimise the risk to people if the plan response was not effective. The bill will clarify that dam owners have a responsibility to warn people, whether of the very rare hazard of a dam failing, or the much more likely hazard of the dam spilling or releasing water into the river.

Warning is more than just notifying people: it means telling them that they may need to act and empowers the community to take action to protect life or property. Dam owners need to ensure that they have agreed with local authorities on how those warnings will be provided to suit the circumstances of a particular event. That may mean in many cases that the disaster management group agrees to take responsibility for warning communities during a general flood where the dam is a minor influence, but in other cases the dam owner may have to notify all the people downstream, for example, if the dam were to fail without warning due to an earthquake. In these circumstances the disaster management group will not have been activated and would not be able to warn people quickly.

Despite the importance of integrating dam emergency planning with local disaster management planning, I am advised that fewer than one in five of the current emergency action plans have been reviewed by local authorities, so the bill will make that review mandatory but it will make it a responsibility of council rather than the disaster management group. That is not meant to downplay the importance of the engagement of all the agencies in a local disaster management group but to ensure a timely review, as disaster management groups may not meet frequently. Furthermore, many smaller dams pose such a low risk that their failure may not trigger a disaster management response, just management by emergency services through the normal 000 arrangements. The bill also focuses the dam's safety framework more effectively on larger dams which pose a risk to the general public by stepping back from regulating dams which only pose a risk to people on the same property—those which have very low consequences compared to larger dams and which are also generally covered by workplace health and safety legislation.

The dam safety framework is intended to mainly cover high-consequence dams—those that put large numbers of people at risk. As I said earlier, dam failure events are extremely infrequent and there are other more pressing safety concerns on farms and workplaces. The Department of Energy and

Water Supply has been reviewing the risk of dams across the state and has identified around 100 small dams which probably pose a risk but which are not currently regulated. Most of these only pose a risk on the same property, but around 40 may pose a risk to the general public and should be regulated. This bill simplifies the pathway to regulation for these dam owners by providing them an option to simply accept their regulator's assessment of risk rather than be forced to spend their own money to independently assess the failure impact risk. This will save these small dam owners substantial expense.

The bill also streamlines the process for the minister to declare a temporary full supply level for the three flood mitigation dams, being Wivenhoe, Somerset and North Pine. The current process is unnecessarily cumbersome and will be streamlined to align with most other administrative decision-making. However, the current decision-making criteria will be retained.

Although I have said that dam safety events are very rare, every death is a tragedy. That was underlined with the drowning of Nelani Koefer while playing with her family downstream of Bedford Weir in 2008. One of the coroner's recommendations, handed down last year, was that SunWater enter into a memorandum of understanding with the Local Government Association of Queensland to enable it to erect signs to warn the public of the risks inherent in activities in rivers downstream of weirs and dams. This bill builds on that recommendation by providing an authority for all dam owners to erect signs on public land to make sure that people are fully aware of the dangers to try to reduce the chances of a similar tragedy happening again. I commend the bill to the House.

### First Reading

**Hon. MC BAILEY** (Yeerongpilly—ALP) (Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply) (4.31 pm): I move—

That the bill be now read a first time.

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

Motion agreed to.

Bill read a first time.

### Referral to the Transportation and Utilities Committee

**Madam DEPUTY SPEAKER** (Ms Linard): Order! In accordance with standing order 131, the bill is now referred to the Transportation and Utilities Committee.

### Portfolio Committee, Reporting Date

**Hon. MC BAILEY** (Yeerongpilly—ALP) (Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply) (4.32 pm), by leave, without notice: I move—

That under the provisions of standing order 136 the Transportation and Utilities Committee report to the House on the Water Legislation (Dam Safety) Amendment Bill by 21 February 2017.

Question put—That the motion be agreed to.


Motion agreed to.

## INDUSTRIAL RELATIONS BILL

### Second Reading

Resumed from 29 November (see p. 4666), on motion of Ms Grace—

That the bill be now read a second time.

 **Mr BLEIJIE** (Kawana—LNP) (4.32 pm): Here we are, colleagues, in the last sitting week of the year. What better way to finish the year than to change the entire industrial relations landscape in Queensland! What else would we expect from a Labor Party beholden to union bosses? At Christmas time we remember the joyous, real occasion and real reason for the season, but we also know that it is a time for giving gifts. The industrial relations minister has effectively gift-wrapped 1,000 pages of industrial relations legislation, attached a big red bow and handed it straight to the union bosses with a ministerial note, 'Ho, ho, merry Christmas'. The Minister for Industrial Relations has wrapped the IR bill with a big bow and handed it to particularly Alex Scott. Merry, merry Christmas!

When this government debates workplace laws we see Michael Ravbar and other CFMEU grubs hanging around the parliament, just as we saw CFMEU thugs protesting at the front of parliament this afternoon. Thankfully, the storm washed them away. When those opposite debate workplace laws we see the CFMEU out the front and we see Michael Ravbar, who is subject to many police investigations—and more in the last two days. When this government looks at appointing inappropriate people such as former CFMEU official Bruce Watson to bodies such as WorkCover Queensland as its CEO, we see grubby Ravbar hanging around the minister's office and meeting with the minister about such appointment.

When we debate industrial relations we see other union bosses such as Alex Scott hanging around parliament. They come here to make sure the minister and government members are not wavering on the union position and just to ensure the minister's staffers know who is boss. I could not help but notice Alex Scott wandering the corridors of parliament yesterday, just ensuring the government is on spot with what he wants—and this bill is what he wants in this new industrial relations space.

This government is not about reviewing the industrial relations laws or amending the industrial relations laws. It is just ripping up the entire Industrial Relations Act of Queensland and replacing it with what we have here today. The minister will claim that this is because they conducted a review. I will get to that a little later. We know the real reason they did it: by repealing and replacing the act, they do not have to explain what is in the new act compared with what was in the old act. We know that all of the accountability and transparency provisions are in the old act and are not contained in the bill we are debating tonight.

We know that when Labor members come into this place to speak to the Industrial Relations Bill they will be thanking every comrade they can—thanking the comrades in red who were protesting out the front today.

**Mr Minnikin:** Preselection is on.

**Mrs Smith:** It is preselection time.

**Mr BLEIJIE:** I take the interjections from two honourable members about preselection time. It is not only the time of Christmas and giving; it is also preselection season. We saw the men in red and the flags out the front this afternoon.

**Mr Janetzki** interjected.

**Mr BLEIJIE:** As the member for Toowoomba South said, they are doing up the list of who has been naughty and who has been nice. We hear that the member for Bundamba has been naughty. We hear that the member for Bundamba is not on the nice list this year.

**Madam DEPUTY SPEAKER** (Ms Linard): Order! Member for Kawana, I ask you to bring your comments back to the bill and remain relevant.

**Mr BLEIJIE:** As we debate the Industrial Relations Bill, in the season of giving and Christmas spirit we see the IR Bill wrapped up in a big red bow for Alex Scott and the union movement. We even see the likes of the member for—I was going to say 'Greenslopes' but he is not anymore; he is the member for Woodridge.

**Mr Minnikin:** He moved.

**Mr BLEIJIE:** I take the interjection: he moved. I have 'Greenslopes' written in my speech. It was not a deliberate attempt. The member for Greenslopes was on my mind, but he is not who I am seeking to refer to. The member for Woodridge was not such a fan of the union movement two years ago. We remember that at the Labor Party conference he debated and voted against a motion about union influence, but has he not become a born-again lefty! The member for Woodridge is a born-again lefty because he knows that if he is to have any chance at leadership of the Labor Party in Queensland he has to become a lefty. We even see the member for Gladstone—

**Ms GRACE:** Madam Deputy Speaker, I rise to a point of order. I think we are going to have this character assassination by the member for Kawana. I draw your attention to relevance. We are talking about the Industrial Relations Bill, not the ALP and not what happens within party rules. I ask for your—

**Mr SEENEY:** Madam Deputy Speaker, I rise to—

**Ms GRACE:** Hang on. I am not finished yet. Madam Deputy Speaker, if I could finish my point of order.

**Mr BLEIJIE:** It is more of a speech.

**Madam DEPUTY SPEAKER:** Member for Kawana, the member should have the opportunity to be heard in silence.

**Ms GRACE:** I ask that you rule on my point of order regarding relevance.

**Madam DEPUTY SPEAKER:** Thank you, Minister. I have heard your point of order.

**Mr SEENEY:** Madam Deputy Speaker, on a point of order, I advise the member for Brisbane Central that there is a reason the shadow minister gets 60 minutes: he is allowed to canvass a wide range of topics in the consideration of the bill.

**Madam DEPUTY SPEAKER:** Thank you. I have heard the point of order and I have heard your additional information. I have already warned the member for Kawana once regarding relevance and I ask you to come back to the bill.

**Mr BLEIJIE:** Thank you, Madam Deputy Speaker. With respect to the Industrial Relations Bill, the essence of the Industrial Relations Bill is about collective bargaining of the union movement and we know members of this House are members of the union movement participating in collective bargaining. I think there is a direct correlation between honourable members who will be speaking in this debate tonight, the union movement and the influence of this bill, which I will get into in quite a little more detail later.

We know that the Labor Party government will dress these reforms up as being about workers' rights. It will say that this is all about workers' rights. Nothing could be further from the truth in this bill. In fact, this bill attacks workers' rights and will lead to workers in the local government sector actually losing their jobs. The Local Government Association of Queensland, representing 77 council bodies in this state with a workforce of between 40,000 to 50,000 people, has warned that this bill will lead to increased rates for taxpayers and to sackings of local government employees. The Local Government Association of Queensland, representing the 77 council bodies, has warned that this bill will lead to job losses in the local government sector. That is why—

**Ms Grace:** Explain why.

**Mr BLEIJIE:** Excuse me?

**Ms Grace:** I dare you to explain why.

**Mr BLEIJIE:** I take the interjection—

**Madam DEPUTY SPEAKER:** Order! I ask that all comments be directed through the chair and there be no conversations across the House.

**Mr BLEIJIE:** I take the interjection from the Minister for Industrial Relations, who said, 'I dare you to explain why.' Well, I will. Not only will I explain why but I will table a document directly from the Local Government Association of Queensland. If the minister has become the expert on all things local government and she distrusts the Local Government Association of Queensland, then let her explain that and let her say so when she wraps up the debate tomorrow.

**Ms Grace:** No, I'm asking you.

**Mr BLEIJIE:** I take the interjection: the minister is asking me, and I will and the reason I will is because the Local Government Association has said some very unpleasant things about the Minister for Industrial Relations. Not only has it said some things about the Minister for Industrial Relations but so, too, has the CCIQ.

**Government members** interjected.

**Mr BLEIJIE:** The Minister for Education is interjecting. The CCIQ, which I will get to a little later, has said some very interesting things about the industrial relations minister and this government. I know the education minister has a habit of reading out supportive things of oneself. You do not usually, with respect, read out your own references in parliament.

**Mrs Smith:** Self-praise!

**Mr BLEIJIE:** Self-praise is no praise; I take the interjection from the member for Mount Ommaney. You do not ordinarily get up in here and read out your reference or say how good someone thinks you are. Usually you rely on your colleagues to do that. You let your colleagues do that. You do not get up in here and say, 'Hey, I've got a letter here that says how great I am. Let me read the contents of that into *Hansard* so that when parliament finishes at midnight tonight I can go and read the things I said about myself in a positive manner.' The education minister does that all the time. She does it all the time. Not a week would go by where the education minister does not give herself self-praise from a letter she has received. However—

**Ms JONES:** Madam Deputy Speaker, I find that offensive. It is not self-praise. I have been reading into the *Hansard* praise of the party. Thank you.

**Madam DEPUTY SPEAKER:** Minister, were you rising on a point of order that you had taken offence or was that your point of order?

**Ms Jones:** Yes.

**Madam DEPUTY SPEAKER:** The minister has taken offence to the comments. Do you withdraw?

**Mr BLEIJIE:** I withdraw.

**Mr SEENEY:** Madam Deputy Speaker, she did not ask for it to be withdrawn. She has been here long enough to know the right words to use. You have to say, 'I ask for it to be withdrawn.'

**Madam DEPUTY SPEAKER:** The minister said—

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

**Madam DEPUTY SPEAKER:** Member for Logan, can you take your seat for just a moment thank you. I asked the minister to clarify whether she had taken offence and was seeking a withdrawal and she indicated that that was the case. I asked the member for Kawana. The member for Kawana complied and withdrew. I now will hear the point of order from the member for Logan.

**Mr POWER:** Sorry, Madam Deputy Speaker, but you clarified the point that I was about to make.

**Madam DEPUTY SPEAKER:** Thank you very much. There is no point of order and the member for Kawana has the call.

**Mr BLEIJIE:** However, I can assure this House one thing the education minister will not be getting up and quoting from is the correspondence from the CCIQ and the LGAQ. That is one document the education minister is not going to jump to her feet and read out because it ain't any self-praise and it ain't any praise for the government. It is no praise for this Labor government. As I said, those opposite will dress this up as being about workers' rights and the Liberal National Party's trashy workers' rights and, 'We want an independent QIRC.' Nothing could be further from the truth in this bill, which, in the next 50 minutes, I will detail in great detail.

**Honourable members** interjected.

**Mr BLEIJIE:** The more they interject and the more the member for Logan interjects, the longer I will take and the slower I will speak. As I was saying, this bill panders to the union bosses—repaying favours for support at the last election, stripping away important transparency and accountability measures, increasing the cost on business which puts pressure on jobs, and significantly undermining the QIRC, the Queensland Industrial Relations Commission.

How is it that the Minister for Industrial Relations brings a piece of legislation into this House which the LGAQ says will cost jobs in Queensland when she also is the Minister for Employment? The Minister for Employment is being criticised by the LGAQ for a bill in this House which will lead to job losses in Queensland. I would love an explanation: when the minister looks at herself in the mirror, does she wear the employment minister's hat or the industrial relations minister's hat or the former union boss's hat when she debates this bill? I suspect it is the former union boss's hat. If I have not made it clear already, we will not be supporting this bill and the changes in it—

**Mr POWER:** Sorry, but can the honourable member turn his microphone off and on? There is a lot of feedback.

**Mr BLEIJIE:** It is probably from you, Linus!

**Madam DEPUTY SPEAKER:** Thank you. We can reset.

**Mr POWER:** I am trying to be helpful to the House.

**Madam DEPUTY SPEAKER:** Member for Kawana, can you please turn your microphone on? We just reset.

**Mr Saunders:** That's better. Even your microphone dislikes you!

**Madam DEPUTY SPEAKER:** Member for Maryborough, you are joining the illustrious list with a warning under standing order 253A, and I will just mention that list so that everybody is on notice—Lockyer, deputy opposition leader, Mount Ommaney, Ferny Grove, Hinchinbrook, Leader of the House, Toowoomba South, Kawana, Gaven and Albert. Thank you.

**Mr BLEIJIE:** As I said, we will not be supporting this bill and the changes in it because it only shows that this government and this industrial relations minister are not about the worker but more about keeping unions happy and currying favour with the union movement. In Queensland the state government is responsible for industrial relations of public servants, local government workers and tuckshop workers. We know, as we have debated it in this House before, that a large proportion of the remaining private sector industrial relations was referred to the Commonwealth by the Bligh government. The bill before the House today repeals and replaces the entire existing legislation, which is a substantial act of some 900 pages.

We have come to this point following the establishment of a legislative reform reference group. We know this government is a review, not do, government, so this was one of the 150 or 200 reviews currently being undertaken by this asleep-at-the-wheel government. Rather than going through those on the reference group, I thought I would quote from the Local Government Association of Queensland's submission to the committee which reviewed the bill. The LGAQ submission states—

The LGAQ notes the government's reference to this bill implementing all the recommendations arising out of an independent review of the state's industrial relations laws and tribunals. The LGAQ was a member of the Review group and actively participated in the review; however, it is also important to record that the Group was chaired by a former trade union official, supported by a labour lawyer and was dominated by trade union representatives. Without denigrating the efficacy and capability of the Chair Mr Jim McGowan or his support staff, it is fair to say that the outcomes from the review, as expected, heavily favoured the views and interests of trade unions.

The government set up an independent review of the Industrial Relations Act, stacked it with former and current union officials and then implemented the changes from that review and said that it had an independent review. The LGAQ has called the government out on that. The LGAQ, which was on the review panel, has even said that members of parliament voting on this bill cannot essentially trust the recommendations of the review panel, because it was stacked from the start. We have seen that with many reviews that this government has undertaken.

**Mr Walker:** Standard process.

**Mr BLEIJIE:** I take that interjection from the member for Mansfield. It is the standard process of this government. The member is referring to his own shadow portfolio area where reviews that have been undertaken were stacked from the start.

Once again, we see a review undertaken to justify changes to the law, but the review was a complete sham. In fact, several changes that are being pushed through as part of this bill were not even considered by the reference group, such as the introduction of a new public holiday for Easter Sunday. That was never even considered as part of the review. When the minister introduced this bill, she stood in this place and talked about the extensive independent review process and then, lo and behold, said, 'By the way, we're also introducing a new public holiday in Queensland and that is going to be Easter Sunday.' We know that that is because of a secret little deal with the shoppies union on the side. That is why making Easter Sunday a public holiday made it into this legislation without being mentioned by the review panel in its report or even being a recommendation of that union dominated review panel. It was a deal with the shoppies union on the side.

At the time this deal was made I wonder if the shoppies union was told that the government had not, or had forgotten, to make an amendment to the Trading (Allowable Hours) Act 1990 to allow shops that cannot trade on Easter Sunday to trade? In this bill, the minister is declaring Easter Sunday a public holiday, but she has forgotten to amend the Trading (Allowable Hours) Act 1990 to permit businesses to trade on Sunday.

**Mrs Smith:** We had the racing bill, though.

**Mr BLEIJIE:** I take that interjection. We had the racing bill. The first bill the minister introduced was the racing bill. I think there were over 200 amendments made to that bill. The minister proposes to make 85 amendments to this bill. As I said, I wonder if the shoppies union was told, 'Yes, we're going to do the public holiday, but we forgot to amend the Trading (Allowable Hours) Act?' What would we expect from Labor? These are the same people, the same government, that gave us dams without pipes, pipes without dams, trains without seats, tunnels without trains and now a public holiday for businesses on a day they are not allowed to open on anyway.

According to the explanatory notes the bill sets—

... the key elements for the ... industrial relations system ...

- a set of minimum standards;
- collective bargaining as the cornerstone for setting wages and conditions;

- a set of individual rights to fair treatment;
- effective, transparent and accountable governance and reporting obligations for registered organisations; and
- an independent commission and court.

As outlined further in the explanatory notes—

The Bill:

- reframes the objects of the legislation around a fair and balanced system ... strengthens enterprise bargaining arrangements ... revises the regulation of registered industrial organisations and associated entities. The Bill provides that the financial reporting requirements—

and here is the clincher—

for industrial organisations and the training requirements for officers with financial management duties are similar with those of the Fair Work (Registered Organisations) Act 2009.

I can guarantee this House that the provisions in this bill are not the same provisions that the federal parliament passed last week with respect to transparency, accountability and integrity measures for industrial organisations, including employee and employer organisations. The minister has put a little bow around this bill and said, 'We're copying the federal government's fair work legislation.' I bet it does not copy the legislation that was passed two weeks ago by the federal parliament, which essentially copies former LNP government policy with respect to union accountability and transparency.

The members of the Labor Party always ask, 'Why do we need transparency?' I recall a recent press conference that the Premier gave when another of many CFMEU officials was charged with particular offences and the judge made some comments about particular CFMEU officials. At that press conference the Premier was asked by one of the journalists, 'Is the Labor Party going to disassociate with the CFMEU?' The Premier looked shocked and amazed by the question. She asked, 'Why would the Labor Party disassociate with the CFMEU?' I have no idea! Probably because of a damning royal commission report into union corruption and governance in Australia of a couple of thousand pages. It could have been that. If it was not that, it could have been the over 100 CFMEU officials who, currently, are charged with offences under particular legislation throughout Australia. If it was not that, it could be the CFMEU in Queensland hauling documents into a horse float and taking it out to a farm.

**Ms DONALDSON:** I rise to a point of order. The member for Kawana may have heat stroke with his sunburn, but he has been asked to stay relevant and he has strayed again.

**Madam DEPUTY SPEAKER** (Ms Linard): Order! I ask the member for Kawana to speak with relevance to the bill.

**Mr BLEIJIE:** I suspect the member for Bundaberg now has a little more time on her hands. She could do two things. She could pay her bills on time and she could read—

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

**Madam DEPUTY SPEAKER:** With respect, member for Kawana, the member for Bundaberg has a right to raise a point of order. I will now hear the minister's point of order.

**Mr BAILEY:** The member for Kawana continually abuses standing orders by straying well off the topic. I request that he conform with standing orders and get back to the bill.

**Madam DEPUTY SPEAKER:** Yes. Thank you, Minister. Member for Kawana, I warned you before when I spoke to you the last time.

**Ms DONALDSON:** I rise to a point of order. I find the member's comments personally offensive and I ask him to withdraw.

**Mr BLEIJIE:** I withdraw. I suggest that the member for Bundaberg ask the attendants to bring her a copy of the bill. If she wants to interject—and, Madam Deputy Speaker, I take the point that she has every right to do so—I suggest that she reads the bill. If she does, she will find in the bill lots of discussion about industrial organisations. Guess what? I point out to the member for Bundaberg that an industrial organisation is defined under Queensland legislation as an employee association—that is a union—or an employer association. I am talking about integrity and accountability provisions. I can also tell the member for Bundaberg that, ironically, I just quoted from the explanatory notes. The member for Bundaberg objected to me referring to the minister's own explanatory notes, the government's explanatory notes. I understand that the member is probably seeking some relevance in today's society but, really, she has to read the bill.

**Madam DEPUTY SPEAKER:** Member for Kawana, can you please come back to the bill. I think personal attacks on other members in this House is unparliamentary. I ask you to speak to the bill.

**Government members** interjected.

**Mr BLEIJIE:** The members opposite continually, as they are now, interject in this debate. When I talk about transparency and accountability of the union movement, I do so because this bill has taken out the integrity and transparency provisions that are currently in the Industrial Relations Act. That cannot be any clearer or relevant to this debate as the sun comes up every morning. The government is getting rid of the integrity, accountability and transparency measures of the Industrial Relations Act in the state of Queensland. That is in this bill. Not only is it in this bill; it is in the explanatory notes. As I said, this bill—

Revises the regulation of registered industrial organisations and associated entities. The Bill provides that the financial reporting requirements for industrial organisations and the training requirements for officers with financial management duties are similar with those of the Fair Work (Registered Organisations) Act.

That is the passage that I quoted from the explanatory notes. The explanatory notes further state—

The Bill also enables the Industrial Registrar to partition the Local Government Industry Modern award into three awards based upon occupational divisions identified in the Award Modernisation Variation Notice issued by the Minister on 6 June 2016 pursuant to S140CA of the IR Act. This is an administrative function only and is done to assist employers and workers by making the document more user-friendly for each occupational division.

What the government does not state in the explanatory notes is the provisions it is scrapping. It is removing the ability of the state to intervene to terminate protected industrial action if there is a risk of significant damage to the Queensland economy and it is threatening or would threaten to endanger the health and wellbeing of a community. Honourable members will know in debates in this place that I have continually said that the industrial relations minister should intervene in matters pursuant to the legislation. On a number of occasions she denied having the power to intervene. Then, once at estimates, realised that she did have the power to intervene—

**Ms GRACE:** I rise to a point of order. The member for Kawana is misleading the House. At no point have I denied the ability to intervene under the federal workplace organisations act or the workplace—

**Mr DEPUTY SPEAKER** (Mr Elmes): There is no point of order.

**Ms GRACE:** I take offence to the comments and I ask that they be withdrawn.

**Mr DEPUTY SPEAKER:** Was it a personal reflection on yourself?

**Ms GRACE:** Yes. I was misquoted and the House has been misled about something that I have said which is not correct. I take offence and I ask that it be withdrawn.

**Mr DEPUTY SPEAKER:** Would it help matters if the member for Kawana withdrew?

**Mr BLEIJIE:** I withdraw. I will also write to you.

**Mr DEPUTY SPEAKER:** No, just withdraw.

**Mr BLEIJIE:** I withdraw, but I am advising you, Mr Deputy Speaker, that I will write to the Speaker because the words I used were the minister's words. I will be writing because I believe the minister has now misled the House.

**Mr DEPUTY SPEAKER:** That is your right.

**Mr BLEIJIE:** Those opposite do not tell us that they are removing the ability of the state to intervene, having denied in the past that anyone has the ability to intervene. The best way to ensure the intervention never happens is just to delete it entirely from legislation. They are deleting the power for the state minister to intervene. They are giving up on Queensland workers.

They are also removing the majority of accountability measures that were implemented by the LNP in government, including the register of political spending, credit card registers and the register of loans, grants and donations. It is interesting to look at the credit card expenditure of the union movement. These are the unions that fight for workers rights, yet they spend hundreds of thousands of dollars on entertainment expenses—wining and dining—and it is not at your local KFC, it is at the flashiest of flash Brisbane restaurants.

**Mr Stevens:** No Subways!

**Mr BLEIJIE:** I take the interjection. No Subways, no KFCs, it is at the flashiest of flash restaurants that the unions are spending their money. We also found out some of the heavyweights in the union movement are getting paid over \$200,000 a year. They are crying poor for their workers and yet their workers' union dues are paying these exorbitant allowances for meals in restaurants and so forth. They are getting rid of all that so we will no longer be able to see the Craig Thomsons of the world who used the credit card of the HSU to pay for prostitutes and all sorts of stuff. Those opposite are getting rid of those provisions so we will not see what they spend their money on.

They are getting rid of the publishing and updating of financial registers. They are completely hiding their agenda and their financial expenses. We put it in place so the members of the union could see where their money was being spent by the heavy hitters in the union movement. They are getting rid of disclosing the salaries of the highest paid officers and board members. They no longer have to disclose how much the union heavyweights are getting paid. They say that the members of the union movement ought not know how much their board is getting paid, yet in corporations all that financial information is open. Let the sunlight in as disinfectant. They are getting rid of the requirement to disclose the salaries. Why would you want to hide the salaries of your board directors? Why would you hide the salaries of the highest paid officers?

**Mr Dickson** interjected.

**Mr BLEIJIE:** I take the interjection from the member for Buderim. It is a cover-up. Why would you not want your members to know how much your board and your highest paid officers are getting paid? They are also getting rid of publishing the financial disclosures. They are getting rid of the pecuniary interest register of board members. They are getting rid of publishing the remuneration and benefits, disclosing spending for political purposes and disclosing political party affiliation fees. They are out the door; they are getting rid of that.

They are also undermining the independence of the Queensland Industrial Relations Commission. Just as the federal parliament passes legislation to actually have it in federal legislation, this parliament is being asked to repeal those provisions. In Canberra they just passed those accountability measures and we are being asked to get rid of those measures. As the world becomes more attuned to openness, transparency and accountability of financial affairs, the Labor Party is trying to hide the expenses of the union movement. The rest of the world is opening the books. That is a huge concern.

We restored the independence of the QIRC. The minister has said in press releases and publicly that the LNP attacked the independence of the QIRC. We restored the independence of the commission. We appointed a permanent, full-time president who was, in fact, a Supreme Court judge, as well as additional commissioners who have turned that place around. How can the minister and government members say that we were attacking the independence of the QIRC when we appointed a highly respected Supreme Court justice in Glenn Martin as president of the QIRC? When those opposite reflect on that, they are actually reflecting on the president of the QIRC, which I think is disappointing because the president, Supreme Court Justice Glenn Martin, has done a terrific job with his commissioners down there. In fact, this is a broken election commitment, undermining the independence of the QIRC by removing the ability of the commission to partition the local government awards through the modern award process and actually dictating to the commission how the process will be undertaken.

The minister for industrial relations has spoken publicly about the independence of the QIRC—we want an independent QIRC—yet in June this year the minister issued a direction to the QIRC because she did not like a result of the QIRC. She issued a direction to the QIRC to do A, B, C: ‘You must do this. This is my ministerial direction.’

**Ms Grace:** It was upheld in the Supreme Court.

**Mr BLEIJIE:** It does not matter where it was upheld. The fact is the minister issued a direction. You cannot have an independent commission and then have the minister issuing directions—you must do this—because you did not like a decision.

**Mr Krause** interjected.

**Mr BLEIJIE:** I take the interjection from the member for Beaudesert. It does not look very independent. With respect to the local government awards and the amendments we see today, this has all come about because the unions did not like the draft modern award that was released and agreed to and have continually gone crying wolf to the minister every time the commission does not do what the unions want. What does the minister do? Agree every time with the union and promise to do what she can to help out her union boss mates; being, of course, a former union boss herself and knowing how the union works.

The LGAQ submission states—

The current government regularly cites as justification for their actions the alleged extreme industrial relations changes made by the former Newman Government, all of which have subsequently been eliminated, amended or restored with earlier legislation. Under this Bill, the Government promises just as extreme, if not more extreme, changes to the industrial system, albeit these changes promote the cause of trade unions, undermine freedom of association, impose additional costs on Councils and their communities, threatens productivity of councils, and further erodes the independence and decision-making capacity of the Queensland Industrial Relations Commission.

They are not my words, they are the words of the Local Government Association of Queensland. How does the minister respond to those harsh words? It goes on—

It is considered that the new industrial relations framework proposed by this Bill, on top of the recent industrial forays by the state into direct management of the industrial relations regulatory environment of local government will:

- Lead to further job losses within the local government sector;
- At the very least stifle job creation activities within the sector;
- Impede productivity within the local government sector;
- Increase the risk of additional costs to the community, particularly for rate-payers.

That is from the Local Government Association of Queensland, which is one of the biggest employers in the state of Queensland. Seventy-seven councils collectively say that this bill will lead to further job losses within the local government sector, stifle job creation activities, impede productivity within the local government sector and increase the risk of additional costs to the community, particularly ratepayers. Rates are going up, jobs are being lost, the Queensland Industrial Relations Commission's independence has been—

**Ms Grace** interjected.

**Mr BLEIJIE:** The minister laughs. I am quoting the Local Government Association of Queensland. All the minister can do is laugh this off. Those are not my words; they are the words of the Local Government Association of Queensland, which represents 77 councils and the minister wants to laugh that off. I suggest she gets on the phone to all the mayors represented by the Local Government Association of Queensland and have a good laugh at them. If the bill is passed in its current form without amendments, the minister should ring up all those local government employees who are going to lose their jobs and have a laugh with them. She can see if they are laughing about losing their jobs because of her bill, which is what the Local Government Association has warned about: job losses.

**Mr Power** interjected.

**Mr BLEIJIE:** I hear the member for Logan down the back. Will he ring the local mayor and the people who will lose their jobs in the local government sectors because of these provisions and have a laugh with them? I do not think they are going to laugh.

**Mr DEPUTY SPEAKER** (Mr Elmes): Order! Those on my right will come to order.

**Ms Grace:** Are you serious?

**Mr BLEIJIE:** Yes, I am absolutely serious, because the Local Government Association of Queensland is saying that there will be job losses. That is serious.

Labor's continual interference in this issue will lead to job losses for local government workers. If they want to dismiss that and make their silly little interjections, thinking they are somebody in this place, they can do that. However, at the end of the day, we will ensure that the local mayors, the local councillors and the employees who work for councils will knock on their ministerial office doors and their electoral office doors, so that they can explain this to them. We will tell the people who lose their jobs that the minister laughed about that in the chamber. We will tell them about the little silly interjections from the Labor Party. We will tell them, 'That's what they thought about your jobs.'

Currently, just under 40,000 workers are employed by councils throughout the state. The government seems to want to dismiss all concerns that the Local Government Association has with this bill. The LGAQ is seeking that this bill be opposed. It further states—

The LGAQ on behalf of its 77 constituent councils strongly **recommends this Bill be set aside altogether** or at the very least **be amended** to provide a fair and modern industrial relations system that:

- Appropriately balances both the short and long-term interests of council employers and workers ...

It is clear that the Local Government Association is saying that this bill should not be passed, unless it is substantially amended. This bill is not in the interests of the 40,000 local government workers in Queensland, which goes back to what I was saying earlier that Labor is about union bosses rather than standing up for the rights of council workers.

In its submission the LGAQ added—

In addition, recent actions of the State Government to restrict the independence of the Commission on award related matters, has further eroded the confidence of the Local Government sector that the interests of Councils as employers will be considered fairly and objectively within the state industrial relations jurisdiction. Councils are concerned that unions are increasingly less willing to pursue industrial relations outcomes through the regulated industrial relations system in favour of seeking political intervention of a sympathetic government willing to utilise its legislative powers and considerable resources to achieve desired outcomes of unions.

Those are not my words; they are the words of the Local Government Association of Queensland. This bill is bad for local government and they are reassessing whether they actually want to stay in the state industrial relations system altogether. Because of how bad this legislation is, across the state local governments are considering whether they want to part ways with the state government and go into the federal industrial relations system. That is under active consideration.

**Mr Minnikin:** That says it all.

**Mr BLEIJIE:** I take that interjection from the member for Chatsworth. It says it all and it says a lot, no doubt. When this bill was tabled, the LGAQ accused the minister of betrayal. LGAQ Chief Executive Officer Greg Hallam said that the legislation made a mockery of the independent QIRC and slammed the laws as retrograde. In an article published in the *Courier-Mail*, Mr Hallam said—

The minister and not the QIRC has determined how many awards will apply in our sphere of government.

The article continues to quote Mr Hallam as saying—

The Minister has sidelined the QIRC from any deliberative role on the content of new awards, bypassing them in favour of the Industrial Registrar. The Queensland IR system is entirely political and devoid of any sense of impartiality.

Those are not my words; they are the words of the Local Government Association of Queensland.

Another ABC article posted online states—

“We have the Minister dictating how many awards there should be and the content of the awards,” Mr Hallam said.

“Why have an independent umpire in the form of the Industrial Relations Commission when the Government herself is going to make those determinations? It’s completely wrong and it takes away any faith that the system is independent, impartial or fair.”

...

“This is a cost that will be borne by the ratepayers of Queensland,” he said.

“This is a cost that means we have a much more cumbersome industrial relations system, many more awards, much more complexity, a much more costly system to administer.”

I have talked a little about how this bill will introduce the sudden addition of another public holiday in the calendar, Easter Sunday. For those who are aware—

**Mr Power** interjected.

**Mr BLEIJIE:** You are a disgrace, mate.

**Mr DEPUTY SPEAKER** (Mr Elmes): Order! Member for Kawana, resume your seat. The member for Logan will withdraw what I personally take to be an unparliamentary remark.

**Mr POWER:** I withdraw, Mr Deputy Speaker.

**Mr BLEIJIE:** For those who are not aware, Good Friday, Easter Saturday and Easter Monday are already public holidays. This will mean there will be four public holidays in a row. The cost of that change to small business in Queensland is estimated to be up to \$80 million.

**Ms Grace:** You just said they don’t open.

**Mr BLEIJIE:** That is an \$80 million tax on business in Queensland, which means they will be less likely—

**Ms Grace** interjected.

**Mr BLEIJIE:** If the minister wants a more in-depth lesson in industrial relations under the allowable trading hours, she would be quite educated to know that many small businesses are actually exempt from the provisions of the allowable trading hours legislation. If the minister is saying they do not open or whatever the case may be, I suggest she look at the legislation, because there are exemptions that apply to small to medium enterprises in this state. The CCIQ—again, these are not my words—has estimated the cost will be up to \$80 million for small business in this state, which means that they will be less likely to open on the Sunday, that is, if they could. The Trading Hours (Allowable Hours) Act 1990 outlines that a ‘closed day’ refers to one of the following days: Good Friday, Easter Sunday, Anzac Day, Labor Day or Christmas Day. However, this bill amends only the Holidays Act to make Easter Sunday a public holiday. It does not propose to change the Trading Hours (Allowable Hours) Act to allow businesses to trade that do not have the current exemptions. This is another Labor bungle. There is no regulatory impact statement, either.

Rather than taking advice from this government, which knows nothing about business, let us look at the survey conducted by the CCIQ on 14 to 23 September this year on the impacts of making Easter Sunday a public holiday on real small businesses that employ real Queensland workers. They say that 27.6 per cent of all retail, hospitality and accommodation businesses that opened on Easter Sunday

2016 will close in 2017, with an average loss of gross revenue of \$10,739. A further 27.1 per cent of businesses that opt to remain open will reduce their opening hours on Easter Sunday 2017 by an average of 4.4 hours. Those businesses that are willing or forced to trade on Easter Sunday 2017, but are unable to reduce either opening hours or employment hours offered, will have their wage costs increase on average by \$3,225 and 61.8 per cent of businesses that will open on Easter Sunday 2017 will offer fewer hours of employment in their workplace.

That means that employees are going to get less money. It will have a direct negative impact on what they are actually wanting to do. The members opposite do not understand that if a business does not open no-one makes money. The employer does not make any money and the employee does not make money, but it is okay because those opposite have declared it a public holiday. They will not open. People will not get paid. That is what the Labor Party does not understand. If the small business—

**Mr Power** interjected.

**Mr DEPUTY SPEAKER** (Mr Elmes): Member for Logan, you are getting very close to a warning.

**Mr BLEIJIE:** The members opposite do not understand that if a small cafe, in whatever electorate we talk about, cannot afford to open on Easter Sunday, the employees miss out. They grandstand and say, 'It is a public holiday,' but they are not going to get any pay. They would probably rather get paid 1¼ time on Easter Sunday than not get paid because they are not working on Easter Sunday. The members opposite do not understand that.

On average 7.2 employees in each business will be offered on average 2.4 hours less employment. The small business survey in Queensland indicates that there is going to be less employment on those days. Furthermore, of those businesses that opened on Easter Sunday 2016, 19.7 per cent now expect to close on Good Friday 2017, 12 per cent on Easter Saturday 2017 and 13 per cent on the Easter Sunday 2017. It is so unaffordable to open on four public holidays that they are now thinking about closing on all those public holidays.

The Labor Party will have a direct negative impact on all these employees in Queensland. They are not going to make any money because they are not going to be working on any of those days because the employer will not be able to afford to open the doors. That is the micro-economic benefit from this economic genius opposite on making Easter Sunday a public holiday.

It is all sentimental. We are going to have a public holiday, not realising the unintended consequences. No-one is going to make any money out of it, not the business nor the employee, because they are not going to have a job to go to because the cafe doors will be shut and the business will not open on Easter Sunday.

How is that for the tourism industry? How is that for Cairns? How is that for the Sunshine Coast that relies heavily on the tourism trade? How is that for the Gold Coast? How is that for Far North Queensland, regional Queensland, Toowoomba and the great outback Queensland? How is that for those areas where we have travellers and grey nomads going through and not being able to get a cup of coffee in the morning because businesses have a sign up saying 'Closed for business; we cannot afford to open.' But it is okay, the Labor Party will put a little glossy brochure out saying, 'We have declared Easter Sunday a public holiday.' It does not make sense.

On a macro-economic level, 4,998 retail, accommodation and hospitality businesses are now expecting to close their doors on Easter Sunday. Nearly 5,000 businesses will close their doors. Some 3½ thousand retail, accommodation and hospitality businesses will open, but will reduce their trading hours. Collectively, these businesses are estimated to lose \$32 million in gross revenue.

Of all employees who worked on Easter Sunday 2016, 40.7 per cent will receive either no or significantly fewer hours of employment. Some 24,939 employees will no longer work on Easter Sunday 2017.

**Mr Walker:** They are big numbers.

**Mr BLEIJIE:** I take the interjection. Nearly 25,000 employees will no longer receive work on Easter Sunday. That is the economic genius of the IR minister. Let us help the employees by ensuring 25,000 no longer work and get any pay on Easter Sunday. A further 32,000 employees will have reduced hours of work. Nearly 50,000 people will have either no work or reduced hours of work. Collectively \$12.2 million in earnings will be lost to these employees. Regardless of attempts to offset wage rises through reducing hours of opening or hours of employment offered, the overall wages bill will rise by \$13.9 million. The total economic impact of the creation of an Easter Sunday public holiday in 2017 is estimated to cost just the retail, accommodation and hospitality sectors \$58.2 million. Someone has to pay for it. It is going to be the employees because they are not going to have a job on Easter Sunday.

We are opposing this bill as it is anti business, anti jobs and waters down transparency of registered industrial organisations—not only trade unions but employer organisations. Hardworking members of those organisations deserve to know and have the opportunity to find out how their hard-earned membership dues are spent. Now it is all smoke and mirrors and covered up.

We have to ask what the union bosses are trying to hide. We found out when we were in government and we made them publish their credit card statements. Thousands of dollars a year were spent on lavish dinners, alcohol and wining and dining. This is at a time when we have seen the federal parliament pass laws—just last week—to increase accountability and transparency through a registered organisations commission. This is, of course, in the wake of the Craig Thomson and Kathy Jackson scandal.

We also remember the \$45,000 that the AWU paid for Bill Ludwig's legal expenses that related to his position as a director of Racing Queensland. Of course, we all remember the Royal Commission into Trade Union Governance and Corruption and the actions of the corrupt pair of CFMEU Queensland officials, David Hanna and Michael Ravbar, who disregarded the law and destroyed documents to cover up their corruption and illegal activity on a whim—seven tonnes of documents at that.

The bill also inserts provisions into the Fair Work Act, such as the adverse action changes, that seek to introduce a scheme of uncapped damages being part of the Public Service arrangements, and which are retrospective up to six years. An adverse action does not include a dismissal or demotion, but may include transferring an employee to another position, starting an investigation process, issuing a warning letter, altering a roster, suspension or treating an employee less favourably than another employee. It also contains a reverse onus of proof, whereby employers must prove their innocence.

God help the director-general who sends public servant A a Christmas card and does not send public servant B a Christmas card. That is an adverse action. They can make a claim against the state for hurt feelings. This is going to cost hundreds and hundreds of thousands of dollars. It is a reverse onus of proof where employers must prove their innocence. If we have directors-general moving people around in the Public Service or issuing a warning letter because of misbehaviour or someone not doing their job well enough it could lead to an adverse action. I know why this is happening.

I can imagine the day after this bill passes the unions going into public servants' offices with a little glossy brochure with a business card from a lawyer and them saying, 'Sign here. We will represent you. Are you feeling unhappy today? Did you not get a Christmas card from the director-general? Here is how to sue the state.' The taxpayer will foot the bill. We are talking about 200,000 public servants. The taxpayer will foot the bill for these adverse actions against state public servants. As I said, this scheme will have untold detrimental effects, including the amount of damages that may be paid out and the relationship between managers and public servants.

I will briefly address the provisions in the bill which contain the 10 days of leave at full pay for family and domestic violence leave. The LNP supports the provision, as it is in line with the recommendations from Dame Quentin Bryce's *Not now, not ever* report which came from the task force established by the former LNP government in 2014. We would support these changes if they were brought forward in separate legislation, but they are not. We cannot support the rest of the bill as it is detrimental to the Queensland economy and the public servants and local government workers in this state.

**Ms Grace:** That's a good excuse, isn't it?

**Mr BLEIJIE:** I take the interjection from the honourable minister. She said that it is a good excuse. I have just said that we support the provisions of the domestic and family violence leave given to public servants, but that is a few paragraphs of a 1,000-page bill. The Labor government will come out after this and say that we voted against domestic and family violence leave. We are voting against an entire bill, but we do support those provisions. If the minister wants to take them out and put them in another bill we will happily support them.

I will now address the amendments that I will move in consideration in detail which relate to the local government modernisation process and the additional public holiday on Easter Sunday. We will be seeking to restore the existing provisions in the act in relation to the local government modern award process, restoring the independence of the commission in that process. Contrary to the government's statement that it is merely an administrative measure, it is not. Essentially, the award structure that will exist for local governments after this bill passes is that the registrar of the QIRC will partition the awards into three categories. It actually takes it off the commission's hands and gives it to the registrar of the commission to do.

Why have a commission if you are saying, 'We don't trust the commission to be able to do this, so we are giving the power to the registrar to make the partition'? This will have detrimental impacts. The minister's own legislation not only gives the registrar the power to do it but also says in one particular clause in the legislation that not only will the registrar undertake that directive but that 'A party to the relevant award is not entitled to be heard in relation to the partitioning of the award'. It directly says to local government employers, unions and employees that they are 'not entitled to be heard in relation to the partitioning of the award'. The legislation further says—

- (2) As soon as practicable after the commencement, the registrar must partition the relevant award by—
- (a) terminating the relevant award; and
  - (b) making 3 replacement modern awards (the *replacement awards*).

Then it says that the replacement awards must cover certain groups of employees—A, B and C—but not the commission. They are taking that power off the commission and giving it to the registrar. That is completely inappropriate. We have an Industrial Relations Commission to administer and decide on these matters. It is like a court. Whether the government like it or not, that is what it is there for. If they do not like the decision, they are stuck with it because that is the independent commission we have. People have to have confidence and faith in the independence of that commission. When you take from the commission and give to a registrar—a public servant in the commission—the power to partition those awards, then all accountability and transparency with respect to that administrative exercise goes out the window.

As I said, they have not put one reason forward for supporting the return for multiple awards. If, as the minister suggests, there is no change for workers and the employers prefer one award for administration purposes alone, then the minister should have no reason not to support our amendment. The argument that the reduction in awards from 19 to three represents a major benefit to local government is a complete furphy in that around 95 per cent of employees previously resided in three of those 19 awards—the three which coincidentally align with the proposed three awards. Moving to one award was of benefit as opposed to moving to three, as was recognised by the commission in its review. As was also evidenced by the recent census, moving to multiple awards poses a risk to the sustainable long-term employment of a local workforce. The question has to be asked why the government sees fit to prescribe the name, number and coverage of awards in local government in Queensland if it has never happened in Queensland or any other industrial jurisdiction in Australia, noting that the government also do not do it for their own employees in the state Public Service.

I turn to the final amendment that we will be making with respect to Easter Sunday trading. We will be moving an amendment to take that out of the legislation because of the millions and millions of dollars of impact on the Queensland economy. I wish to table a copy of a letter from the LGAQ that I received today, fresh off the press. Let me read some contents of it into *Hansard*. It reads—

Dear Mr Bleijie,

In respect of the *Industrial Relations Bill 2016* currently being debated in the House, the Local Government Association of Queensland's (LGAQ) position throughout the entire matter has remained consistent, that is, we are opposed to the Bill.

The LGAQ remains strongly opposed to the Bill for the reasons outlined in our submission to the Finance and Administration Committee ...

In the event that the Bill is not withdrawn or does not lapse, it is our strong submission that the following four amendments be moved during the consideration in detail stage of the debate:

They state that No. 1 is to delete proposed clause 165, No. 2 is to delete other clauses, No. 3 is to insert other clauses and No. 4 is to delete proposed clause 995. I table a copy of this letter from the Local Government Association of Queensland.

*Tabled paper:* Letter, dated 30 November 2016 from the Chief Executive Officer, Local Government Association of Queensland, Mr Greg Hallam, to the member for Kawana, Mr Jarrod Bleijie MP, regarding the Industrial Relations Bill 2016 [2192].

The amendments that I have proposed that have been circulated are entirely in line with the Local Government Association and discussions that we have had with the CCIQ. I would encourage all crossbenchers and the government to support the amendments because they are in line with the Local Government Association of Queensland's request for those particular elements. They want those amendments because the Local Government Association of Queensland can see the adverse impact these particular amendments will have on their particular employees. As they said, you only have to look in the Local Government Association of Queensland's submission to the Finance and Administration Committee report where they state that there will be job losses and rate rises. Members should take note of that when deciding whether to vote for or against this bill tonight. We have an opportunity to ensure that that is not the case.

Everything is working fine in the Industrial Relations Commission under the current legislation. Everyone has a say. Everyone can go and be heard. When we have a bill that not only changes the commission to not having jurisdiction to deal with those particular matters and set those awards and gives that power to the registrar but also has a particular provision that says that employees and employers, being the councils and unions, do not have the right to be heard about such matters—do not have the right to be heard about the award structure or the three awards—then that is scary. Not only do we know that the legislation takes the power of the commission away; but it actually says that you do not have the right to be heard. They have no regard.

The industrial relations sector in this space has a huge monopoly with the union movement. In our collective bargaining regime, you have to be a registered organisation and one organisation can go and do collective bargaining with the government. That leads to a monopoly with particular unions, although we have seen the establishment of a few associations which I hear are taking many, many members from the union movement. I hear that there is a professional nurses association, for which membership is dramatically on the increase, offering a far better service than the Queensland Nurses' Union. We also know that the paramedics have set up their own independent association, taking many, many members from the union movement. I suspect that that will continue because, as workers across the state of Queensland see that union boss wages and salaries will now be hidden under this legislation and that credit card expenses will not be disclosed, I think workers will think, 'We want to be a part of an association that actually discloses where our money goes, discloses our political affiliations.'

This is about the industrial relations sector being monopolised and run by the union movement who, of course, funds the Labor Party in the state. We only have to look at the ECQ returns for the amount of money handed over to the Labor Party by the union movement—all forms of unions in Queensland—to see why the monopoly exists. The monopoly must end. I encourage these associations to continue to do the great work they are doing because they are taking away many, many union members. Workers see other associations offering a far better service with cheaper membership.

**Ms Grace:** What's their membership?


**Mr BLEIJIE:** Their membership is dramatically increasing, Minister. It is scary—not for me but for the Labor Party—that their membership is increasing. I hear the nurses are fleeing the Nurses' Union to be part of this new association that is being established because they are getting far better service than what they had.

**Mr Seeney** interjected.

**Mr BLEIJIE:** I take the interjection from the member for Callide. Wait till the teachers' association is set up. Wait for the teachers to flee the Teachers' Union. We oppose this bill. It is anti business, anti jobs, anti growth and anti workers in this state of Queensland. We will do everything we can to ensure that these amendments get through.

*(Time expired)*

**Mr DEPUTY SPEAKER** (Mr Elmes): Before calling the member for Mermaid Beach, I want to make a couple of comments. Firstly, Minister, your interjections are very, very repetitive, so I think you need to get some new material. I also remind honourable members that, during the member for Kawana's contribution, he mentioned a couple of union officials by name. I do not know whether there are any legal proceedings against those individuals. I am suggesting that we should all be very careful when naming anyone.

 **Mr STEVENS** (Mermaid Beach—LNP) (5.38 pm): It is a very hard act to follow the shadow minister when he has so adequately covered this bill, the Industrial Relations Bill, before the House this evening. As members in the House would know, the non-government members believed that, 'after careful deliberation and intense scrutiny', the bill is 'flawed in its construction' and 'damaging in its outcomes' and recommended that the bill be 'returned to the Department for repair, reconstitution and proper consultation'. I rise to speak on another flawed and damaging bill proposed by the Palaszczuk Labor government. It is just another example of the Palaszczuk Labor government's inability to legislate to benefit all Queenslanders and not just their union puppeteers. The genesis for this bill started at the election of 2012. As a senior Labor ex-politician and person of great stature within the party reflected to me the other day—

**A government member:** Who?

**Mr STEVENS:** I take the interjection. I certainly do not give up my sources within the Labor Party. He reflected to me that the paucity of talent in relation to the current government members is a direct response to the enormous change in the parliament when the former Bligh government was kicked out.

Labor went from 78 members to seven members who could all fit into a Tarago. This then turned around at the 2015 election. The decimated Tarago members of the Labor Party—plus two by then—required a lot of candidates to stand for election in 2015, and I am told it was very hard to find quality candidates for the 2015 parliament. This obviously meant that the union movement had to support the provision of ‘quality members’ to come forward as potential representatives at the 2015 election. The union members put them forward. As we know, the unions spent literally millions across-the-board and provided thousands of helpers. Bundaberg springs to mind. In some cases they were paid helpers to constantly drive the union message home at the 2015 election.

Guess what? It worked. By a very slim majority, we ended up with a minority Labor government. ‘Thank you very much,’ government members would be saying to their union masters. If we had union bosses and members all along the balcony here in parliament, they could hang their strings over and jiggle their wooden apparatus to make sure the puppets that they have down here dance in the right direction. The bottom line is that this bill before the House is a direct result of this government owing its present status in this House to their union masters.

**Mrs Lauga** interjected.

**Mr STEVENS:** I heard ‘true’ and I heard—

**Mrs LAUGA:** Mr Deputy Speaker, I rise to a point of order. I said ‘not true’.

**Mr DEPUTY SPEAKER** (Mr Elmes): Order! There is no point of order. I call the member for Mermaid Beach.

**Mr STEVENS:** What we have as a result in this House today with this Industrial Relations Bill is no more than a front by the union controlled Palaszczuk Labor government to support an increased union presence in the workplace in an attempt to reverse ever-decreasing union membership figures. I think 12 per cent rings a bell. That is what union membership is down to. This means they cannot afford as many expensive lunches or big salaries for senior union operatives. We have seen them famously splashing out cash in brothels, on extravagant lunches and cars and all the other things that go with wonderful union ownership at the senior level that they all aspire to and they dance to in terms of owing their positions in this parliament. That is why this legislation is flawed. Unfortunately, this will negatively impact on not only the state’s finances but also Queensland’s economic impetus. The biased consultation process from the start is why we have not got an IR bill before the House which any sane parliamentarian who did not have a pecuniary interest in terms of their masters would agree to.

This side of the House has put forward a workable operative in terms of the QIRC—totally independent, as the shadow minister referred to, and providing an excellent opportunity for workplaces to be protected, fair and equitable. Unfortunately, this union dominated consultation process—and who is going to deny that?—came out with 68 recommendations, as I recall, that were heavily biased towards protecting their interests, promoting union membership in the longer term and making it very difficult for workers not to be part of a union. There was no regard whatsoever to the economic imposts or, more importantly, the loss of jobs throughout the state because of this ridiculous bill which we have before the House.

The Palaszczuk Labor government has been yelling and screaming about how wonderful they are at consultation and that consultation forms a big part of their government. We have had almost 100 consultative groups that they have talked to about matters. They have talked about plans to have a plan to have a plan, but where was the consultation when they said, ‘We are going to have a holiday on Easter Sunday?’ The member for Logan has previously said to me that it is a wonderful thing to respect Easter Sunday. We should have a holiday on Easter Sunday so that he can respect Easter Sunday. If the member for Logan does not want to work on a Sunday and wants to show respect in whichever way he wants, that is fine, but the bottom line is that it is a major economic impost. It is a cost of \$53 million alone, not to mention the productivity costs. As the shadow minister mentioned, it might increase to \$80 million just by the flick of a switch with the minister saying, ‘Let’s have an extra holiday on Easter Sunday.’

There was no mention of moving the Easter Saturday public holiday. I am not sure of the religious significance of Easter Saturday, and I am a good Christian boy, but Easter Saturday for a long time has been a public holiday. Instead of moving Easter Saturday to Easter Sunday so the member for Logan could pay due respect to his religious beliefs, they said, ‘No, we will have an extra public holiday and put it back on business without consulting business.’ Is that fair—I ask all members of the House—for no consultation to be undertaken with the community that will be affected by this decision? I would love the minister to explain why she did not consult at any time, in any manner or form with the business community through the Chamber of Commerce & Industry as to why they had to wear this impost. There

was no consultation. That, in itself, is hubris from the government. That is just one issue that I felt was an absolute abomination in this piece of legislation. These changes come at a significant cost to business. Most fair-minded Queenslanders would hope to see some kind of consultation with those affected before a major decision was made.

This defective legislation is not directed at supporting hardworking Queenslanders; it is about driving union membership at every opportunity through an industrial regime designed purely to benefit highly paid union executives and the union fraternity. As the shadow minister pointed out, they are now hiding the expenses and the salaries of senior union executives—I hate to use the word ‘executives; ‘operatives’ would be a better word.

**Miss Barton** interjected.

**Mr STEVENS:** I cannot say thugs. I take the interjection from the member for Broadwater. To be honest, in the long term, that will be bad for the union movement because there will be a repeat of what happened with that fellow in Melbourne. What was his name? Was it Craig Williams?

**An honourable member:** Thomson.

**Mr STEVENS:** It was Craig Thomson. Craig Williams is a very well known jockey. He is a great jockey, I can assure you. I am sorry, Craig Williams. I meant Craig Thomson.

**Honourable members** interjected.

**Mr STEVENS:** He is a great jockey. I am sorry, Craig Williams. There will be a repeat of what happened with Craig Thomson and his like and that nefarious activity that they used union membership money for. The more those opposite hide it through this legislation—and the members on the other side are responsible for hiding these executive salaries and executive expense accounts—the more it will come back and bite them at a later date.

I can understand why they want to hide what their top union operatives are getting in terms of salaries. I can understand why union workers are very upset that hundreds of thousands of dollars are being paid to these union operatives from their pay cheques every week. I can understand why those opposite want to hide that, but in terms of the expenses it will come back to bite you, mark my words. The Palaszczuk government started with jobs, jobs, jobs. They moved to jobs for mates, and now they are putting legislation before this parliament that is simply job destroying.

A very respected member from the Local Government Association—and I will get this name right; it was Mr Greg Hoffman—presented to the committee on the estimated cost. I think the four- or five-year figure, if I remember correctly, was a \$100 million impost on local government. Do members on the other side care about that impost? I will tell members what happened when I asked him whether that would mean higher rates to pay for that—

**Mr Power** interjected.

**Mr STEVENS:** It is pretty simple maths, although I know that it has to be very simple for some members on the other side to understand. That \$100 million has to be found from the ratepayers. They pay the taxes that pay the employees—in case the members did not know that. This means that either the rates go up or some people get sacked. The \$100 million must come from somewhere.

**Mr Power** interjected.

**Mr DEPUTY SPEAKER** (Mr Elmes): I warn the member for Logan under standing order 253A.


**Mr STEVENS:** That means the ratepayers of these areas that are affected will have to pay for this extra burden of \$100 million. It is beyond belief that this erroneous bill still has more damage in this union-promoting measure of multi-award classifications, which the LGAQ have rejected completely. Yet again it is being foisted on them by this government that is only interested in one sector in terms of keeping its jobs—that is, the union sector.

When we were talking about how we would pay for these things, a member of the union said, ‘It’s just like serving coffees on Sunday. You put the cost up 15 per cent and it will pay for it.’ Yes, Mr Union Member, that will pay for it, but the fact is that someone has to pay the dollars. Either the ratepayers will pay for it or there will be job losses, and this is from a government that is supposedly promoting jobs. The only jobs they are trying to look after are their own jobs and the jobs of their union mates.

It is almost depressing to relate that this flawed and badly written legislation is unable to get it right in relation to the Anti-Discrimination Act 1991 with the touting of people with no legal expertise to be possible adjudicators of Anti-Discrimination Commission Queensland matters by moving them to the

QIRC. The commissioner's representatives were at those meetings saying that they had not been consulted about the matter. They were just told, 'We're going to move these matters over and they won't have to be people with legal representation.' That is ridiculous, Minister. These are highly technical matters. There may be mates that the minister would like to put on those boards and commissions, but the fact is that the Anti-Discrimination Commission people require at least five years experience to deal with the problems that may arise in that particular area.

This bill is a farcical attempt at governing our great state of Queensland. It highlights the Palaszczuk Labor government's true passion of creating jobs for their union mates and destroying not only our economic hopes but real jobs for everyday Queenslanders not employed by this government.

 **Mr MILLAR** (Gregory—LNP) (5.56 pm): With only four minutes remaining until we move to the private member's motion, I will make a contribution before—

**Mr Stevens:** You can come back.

**Mr MILLAR:** I will come back and speak again. As members can see in the committee's report, our statement of reservation states—

The non-government members after careful deliberation and intense scrutiny of this proposed Bill are convinced the Bill is flawed in its construction and it is damaging in its outcomes.

Members only had to listen to what the member for Kawana had to say to understand why we believe that this bill has damaging outcomes. We recommended that the Industrial Relations Bill be returned to the department for repair, reconstitution and proper consultation. I believe there are about 85 amendments in relation to this bill.

This bill will have a major impact on rural and regional Queensland, and certainly in the area that I cover in the seat of Gregory. Let me start with small business. I represent one of the best tourism industries in Queensland—outback tourism. There is not a more unique tourism opportunity than outback tourism. This bill will have a major impact on small businesses to the tune of \$53 million. The CCIQ told us that this will have a \$53 million impact on small businesses, not to mention the foregone productivity. Hospitality business will see their hourly wage rate on this day increase by 43 per cent, and for retailers that figure is 25 per cent.

This decision comes with zero consultation—there was absolutely no consultation—and this is coming from a Labor government that prided itself on the fact that it would be the consultative government. Labor said, 'We will consult with everybody. We will not rush in and make decisions. We will consult with people continually.' What happened to that? What happened on this issue? Why didn't they consult with business so they could understand the impact that this will have on small businesses in regional Queensland?

This will impact on the electorate of Gregory that I represent because one of our major tourism products is outback tourism. Can members guess when this will start? It is Easter. That is when we open the doors and we want people flying to the outback, coming out in their Winnebagos, bringing their families. Small businesses in regional Queensland, in outback Queensland, will continue to survive through tourism, but now the government is whacking a \$53 million bill on businesses across Queensland to operate on Easter Sunday. I find it absolutely unbelievable that the government did not consult with those people. That is not to mention the \$100 million that the Local Government Association estimated this would cost them—\$100 million. Rates will go up and jobs in regional Queensland will be under threat. Regional councils and outback councils do not have the opportunity of having a huge rate base.

Debate, on motion of Mr Millar, adjourned.

## MOTION

### Child Protection

 **Ms BATES** (Mudgeeraba—LNP) (6.00 pm): I move—

That, given the current child safety crisis, this House expresses no confidence in the Minister for Child Safety.

This week we have continued to see in this House the Minister for Child Safety attempt to justify the systemic failings that have occurred and continue to occur under her watch. No matter how the minister tries to placate the parliament or those we represent, she cannot deny that all of this has occurred under her watch. We have seen backlogs increasing, case loads expanding, resources remaining stagnant and child safety officers struggling to cope. We have seen excuses being made,

reports being hidden, data being washed, solutions being ignored and careers being terminated. Most frighteningly, we see children suffering and children dying because this department is not getting to them on time. We see children at risk of abuse right now—today—waiting helplessly for child safety officers to come knocking on their doors, but in many cases help never comes. This is happening right here in our backyards in Queensland.


While the minister hides behind slogans, talking points and denials, sighs and rolls her eyes, Queenslanders remain appalled. We know that four months ago the minister confirmed that in October last year she issued a direction to the director-general to drive better responses in the regions for commencing investigations into child abuse cases. It is now 13 months later and things are worse than ever. Yesterday the minister walked into this House and claimed that every day she is demanding more from her department on investigations and assessment time frames, but after almost two years in the job she has apparently issued a lot of demands and delivered no results.

Meanwhile, she continues her culture of secrecy by hiding away damning reports into the handling of Mason Jet Lee under her watch. Instead of a full, open, transparent release of the internal findings and given the extraordinary level of public interest in this case, the minister shamelessly refuses to release it. In fact, we know that if the minister has her way, it will never be released despite a *Nine News* poll yesterday showing that, as of last night, 88 per cent of Queenslanders believe the government should release all the information it has on this little boy. We should not hold our breath on the external panel review either. If it is half as damning as the secret internal reviews, they will have some excuse not to release it. We cannot wait for the coroner's findings as they will be three years away. Queenslanders are demanding answers now.

While this minister purports to be open and transparent, her actions are anything but. At the same time we have continued to see massive issues in performance data with this minister now struggling to defend the leaked October data which, until recently, she claimed did not even exist or was not readily available. The data shows that on the Gold Coast and in my electorate of Mudgeeraba only 1.3 per cent of 10-day investigations are starting on time. I have seen the same issues with the same feedback with the same concerns and the same public outrage as I travel right around this state in areas like Roma, Cairns, Townsville, Toowoomba and the list goes on. In the electorate of Mount Isa, investigations overall are at record low levels with only 16.7 per cent of five-day investigations starting on time. It gets worse for cases requiring a 10-day response time, with only 12.5 per cent starting on time. Across North Queensland more than 300 kids were caught in a hidden backlog, waiting for action in regional intake centres. If that is not a crisis, I do not know what is. This should be evidence enough to vote for this motion.

What have we seen from the minister as this crisis has unfolded over a number of months? We have seen her head south to enjoy Splendour in the Grass while children in Queensland suffered under her watch and her failings, which continue to occur. We have seen carers walking away from looking after the most vulnerable children in this state. We have seen careers ending as staff are sacked and marched out of the department as scapegoats for their minister's incompetence. We have seen her refusing to backfill positions.

Yesterday this minister announced by press release that the so-called new drug testing measures would be put in place, but they are already there. For too long we have seen this minister go from failure to failure, excuse after excuse, creating diversions as the child safety crisis worsens. Even the union has said that the department is failing under this minister and they will not stand idly by. Most importantly, Queenslanders have no confidence that the department of child safety will protect the most vulnerable Queenslanders in this state. The fish rots from the head. The minister is deceiving the media, the public and the parliament. The Premier needs to show some leadership and remove this minister from her portfolio. If the department can see it is time to go and the union can see it is time to go, then it is time for the minister to go.

 **Ms LINARD** (Nudgee—ALP) (6.05 pm): What a disgraceful display of politics this is! All of us in this place know well the rough and tumble nature of politics. However, there are those things that are, and should always remain, above politics—the welfare of the most vulnerable, Queensland children being the most important.

The record of this government and the record of this minister on child safety has been one of growing services for families and a growing workforce to help families and protect children in this state. We are employing 129 new child safety staff this financial year. We have provided over 150,000 hours of training to more than 3,750 staff—more staff and better trained staff. On top of this, more than 230 new jobs have already been created in the community sector since 2015 and we will create another

400 over the next two years. These jobs in the community sector are being created as we expand help available to vulnerable families. There is an amount of \$52.2 million over five years for new local Family and Child Connect services that allow any Queenslander to access free help and parenting support. More than 15,000 families have been referred for help through these new services.

Investment under this government and under this minister continues. There is an amount of \$195 million over five years for local intensive family support services for those families that need extra wraparound support to keep children safe. In addition, this year the minister announced a further \$60 million over four years for intensive, grassroots family and child support on top of the \$150 million already committed over five years for Aboriginal and Torres Strait Islander health and wellbeing services that the minister has established to make sure we are not ignoring the over-representation of Aboriginal and Torres Strait Islander families that are coming into contact with our child protection system.

That is what this government and this minister are doing to address the most vulnerable in this state and it could not be more stark to what occurred in the previous term of government under the LNP. Under the previous government, 225 child safety staff were sacked under the LNP. This does not even include temporary contracts that were not renewed. An amount of \$34 million was cut per year from child safety organisations. An amount of \$24 million was cut per year from community service organisations.

Under the Palaszczuk government we are restoring front-line services and building new ones to help Queensland parents take responsibility to care for their children. Not only have we been restoring jobs, funding and building new services, we have also removed gag clauses that the LNP put on funded organisations. What have those organisations been saying? There has been an unprecedented outpouring of support for the direction of this government and confidence in the minister at every turn. Organisations have been pleading with the opposition to stop the politicising of Queensland's child protection reforms and the important work they do. I speak of such organisations as Create Queensland, Foster Care Queensland and PeakCare and, most recently, the Queensland Child Protection Week Committee. David Swain, Chief Operating Officer of the Churches of Christ Care, summed up concerns best when he said—

“Unfortunately, there are those in the opposition and the media who are attempting to de-stabilise the great work that is currently underway, and who are trying to make a crisis out of a change process.

“What we are embarking on through the Child and Family reform process is too important to sabotage, whether for short-term political gain or media sensationalism. There are lives at stake, and I can tell you that far more lives will be saved through continuing with the reform process than blowing it up ...


It is not just organisations speaking up, but individuals as well. Chris, a worker with more than 20 years experience as a child safety officer, spoke with Steve Austin just last week. He said, ‘I think Minister Fentiman has done an outstanding job in her tenure. This is not something one person or one government or one agency can fix. She is very active, in my experience, across her whole portfolio.’ If the LNP, and in particular the member for Mudgeeraba, will not listen to what stakeholders and Queensland's child safety—

**Mr SPEAKER:** Pause the clock. Member for Nudgee, I apologise for interrupting your speech. I am having difficulty hearing you because of interjections across the chamber. I remind members that some members may still be on notice for a first warning under standing order 253A.

**Ms LINARD:** If the LNP, and in particular the member for Mudgeeraba, will not listen to those stakeholders or Queensland's child safety workers, will they listen to their own words? Less than three years ago the member for Clayfield said—

Child safety is an area that has challenged governments around Australia regardless of their political persuasion. Indeed, it is rightly considered beyond politics. We all want to do the right thing, but knowing what the right thing is can be tough.

I could not agree more. The right thing is supporting our front-line workers and not playing politics. The right thing is supporting vulnerable children by being constructive, not destructive. This minister has my full support. She is absolutely passionately dedicated to vulnerable children and families in this state.

 **Ms DAVIS (Aspley—LNP)** (6.11 pm): I rise to second the motion of no confidence in the Minister for Child Safety. Today is the day for the Premier to prove to Queenslanders that she takes the protection of our most vulnerable children as seriously as she should. It is time for this Premier to step up and step in and fix the mess that her minister has made of the child safety department in Queensland.

The LNP set the foundation for major child safety reform. A suite of 121 changes were made to the system that would bring Queensland's child protection into a contemporary framework, and we backed that up with a \$406 million investment. This framework was designed to ensure that at-risk

children and families receive the services and supports they need before they reach crisis point. It is appalling that the child safety department is under siege because this incompetent minister has dropped the ball.

The public's confidence in Child Safety is eroding fast, and now we see staff being hung out to dry. I note with a level of scepticism the minister's comments that the recent report into the department's involvement with Mason Jet Lee found no systemic errors whatsoever; rather, she said it pointed the finger at all staff who had any involvement in this case. As we have seen, four staff members have been stood down and others are facing an ethical standards investigation.

The Premier must come clean, for she knows that it was well before Mason's case came to the attention of the department that the crisis with response time frames was unfolding. What an appalling situation we have here: in what should be an era of major advances in protecting children in this state, we now only see declining data. Worse still, the minister and Premier know the truth, and that is that right now thousands of highly vulnerable children are sitting in potentially abusive homes across the state waiting for Child Safety to come calling. There are major systemic issues occurring in this department. How do we know this? An RTI told us so, and I table a copy of this document which I obtained earlier this year.

*Tabled paper:* Document titled 'RTI Release' relating to child protection services data [\[2193\]](#).


These documents specifically pinpoint the struggling north coast region which the Caboolture Child Safety Service Centre forms part of. It highlights that there has been no drop in the volume of intakes and reports of harm being received. It would appear that the struggling region was left to its own devices to sort out the workload crisis.

When we are faced with the sheer incompetence of the child safety minister, Queenslanders should rightly expect that their Premier steps in and, at the very least, avails herself of all available information to make an informed judgement about how a statutory department is travelling. The Premier says there are no provisions in the Child Protection Act that enable her to read that report. Well, there are no provisions in the act that prevent it either.

The Premier would be well served to know that the original intent of the confidentiality provisions in the act were designed to protect children from being stigmatised as a child known to the department. This means protecting the identity of a child and any other information that can identify the child so that he or she is not marked out as an abused or neglected child. The intent was not to prevent the release of information to a Premier when such information relates to the performance of a person's function under or in relation to the act; nor do the confidentiality provisions prevent access to a document when the purpose of that access relates directly to the protection or wellbeing of children.

This internal child death review report is all about Mason's protection and wellbeing and, if read, I am sure it would highlight the risks being carried by the child safety department in view of the appalling response time frame crisis that is occurring. It appears that ignorance is bliss. If read by the Premier, this report would signal to her that there are serious and imminent risks to the safety and health of vulnerable children like Mason who are being let down by the very department that is meant to protect them. If the Premier will not do the right thing as the leader of this state and read this report, then at the very least she owes it to every Queenslanders to table the advice that she has received which says that she is prevented from doing so.

As we finish parliament for this year and head into the festive season, I can assure you that all on this side of the House will be waiting in hope that the Premier steps up and steps in to ensure that no child reported to Child Safety is left in an abusive home over the Christmas break waiting for someone with authority to come calling to see if they are safe. It is not Santa that these children will need: they need a competent minister leading the \$1 billion a year statutory department that should be there to protect them. Sadly, what they have is an incompetent Minister Fentiman.

 **Hon. MC BAILEY** (Yeerongpilly—ALP) (Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply) (6.16 pm): The Minister for Child Safety has my absolute confidence and the confidence of the government. There are 225 reasons why the LNP should hang their heads in shame, because that is the number of staff they sacked under their watch. Drunk with power and their record majority, they sacked 225 staff from Child Safety. It is ironic that I am following the member for Aspley, who was the minister responsible. There has been no apology and no 'mea culpa' from her about the mess she left that department in. I also follow the member for Mudgeeraba, who as minister for arts found that too taxing because she lasted nine months, and here

she is judging the Minister for Child Safety, whose job it is to clean up the mess they left after three years in government. With their scorched earth policy on staff in Child Safety, how dare they wax lyrical about what is right. Their record is disgraceful. They are using child safety as a political plaything and it is a shameful disgrace.


Let me tell the House what the Palaszczuk government's hardworking Minister for Child Safety has been doing to clean up the LNP mess. Along with investing in extra front-line staff and rebuilding capacity, they are making early intervention and prevention a cornerstone of our child safety system as was recommended by the commission of inquiry. We are talking about reforms here, but the opposition is not interested. They do not want to know about it; they are not interested. In Child Protection Week the minister announced a \$2 million partnership with the National Association for the Prevention of Child Abuse and Neglect to run a statewide campaign urging Queenslanders to call out child abuse, which is an excellent reform. This is a whole-of-community education program that will engage all levels of the community because we all have to play our part.

We also recognise the links between domestic violence and the horrible impact it has on children. That is why this minister has funded the ReNew initiative, a partnership between Carinity and the Domestic Violence Action Centre which is soon to roll out in Ipswich and south-west Brisbane. This is another groundbreaking reform program that works with mothers and their adolescent sons and siblings to address abusive behaviours perpetrated by young men towards family members. Under this minister we have also funded Walking with Dads, a domestic violence informed approach to child protection work in Gympie and Mount Isa, after a successful trial in Caboolture.

By raising awareness and funding early intervention initiatives we help struggling families to help themselves. More than 15,000 families seek help through our early intervention and support service Family and Child Connect, and more than 20,000 people have accessed the Triple P Positive Parenting Program in recognition that parenting is not always easy. The prevention of child sexual abuse is an absolute priority for this minister. In Child Protection Week the minister joined Bravehearts founder Hetty Johnston to launch their Turning Corners program—another reform. In less than two years the reforms keep coming out. This service works with young people who have engaged in or are at risk of engaging in sexual abuse. This year we are spending more than ever on early intervention and prevention services.

Our Minister for Child Safety is out there every day driving reforms to keep our children safe. More than that, the minister is rebuilding the child protection system after the widespread cuts by the LNP when they were drunk with power and had a record majority. Let us look at the record of those opposite. The LNP headline hunt and make the safety of kids in Queensland a political football, yet in government they sacked 225 staff. Child safety workers were so angered by the LNP that they took to the streets of Brisbane and marched against these cuts. The LNP slashed funding to child safety partners in the NGO sector by \$34 million a year. Theirs is a shameful, appalling record. They cut more than they invested as part of their reforms. Let us not forget the one and only budget for which the member for Mudgeeraba was sitting around the cabinet table and which contained those cuts.

We are rebuilding the child safety system. We are hiring an extra 129 new child safety workers this financial year alone—on top of the 166 recruited over the past two years. We are fixing the LNP mess. We are driving a record \$1 billion investment in child and family services this year. This minister is reforming the mess left by the LNP. This is a pathetic motion by an LNP with an appalling record.

 **Mrs FRECKLINGTON** (Nanango—LNP) (Deputy Leader of the Opposition) (6.21 pm): I rise to speak in support of the motion of no confidence in the Minister for Child Safety. It is interesting to hear the minister who just resumed his seat trying to rewrite history. It was the LNP in government that made the largest ever investment in child safety—\$406 million—after the findings of the Carmody review.

The minister continues to lead this department from crisis to crisis. In the former minister's last year in the position, 77 new front-line staff were put on in Child Safety. Currently only 40 per cent of staff in this department are front line. These facts and figures need to be put on the table. The data is there. We can rely upon the data from when the LNP was in government.


This motion is about the competence of the minister, who is not able to handle her department. As we heard from the shadow minister, this minister has run Child Safety into the ground. Vulnerable children are being placed at risk by the department that is there to protect them. As a mother I am just appalled to think that this department, which is supposed to protect our most vulnerable children, is being let down by a minister who insists on blaming others.

We know for a fact that in some regions investigations into abuse reports are almost at a standstill when it comes to on-time commencement. When they do start, more than 60 per cent of cases are now taking longer than ever to be finalised. We have a minister who is more interested in sacking child safety officers than in fixing the systemic issues in her department across the state. In the Far North, 40 per cent of abuse reports needing urgent, 24-hour investigation are not even starting. This includes in the electorates of Cook and Cairns. That is 40 per cent of children suspected of being abused, who need critical action—right now—in their electorates who are being missed. That is a national disgrace and a complete failure of the many young Indigenous children across the cape. It is more than enough evidence for the members for Cook and Cairns to support this no-confidence motion.

The crisis in child safety is not confined to investigations. Our carers continue to walk away from the system as the number of kids in care continues to grow. This is completely contrary to the intent of child protection reform. This is a minister who says that everything is fine yet has no idea what is going on in her own department. As a minister of the Crown, she is there to look after and run her department, not blame everyone else. The crisis is shown on a daily basis on the front pages of our state newspaper, yet it is still the fault of everyone but the minister who has been charged with running her department. The rot has set in on the other side of the chamber. After the Carmody report was handed down, the LNP made the largest injection of funds to the child safety department—\$406 million. Those opposite cannot even run that department.

This minister was sidelined by her own Premier after revelations in relation to the tragic death of Tiahleigh Palmer. Now it seems that not only weekly but daily we open Queensland papers and see the utter chaos in Child Safety while the minister is meant to be running the department and we hear the Premier, who has sidelined the minister, saying, 'Everything is fine. We need to protect our minister.' What about the vulnerable children across Queensland who need this minister to protect them? What about the child safety officers who want some leadership from their minister? This system is completely broken down. We need someone else who is competent to look after vulnerable children in Queensland. We in this House tonight have a choice between backing this incompetent minister and getting rid of her before there is any more harm in the child protection system.

*(Time expired)*

 **Hon. JA TRAD** (South Brisbane—ALP) (Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment) (6.26 pm): I do not know what makes me more sick: their absolute and utter hypocrisy, after slashing the child safety department and cutting front-line service support staff; or them using the tragic cases of children to politically advantage themselves. The member for Nanango wants to know what we are doing about the poor children. I tell members of the House that 195 children who were known to the department died during their term in office. Where is their transparency and accountability now? Where was their concern?

When we were in opposition we offered bipartisan support to the child protection portfolio. In opposition we did what Tim Nicholls as the then treasurer said—that is, some things are above politics, and that includes child protection. When we were in opposition we did not put the lives of children and broken families below our political ambitions. The utter hypocrisy of those opposite knows no bounds.

**Honourable members** interjected.

**Mr SPEAKER:** Pause the clock. We will have some decorum.

**Ms TRAD:** Those opposite know how to cut, slash and sack. The child safety department was not immune from that. They cut 225 full-time effective staff members from that agency.

**Honourable members** interjected.

**Mr SPEAKER:** Pause the clock. I will revisit the rulings and the disorderly conduct issues if members persist.

**Ms TRAD:** Those opposite also cut grants to non-government organisations at the coalface of Child Safety—\$30 million each year. This included more than \$1 million over two years cut from hardworking and much valued child protection peak bodies in the name of the member for Clayfield's fiscal repair strategy—\$160,000 cut from CREATE, \$168,000 cut from the Queensland Aboriginal and Torres Strait Islander Child Protection Peak, \$241,000 cut from Foster Care Queensland, \$175,000 cut from PeakCare, \$320,000 cut from QCOSS. More funding was cut from Child Safety in the name of fiscal repair than was invested by those opposite.

**Honourable members** interjected.

**Mr SPEAKER:** Pause the clock. Member for Aspley and Minister for Innovation and Science, you are both warned under standing order 253A. If you persist, I will take the appropriate action.

**Ms TRAD:** To put this into perspective, the underspend in the Child Safety budget under their watch was so significant in 2012-13 that it was the equivalent of closing down two Child Safety Services centres for 12 months—two Child Safety Services centres for 12 months. This is the record of those opposite, and they want to come in here and lecture this government and this minister, who is working so hard to fix the system that they neglected!

Let us look at what this government and the Minister for Child Safety have done in less than two years: more than a billion-dollar budget this financial year; 129 additional staff, easing pressure on workloads and case loads; more than 230 new community sector jobs already created, with another 400 to commence over the next two years; and delivering the Triple P parenting program. As a new parent, I participated in that and I understood the immense value of that program. It took this government and this minister to make sure this Queensland company with international reputation was delivering services for families and parents at risk. Those opposite have nothing—no alternative policies. I would put our record against their record in Child Safety any day of the week. I am extremely proud to stand in this House to support the Minister for Child Safety. She has done an outstanding job, unlike those opposite. I ask members to reject the motion.

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

**AYES, 40:**

**LNP, 40**—Barton, Bates, Bennett, Bleijie, Boothman, Costigan, Cramp, Crandon, Cripps, Davis, Dickson, Elmes, Emerson, Frecklington, Hart, Janetzki, Krause, Langbroek, Last, Leahy, Mander, McEachan, Millar, Minnikin, Molhoek, Nicholls, Perrett, Powell, Robinson, Rowan, Seeney, Simpson, Smith, Sorensen, Springborg, Stevens, Stuckey, Walker, Watts, Weir.

**NOES, 44:**

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

**KAP, 2**—Katter, Knuth.

**INDEPENDENT, 1**—Gordon.


Pair: Russo, McArdle.

Resolved in the negative.

Sitting suspended from 6.37 pm to 7.40 pm.

## MINISTERIAL STATEMENT

### Sunshine Coast University Hospital, Medical School

 **Hon. CR DICK** (Woodridge—ALP) (Minister for Health and Minister for Ambulance Services) (7.40 pm): Yesterday the member for Surfers Paradise rose in the House and delivered a statement during which he claimed I had misled the House in relation to the establishment of a medical school at the Sunshine Coast University Hospital. Through that statement the member for Surfers Paradise showed yet again that he has no grasp of his shadow portfolio responsibilities. He showed yet again that he chooses to be an apologist for the federal government rather than to stand up and fight for Queenslanders. The member for Surfers Paradise should follow the example of his federal LNP colleague Ted O'Brien MP, the member for Fairfax. Unlike the member for Surfers Paradise, Ted O'Brien is prepared to stand up and fight for a medical school at the Sunshine Coast University Hospital—something, sadly, that no member of the state LNP has done. Indeed, to quote the member for Fairfax—

The Federal Government is the only one that can reallocate places and what you're not hearing from the likes of Andrew Wallace and me is that everything's hunky-dory, we'll be right. Like hell. We don't have this and we need to keep fighting for it.

Mr O'Brien gets it. He knows that the allocation of training places for the medical school is solely a Commonwealth responsibility. In refusing to allocate an additional 15 places for the medical school, Minister Birmingham claimed that I had failed to give undertakings guaranteeing specialist training positions for the extra medical graduates. Minister Birmingham concludes his letter by stating that a medical school on the Sunshine Coast could commence with 35 places. In other words, there was no need for an additional 15 places.

Remarkably, the member for Surfers Paradise somehow believes that Minister Birmingham's refusal is, in fact, an approval. The member for Surfers Paradise displays not only his own ignorance but also that of Minister Birmingham. Unlike the member for Surfers Paradise, I will table another relevant letter between the federal government and me on the issue. On 8 March 2016, I wrote to Minister Birmingham and stated—

... your request for assurance that all students at the new medical school be afforded opportunities for specialist training places should be readily satisfied. This of course, would be ultimately determined by the respective learned Colleges.

*Tabled paper:* Letter, dated 8 March 2016, from the Minister for Health and Minister for Ambulance Services, Hon. Cameron Dick, to the federal Minister for Education and Training, Hon. Simon Birmingham, regarding Commonwealth supported places for Griffith University to establish a medical school on the Sunshine Coast University Hospital campus [\[2194\]](#).

If anybody has misled the House, it is the member for Surfers Paradise. The fact is, as he should know well as the shadow minister for health, that specialist training colleges accredit our hospitals and determine the number of places that a hospital can allocate. In other words, if the colleges accredit 10 specialist training places at a hospital, then the hospital allocates those 10 places.

I can advise the House that work undertaken by the Department of Health on medical practitioner workforce planning shows that there are always vacancies in certain specialties that need to be filled and Queensland Health cannot fill all of those places. That is why, on 8 March this year, I gave the assurance to the federal Minister for Education that I was confident that we could guarantee those specialist training positions—subject, of course, to the ultimate determination of specialist colleges. In future, the member for Surfers Paradise should do a little more work for himself rather than rely on the furphy being peddled by Minister Birmingham.

## MOTION

### Order of Business



**Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Leader of the House) (7.43 pm): I move—

That, following the conclusion of the Industrial Relations Bill, government business orders of the day Nos 2 and 3 be postponed.

Question put—That the motion be agreed to.

Motion agreed to.

## INDUSTRIAL RELATIONS BILL

### Second Reading

Resumed from p. 4720, on motion of Ms Grace—

That the bill be now read a second time.



**Mr MILLAR** (Gregory—LNP) (7.44 pm), continuing: As I said before the dinner break and before the six o'clock motion, the cost of the IR Bill on small business and local government is absolutely astonishing. It would be more accurate to call this bill the 'Merry Christmas Union Bill'. If there was ever any doubt that this government is ruled by unions, this bill removes that last shred. I encourage anyone who is taking an interest in this debate—and I encourage those opposite—to read the submission to this bill from the LGAQ. It states clearly that this bill creates a whole new system of industrial relations in Queensland that will not only shut down job creation but also actively lead to job losses.

I have eight local governments in my electorate of Gregory. All of them are major employers. Indeed, for many small business in my electorate, it is the wages of council employees that have kept them afloat through the drought in the region, with high unemployment and low incomes. I am talking about the Barcoo, Barcaldine, Longreach and Quilpie councils. Those councils are employers in my electorate of Gregory. When local government is telling you that this bill will make a bad employment situation worse, how can a responsible government proceed with such flawed legislation?

Worse still, the LGAQ says that the cost that it will have to carry as a result of this pandering to unions will lead to rates increases. I am telling members right now that \$100 million is being put on local governments. Where else are they going to get the money? As members know, the Barcaldine, Barcoo and Quilpie councils do not have a huge rates base. Where else are they going to get the money?

**Mr Rickuss:** I don't think they do know that.

**Mr MILLAR:** They do not know that. I am telling the members opposite right now that the rates issue is already a white-hot-anger issue in terms of the cost of living in country Queensland and the cost of doing business in country Queensland. This government is making a deliberate choice, which will result in escalating power prices and vehicle registration charges that increase at twice the rate of inflation and rates increases as a direct result of this legislation. This legislation is a betrayal of country Queensland and country councils.

As the LGAQ says, this legislation promotes the cause of trade unions and does nothing to promote the cause of working families. In order to promote trade unions, this legislation deliberately undermines freedom of association. This legislation deliberately, by law, imposes additional costs on councils and their communities. It deliberately cuts jobs and deliberately increases rates.

This legislation removes the rights of Queensland citizens to transparency and accountability. This is a government that is finding that accountability cramps its style and that of its mates. Under this legislation, there is no more register for political spending, no more register for credit cards, no more register for grants and donations and loans. There is no more disclosure of political spending, no more disclosure of remuneration and benefits for the highest paid officers. Why would the government do this unless it intended to make use of the changes? It is lining its pockets and those of its mates along the way—all paid for by Queensland workers who had no say in it. There is no way to resist, because this bill erodes the independence and the decision-making capacity of the Queensland Industrial Relations Commission. These are all deliberate choices made by this government and they should make Queenslanders very afraid. Like Victoria, our state and our public life are about to be thoroughly pilfered to benefit a few.

I will finish by speaking briefly to the other element of this bill, which I mentioned before, and that is the gazettal of Easter Sunday as a public holiday. That gazettal sounds innocuous, but it is going to cost small business a fortune and, yet again, it is going to cost jobs. We have already heard that it is going to cost nearly \$53 million. That does not include the forgone productivity. Hospitality businesses will see their hourly wage rate on this day increase by 43 per cent and for retailers it will increase by 25 per cent. How do the members opposite think small businesses and tourism businesses in regional and outback Queensland are going to cope with these increases? Why do the members opposite need to increase their wages bill? Why do they need to increase their costs? It will cost them dearly.

In the electorate of Gregory, Easter is huge. In fact, Easter in the Outback is a major festival that marks the beginning of the outback tourism season.

**Mr Elmes:** The sunflower festival.

**Mr MILLAR:** I take that interjection from the member for Noosa, who is a well-known Emerald boy. He knows the Easter festival. He has been to many of them, certainly out at Fairbairn Dam in the early 1980s. I am sure that he has some great stories to tell about the Easter parade and the Fantastic Damtastic at Fairbairn Dam. I am sure he has some good stories to tell us over a beer or two.

From the sunflower festival on the Central Highlands to the Easter Fun Day in Windorah's desert sands, right across Gregory, towns and communities put on festivities from rodeos and race days to balls and parades. Literally hundreds and hundreds of people visit the region to enjoy the festivals. For small business it is busy, busy, busy. The newsagents sell more lotto tickets, the local pubs sell more counter meals and the bakeries and the coffee shops make more money to carry them through the long, hot summers.

**Ms Pease:** So they make more money; they can afford to pay their workers extra money.

**Mr MILLAR:** This is just so typical.

**Ms Boyd** interjected.

**Mr MILLAR:** I take that interjection from those opposite. This is what those opposite do not get. I remember at one of our committee meetings I asked one of the major union delegates from the council of unions, 'What about those small businesses that can't afford to do it?' Do members know what he said to me? He said, 'Well, maybe they shouldn't open.'


**Ms Boyd:** Yes, that's sound logic.

**Mr MILLAR:** That is typical of the Labor Party. You would rather see small business shut down—not employ anybody, not get money going around the town—to get your industrial relations legislation through. It shows where we are going wrong with this legislation. I am struggling to find how you would see that as a sensible argument, that businesses should just shut down. Shut all businesses down on

Easter Sunday, stop businesses being able to make money, stop businesses from being able to employ people, shut them down; is that your answer? That is sadly the wrong answer to try to keep the economy going.

I hope small businesses are listening to this and pick up on the fact that the Labor Party thinks it best that they just shut their businesses for the day. Let us just shut down Queensland for the day because of the IR legislation! I do not get it. This legislation, which does not give anyone a day off who did not already have Sunday off, means those small businesses will make less money next Easter because their wage bill will soar. Some of them will not even bother to open. I take the interjections from those opposite that they should just shut down. We should shut Queensland down for the IR bill to the loss of everyone and especially their employees.

When rates go up, when council puts workers off, when Easter in the outback is not quite what it was for your business, remember the deliberate choice of this government. They chose this to benefit them and their mates. They chose to change the playbook so Queenslanders cannot see what is going on. They chose this because they do not care about the cost to working families across country Queensland. I do not support this flawed legislation.

 **Mr PEGG** (Stretton—ALP) (7.52 pm): It is very interesting to follow the member for Gregory. He normally has such a happy disposition. He was trying his best to look angry tonight. It was not very convincing, but I give him points for trying. It is very interesting to see what gets the member for Gregory trying to be angry. You would think he might try to be angry about the fact that the LNP government sacked 14,000 public servants. I did not see him try to get angry about that. I did not see him try to get angry over cuts to education and health services under the former LNP government.

**Mr WATTS:** I rise to a point of order. I do not think the disposition of the member for Gregory is relevant to the bill. I ask that the member for Stretton be relevant to the bill.

**Madam DEPUTY SPEAKER** (Miss Barton): Member for Stretton, I would remind you to be relevant to the long title of the bill that we are currently debating.

**Mr PEGG:** There are a whole range of issues that the member for Gregory could have pretended to be angry about, but what issue does he choose? He chooses the issue of Easter Sunday being a public holiday. In making that argument he has echoed a whole heap of his colleagues who have come before him.

**Mr Millar:** It is costing small business \$53 million.

**Mr PEGG:** I take that interjection. I will be very interested to see if the member for Gregory and all the other members opposite are prepared to stand by the figures they have quoted if this bill passes and Easter Sunday is a public holiday next year. The reality is that Easter Sunday is a public holiday in other states and guess what? The sky has not fallen in. We will see where the sky is in Queensland and in Gregory after Easter Sunday next year.

I am very pleased to support this Industrial Relations Bill. I commend the Minister for Employment and Industrial Relations, Minister for Racing and Minister for Multicultural Affairs for all her hard work on this bill. I also thank all members of the Finance and Administration Committee for their hard work on report No. 32. I acknowledge the member for Sunnybank, the member for Bundamba, the member for Mermaid Beach, the member for Condamine and I will even acknowledge the member for Gregory. Yesterday I was discharged from the Finance and Administration Committee by a motion of the House and I want to place on record my respect and thanks to all current and former members of the committee and the committee secretariat that I worked with over the last couple of years.

I do note that a majority of the submissions received by the committee are actually in favour of the bill. The government members of the committee made two recommendations that related to the treatment of temporary employees in the public sector and appeals, and I do thank the minister for addressing these important issues and proposing amendments to the Public Service Act to enhance conversion arrangements for those who have been long-term temporary employees in the public sector in Queensland. This issue of insecure employment is one that is very close to my heart and it is, in fact, an issue that I spoke about in my first speech in this House. We are very fortunate to have a minister who listens, a minister who consults and, most importantly, a minister who acts, which is in stark contrast to many of those opposite when they occupied the ministerial benches.

This government made a very clear commitment to restore fairness to the industrial relations system in this state and, frankly, Queenslanders deserve nothing less. The former LNP government took away the conditions of workers in state and local governments and it is very important to point out that these conditions were hard won. This bill will remove this unfairness and take away the last vestiges of the unbalanced and completely unfair industrial relations laws in this state.

We have heard those opposite talk about consultation, and this is where it gets very interesting because this bill was actually developed following a comprehensive review. It was also an independent review that was in line with the government's election commitments. This was, in fact, the first review of the state's industrial relations laws since 1998—almost 20 years ago. Those opposite had plenty of time to conduct a review when they were in government and, of course, they chose not to do so. It is important to note also, in light of the comments of those opposite, that this review was conducted by an independent reference group that included key stakeholders, including representatives of both unions and employers, the Queensland Law Society, the Bar Association, the LGAQ and government agencies.

I want to talk briefly about some of the key aspects of the bill. This bill will repeal and replace the current Industrial Relations Act. It will also amend established Queensland legislation, including the Anti-Discrimination Act, the Public Service Act and the Hospital and Health Boards Act in relation to industrial relations provisions. It will also promote and strengthen the independence of industrial tribunals. It will adopt similar minimum standards of employment to those afforded to private sector employees under the Fair Work Act. It will also provide the Queensland Industrial Relations Commission with exclusive jurisdiction for workplace employment related antidiscrimination matters. It will strengthen collective bargaining arrangements with greater emphasis on responsible representation and good-faith bargaining. It will also establish accountable regulation of registered industrial organisations and associated entities and establish a Queensland Industrial Relations Consultative Committee.

Chapter 1 sets out that the main purpose of these legislative reforms is to provide a framework for cooperative industrial relations that is fair and balanced and supports the delivery of high-quality services, economic prosperity and social justice for Queenslanders. This bill, importantly, operates to legislatively identify the obligation of mutual trust and confidence in the employment relationship. The reason this is very important is due to the High Court decision of *Commonwealth Bank of Australia v Barker*. This objective is given effect through the range of protections in the statutory framework. I think it is also important to note the standards that the bill retains. The standards that the bill retains include the minimum wage, sick leave and cultural leave, paid public holidays, annual leave and long service leave, jury service, notice of termination and redundancy pay.

The bill seeks to amend the Queensland Employment Standards with the following changes: compassionate leave incorporated into bereavement leave, and parental and related entitlements with regard to surrogacy entitlements. The bill also proposes to add new standards including an information statement to any new employee setting out workplace rights and basic entitlements; maximum weekly hours, which is 38 hours for full-time employees; a right to request flexible working arrangements for all employees; emergency service leave; and importantly domestic and family violence leave.

I want to talk about the domestic and family violence leave. The member for Ferny Grove is a White Ribbon ambassador. For the second year running, earlier today the member held a very poignant and appropriate recognition of White Ribbon Day. It was great to see members of both the government and the opposition in attendance. I commend the member for all his work in that regard. It is fantastic that he held that ceremony on this particular day, because the bill that we are debating proposes to fulfil a government commitment to provide paid leave for victims of domestic and family violence. In November 2015 the government announced a policy to make paid domestic and family violence leave available to Public Service employees. This bill will deliver on that commitment by providing for 10 days paid domestic and family violence leave for employees and unpaid leave subject to employer agreement for all employees, including casual employees.

Another important aspect of the bill relates to flexible work arrangements. Clause 27 of the bill proposes to establish a right for all employees to ask for flexible working arrangements based on the provisions in the Fair Work Act. This will mean that an employee can ask the employer for a change in the way that the employee works, including the ordinary hours of the employee, the place where the employee works and the way in which the employee works, for instance, the use of different equipment as a result of illness, injury or disability. There is a requirement that the request must be in writing and contain the reasons for the changes sought and sufficient details of the changes. It is very appropriate for the government to be providing for modern workplaces with flexibility, particularly for those who have parenting and caring responsibilities.


Chapter 3 of the bill provides general requirements for the enactment of modern awards, including that they are fair and do not discriminate, are not inconsistent or at least are more favourable than the minimum Queensland Employment Standards, and provide equal remuneration for work of equal or comparable value. It also includes requirements that they be in plain English, include provisions

requiring an employer to consult with the employee on major decisions affecting the employee, provide fair standards in the context of general living standards and also provide for general requirements for minimum wages.

The good-faith bargaining provisions in the bill are proposed to enhance the current process by including the following minimum requirements of negotiating parties: disclose relevant information in a timely way; attend and participate in bargaining meetings; and genuinely consider proposals made by other parties, respond in a timely way and give reasons for the party's response. Those sound like very sensible reforms to me.

The provisions in chapter 7 of the bill relate to workplace bullying. Earlier I spoke about the flexible work arrangements that effectively mirror the Fair Work Act. In many ways the provisions in relation to workplace bullying mirror the Fair Work Act as well. The proposed antibullying provisions are modelled on the Fair Work Act and the bill proposes a model that will focus on addressing the bullying of current employees, rather than seeking redress for bullying after the employee has left the organisation. That is very important. Unfortunately, it seems that bullying, not only in the workplace but also in other areas of society, is a persistent problem. It is best to address such problems at the source and at the start, before they manifest themselves and lead to negative health outcomes. This bill will provide the QIRC with the power to issue orders to stop bullying behaviour.

The final provision that I want to talk about relates to the general protections provisions. I have a lot of previous experience representing various people in relation to the general protections provisions in the Fair Work Act. I think they work well. Therefore, I am glad to see general protections provisions introduced in state legislation through our Industrial Relations Bill. Chapter 8 of the bill proposes a general protections jurisdiction in Queensland for workers against adverse action during employment or dismissal from employment. The bill proposes protection to be equivalent to that in the Fair Work Act in relation to workplace rights and adverse action, freedom of association with industrial associations, workplace discrimination and providing effective relief for persons who have been discriminated against. This bill will right the wrongs of the former LNP government. I congratulate the minister for all her hard work on this bill. I commend the bill to the House.

 **Mr WEIR** (Condamine—LNP) (8.04 pm): I rise to make a contribution to the Industrial Relations Bill 2016 as a member of the Finance and Administration Committee. Firstly, I thank the other members of the committee: the member for Mermaid Beach, the member for Gregory, the member for Sunnybank and chair of the committee, who is not here tonight, the member for Bundamba and the member for Stretton, who, as he said in his speech, is leaving us now. He and I were the only original members of the Finance and Administration Committee—

**Mr Pegg:** You are the last man standing.

**Mr WEIR:** I am the last man standing; that is right. The member for Stretton has gone off to chair the agriculture committee, which is probably not a position I ever saw him in, but that is where he is. I wish him all the best. I thank our research director, Amanda Honeyman, for all the hard work that she does. This was a very large bill.

During the committee process into this bill, as with so many other bills that the Palaszczuk government has brought before the House, the first thing that became apparent was the lack of consultation. Once again we have before the House legislation that has the full support of the union bosses who were consulted, as opposed to the business community and local government, which are against the legislation and have been largely left out of the consultation process. This bill seeks to make amendments to modern employment conditions, including compassionate leave incorporated into bereavement leave with two days at full pay, plus unpaid leave to travel, if necessary, for employees other than casual employees; and parental leave and related entitlements with regard to surrogacy entitlements. The bill also adds new standards, such as an information statement to any new employee setting out workplace rights and basic entitlements, minimum weekly hours at 38 hours for full-time employees, a right to request flexible working arrangements for all employees, emergency services leave, domestic and family violence leave of up to 10 days per year with full pay for employees other than casual employees, and carers leave to support and care for a person affected by domestic and family violence.

We would all agree that domestic violence is a blight on our society and support should be given to anyone suffering from that abuse. However, these amendments raise some unanswered questions. Domestic violence takes many forms. It is not confined to broken bones and bruises. Verbal, sexual and psychological abuse is just as damaging as any physical attack but is much more complicated to prove. During the committee hearings I asked Mr Bill Potts, the President of the Queensland Law

Society, what proof would be required to support a claim for leave under verbal, sexual or psychological abuse circumstances. He was unable to supply the committee with an answer. Mr Potts acknowledged that it was not defined in the legislation and was a grey area. The 10 days leave for the carer of a victim of domestic violence is another area that will be difficult to police and could possibly even be open for abuse. Whilst the amendment may be well intentioned, what evidence needs to be supplied to access the paid leave, particularly given that the person claiming the leave need not be a member of the victim's immediate family?

As the member for Stretton mentioned, today many of us took the pledge for White Ribbon Day. I have serious concerns about this issue. I think it is a disgrace that it is in this bill. I think it was put there for political purposes. I think the first thing that we will read tomorrow is that because the LNP voted against this legislation we voted for domestic violence. There are so many questions around what actually determines domestic violence and carers leave and they could not be answered in the committee process. Those questions could not be answered by Bill Potts of the Law Society. They could not be answered. It is a great idea and we fully support it, but this is not a finalised article. That should have been put in a standalone bill. It is a disgrace that is not. The Local Government Association of Australia expressed concern about the 10 days carers leave citing cost concerns.

As I stated earlier, the intention of the bill may be good, but due to a lack of consultation in the formation of the bill there would seem to be more questions than answers as to exactly how these amendments would work in practice. Likewise, there is the same issue with the amendments to clause 27 of the bill which propose to establish a right for all employees to ask for flexible working arrangements based on provisions in the Fair Work Act. This means that an employee can ask an employer for a change in the ordinary hours of employment, a change in the way an employee works or a change in the place of employment as a result of disability, illness or injury. The request must be in writing and explain the reason for the requested change.

If the employer cannot accommodate this request, they must supply an answer that would constitute reasonable grounds for the refusal of the request for flexible working arrangements. This raises the obvious question: what constitutes reasonable grounds? The Queensland Law Society sought amendments to the flexible working arrangement provisions in the bill to include further guidance on what may constitute reasonable grounds for the refusal of a request for flexible working conditions. The Queensland Law Society stated—

... the bill does not provide any guidance on what a reasonable ground may be to refuse a request. In our submission, that makes it somewhat difficult for employers to have any certainty over whether they are on good or shaky grounds when they are refusing a request.

The employee, under these amendments, will have a right to appeal if their request for flexible working arrangements is refused. Given that during the committee process no-one could explain what 'reasonable grounds' actually means, this looks like turning into a lawyers picnic. This is another poorly thought out amendment, due once again to the lack of consultation with anyone other than their union masters.

The next part of the bill that I will speak to is the amendments under chapter 18, clause 995, which change the Queensland local government award from a single award to three awards. This amendment is strongly opposed by the Local Government Association of Queensland. The LGAQ stated that the proposed amendment is completely unacceptable to local government as it will reduce the capacity of councils to maintain a local and viable workforce. The award system for Queensland local government has been considered twice previously by the Queensland Industrial Relations Commission and it concluded that a single award would be the most suitable.

In their submission to the committee, the LGAQ stated that 'councils would have difficulty maintaining their current workforce levels due to increasing economic challenges confronting local government'. They further stated—

The councils who have gone to the single modern award actually recorded an increase in job numbers. The councils who remained under the old system, with its myriad of conditions, continued to record a stronger decrease in job numbers.

It will come as no surprise to many in the House that these amendments are supported by the Labor Party masters, the CFMEU.

These amendments are of the utmost concern to local government, which is a major employer in regional Queensland. Many of the residents of these regional towns and communities are dependent upon local councils for employment. It is difficult to find employment in many of these small towns and communities at the best of times. This is another section of the bill that has lacked consultation with any stakeholders apart from the unions.


The last section of the bill that I would like to discuss is the addition of Easter Sunday as a public holiday. The consultation around this provision in the bill is probably the worst example of consultation—and from what members have already heard that is saying something. The Chamber of Commerce & Industry Queensland stated that they were formally advised of the decision by the state government to include Easter Sunday in the schedule of public holidays in the Industrial Relations Bill 2016 by a phone call from the deputy director-general of the Department of Justice and Attorney-General at 6 pm on Thursday, 25 August 2016. We need to bear in mind that this bill was introduced into the House on 1 September. An urgent meeting was then held with the Minister for Employment and Industrial Relations, the Hon. Grace Grace. CCIQ received confirmation that the decision had been made by the state government and there would be no consultation on the decision.

This is nothing short of astounding. The business community—the ones that will be most impacted by the increased costs, which many will have to endure—were completely excluded from any discussion. This is truly unbelievable even by this government's standards. The estimated cost to the Queensland economy, as stated in the explanatory notes, is estimated to be up to \$80 million. The additional wages cost to the public sector is estimated to be between \$5 million and \$13 million. In their submission, CCIQ stated—

The change will cause significant costs to business and lead to job losses. The LGAQ also stated that the addition of Easter Sunday as a public holiday will incur additional costs on councils.

It is small business, particularly in the hospitality and tourism sector, that will wear the extra costs that will result from this added impost. The Palaszczuk government has once again proven that it is no friend of small and family owned business.

There are many other clauses in this bill that we disagree with. As I stated, we will be opposing the bill. I say again that I think it is disgraceful that the domestic violence provisions were put in this bill. That was done for purely political gain and I think it is despicable.

 **Mr POWELL** (Glass House—LNP) (8.16 pm): I too rise to contribute to this debate on the Industrial Relations Bill 2016. I do so particularly in my capacity as the shadow minister for local government. As others have said, there are some 40,000 Queenslanders currently employed by local governments. These council staff, like their state public servant cousins, are employed through an industrial relations system overseen by the state government. The vast majority of non-government employees fall under Commonwealth industrial relations laws.

If we are going to make significant changes to that system we would want to have the local governments and their chief advocacy body, the Local Government Association of Queensland, the LGAQ, on side. No, they are not on side. They do not even appear to be in complete opposition to what is being proposed. It is far more than that. The words coming from the LGAQ when this bill was tabled, as the member for Kawana said earlier, were that it was a betrayal, a mockery and a retrograde step.

I refer to the comments in the *Courier-Mail* article, mentioned by the member for Kawana, in which Mr Greg Hallam of the LGAQ said—

The Minister and not the QIRC has determined how many awards will apply in our sphere of government.

The Minister has sidelined the QIRC from any deliberative role on the content of new awards, bypassing them in favour of the Industrial Registrar. The Queensland IR system is entirely political and devoid of any sense of impartiality.

In the ABC article posted online, Mr Hallam stated—

“We have the Minister dictating how many awards there should be and the content of the awards,” ...

“Why have an independent umpire in the form of the Industrial Relations Commission when the Government herself is going to make those determinations? It's completely wrong and it takes away any faith that the system is independent, impartial or fair.”

...

“This is a cost that will be borne by the ratepayers of Queensland,” ...

Let me repeat that—

“This is a cost that will be borne by the ratepayers of Queensland,” ...

He continued—

“This is a cost that means we have a much more cumbersome industrial relations system, many more awards, much more complexity, a much more costly system to administer.”

**Ms Grace:** Rubbish!

**Mr POWELL:** I take that interjection from the minister who refers to Mr Hallam's comments as 'rubbish'.

**Ms Grace:** Absolutely.

**Mr POWELL:** 'Absolute rubbish' I understand is the subsequent interjection. I am sure Mr Hallam, local government mayors and councillors around the state will be impressed to hear that that is what the minister thinks of their concerns.

The end result is that the local governments of Queensland and the LGAQ want this bill opposed. The LGAQ in their submission to the parliamentary committee said—

The current government regularly cites as justification for their actions the alleged extreme industrial relations changes made by the former Newman Government, all of which have subsequently been eliminated, amended or restored with earlier legislation. Under this Bill, the Government promises just as extreme, if not more extreme, changes to the industrial system, albeit these changes promote the cause of trade unions, undermine freedom of association, impose additional costs on Councils and their communities, threatens productivity of councils, and further erodes the independence and decision-making capacity of the Queensland Industrial Relations Commission.

It is considered that the new industrial relations framework proposed by this Bill, on top of the recent industrial forays by the state into direct management of the industrial relations regulatory environment of local government will:

- Lead to further job losses within the local government sector;
- At the very least stifle job creation activities within the sector;

**Ms Grace:** Why?

**Mr POWELL:** Again, I take those interjections.

**Ms Grace:** Why? Explain why.

**Mr POWELL:** Are you saying 'why' or 'lie'?

**Ms Grace:** Why? Explain why.

**Mr POWELL:** Why? You explain it, Minister, to the LGAQ. Tell the LGAQ because they are convinced that what you are proposing in this bill will lead to further job losses and will stifle job creation, and they continue—

- Impede productivity within the local government sector;
- Increase the risk of additional costs to the community, particularly for rate-payers.

If the minister does not want to take the word of the mayors, the councillors and the LGAQ on a bill that explicitly changes the industrial relations system for local government, then I find that completely and utterly appalling. The LGAQ continue—

Councils are concerned that unions are increasingly less willing to pursue industrial relations outcomes through the regulated industrial relations system in favour of seeking political intervention of a sympathetic government willing to utilise its legislative powers and considerable resources to achieve desired outcomes of unions.

Again, they state—

The LGAQ on behalf of its 77 constituent councils strongly **recommends this Bill be set aside altogether** or at the very least **be amended** to provide a fair and modern industrial relations system that:

- Appropriately balances both the short and long-term interests of council employers and workers;
- Is contemporary and relevant for a modern local government industry;
- Recognises and respects the rights and roles of workers and employer and employee associations;
- Provides for a resourced, capable and genuinely independent Industrial Relations tribunal.

While there are many specific aspects of the legislation which the LGAQ and councils find offensive to various degrees, this submission focusses on the most serious and significant issues of concern.


That is why the LNP will be opposing this bill and, if unsuccessful in defeating it, will be moving amendments. I commend the shadow minister, the member for Kawana, for his commitment to move amendments that will restore the existing provisions in the act in relation to the local government modern award process, restoring the independence of the Queensland Industrial Relations Commission in that process as well. I implore all members to vote against this bill. If members do not have the courage to do that, then stand up and vote for the shadow minister's amendments.

Before I close, I do want to take this opportunity to recognise the work of Greg Hoffman, who is retiring from his advocacy role at the LGAQ. Many members in this place know Greg and know how effective a voice he has been for local governments in Queensland. Since 1982, Greg has been standing up for local governments. He has the respect of mayors and councillors, and federal and state MPs of all political persuasions. He has my respect. I always enjoyed meeting Greg in my capacity first

as the shadow minister and then subsequently as the minister for environment and heritage protection. It is fair to say, and Greg would agree, that we did not always see eye to eye, but he was always such a gentleman, so well researched, so congenial, and the meetings were always very profitable—and I hope for both of us.

Greg made it his task to build up the LGA's capability, to build its credibility and to make it more relevant as the united peak body of the local government authorities that it has become today. The late Doug Tucker, the former senior lecturer in public administration at the University of Queensland, was so impressed with the LGAQ's turnaround under Greg that he dubbed the 1982 to 1992 period the 'Hoffman decade'. The reason local government issues get placed prominently on the desks of decision-makers in this place is largely due to Greg's tireless efforts. Greg steps down from his role as General Manager—Advocacy this month, having clocked up 50 years in local government, 29 of which have been with the LGAQ. I thank Greg for his tireless dedication over so many years and wish him all the best in his future endeavours.

Again, in returning to this bill, I implore all members to vote against it. If they do not have the courage to do so then stand up and vote for the shadow minister's amendments.

 **Mr JANETZKI** (Toowoomba South—LNP) (8.25 pm): I rise tonight to make a contribution to the Industrial Relations Bill 2016 and, like my fellow LNP colleagues, to oppose the bill. I will be opposing the bill on two grounds—one is on economic grounds and one is on legal grounds, in particular, adverse action. I will start with the economic grounds. Here we have another piece of legislation by a government backing union dominance in the workplace which will embolden highly paid union officials to exercise ever greater influence and control over the Queensland industrial relations landscape. That influence and control is damaging to Queensland's economy, particularly when that influence and control is wielded by the CFMEU in Queensland.

There was a recent *Sunday Mail* report that caught my attention. I believe it was last month. In this *Sunday Mail* report there was an anonymous contractor who had spoken with the *Sunday Mail*. This contractor had said that he would be excluded from 70 per cent of major construction projects around Brisbane simply because builders were afraid to engage non-union subbies. In this same report the Master Builders spoke about productivity in the Queensland construction sector. There they talked about costs rising by up to 30 per cent if the CFMEU was engaged in a particular project.

**Ms Grace** interjected.

**Madam DEPUTY SPEAKER** (Miss Barton): Order! The member for Toowoomba South is not taking your interjections. The member for Toowoomba South has the call.

**Mr JANETZKI**: This is as a result of higher wages and costs associated with stoppages. This same project would cost \$30,000 less. The real economic impact and the malevolent damage this can do on the Queensland economy is made clear when we start considering what this means for first home buyers in Queensland. What this means for first home buyers—

**Ms GRACE**: Madam Deputy Speaker, I rise to a point of order. I cannot let this go on. I am claiming relevance here. We are talking about something that the legislation actually does not apply to. It does not apply to the private sector. Everything that is being said is irrelevant to a bill that only applies to the public and local government sector. I seek your ruling on relevance.

**Mr JANETZKI**: Madam Deputy Speaker, I believe this is relevant to the bill at hand. We are talking about registered organisations under the act. Therefore, I believe that any comment in relation to registered organisations under the act is relevant to this debate.

**Madam DEPUTY SPEAKER**: Order! I will listen very carefully to what the member is saying. I would ask that you do contain your comments to the long title of the bill and make sure that what you are saying is relevant and that you demonstrate the relevance of that to the House.

**Mr JANETZKI**: Thank you, Madam Deputy Speaker. What we have here now is first home buyers in Queensland observing for the first time that they just do not need to worry about interest rates or whether mum and dad can go guarantor for a loan but they now need to consider whether a trade union—in particular, the CFMEU—has been involved in the construction of this unit.

Beyond this, for the economic argument as to why this particular bill emboldens trade unions, and the CFMEU in particular, to the economic detriment of our state of Queensland, we only need to look at ABS statistics released in early November that show building approvals are down 11.7 per cent in September, and 31½ per cent from September 2015. Housing approvals have declined for eight

months in a row. It is no coincidence that in the CommSec *State of the states* we are third last on unemployment, sixth on economic growth, business investment and overall economic performance, and last on construction. I think that is entirely relevant, because what we are seeing with this bill is an emboldening by this government of the trade union movement to the economic detriment of our state.

What I would like to turn to now is the legal element of this bill which concerns me the most and it relates to adverse action. Adverse action under this bill relates to the expansion of freedom of association protections to include new general protections to allow public sector employees to bring adverse actions. As the minister has interrupted during the evening, they do mirror the 2009 Fair Work Act provisions. Let us not forget that the Fair Work Act provisions—the adverse action provisions—were hastily added to the bill under that very happy relationship between Julia Gillard and Kevin Rudd. What we saw there with the Fair Work Act provisions was a quid pro quo to the trade union movement which bankrolled the Work Choices campaign. What we saw there with the Fair Work Act and the introduction of the adverse action provisions we are now seeing introduced into Queensland.

Let us reflect on what adverse actions actually mean. Adverse action is defined as any deleterious action affecting an employee that is taken by an employer for a prohibited reason. The member for Kawana in his remarks tonight spoke about the possibility of a DG in the Queensland Public Service sending a Christmas card to one particular employee but not to another.

**Honourable members** interjected.

**Madam DEPUTY SPEAKER** (Miss Barton): Order! I am struggling to hear the member for Toowoomba South. I remind the member for Logan that he received a warning not long before dinner. I call the member for Toowoomba South.

**Mr JANETZKI**: The first thing that we need to remember about the introduction of adverse action is that it reverses the onus of proof. If it is one thing that the Labor Party loves to do, it is reverse the onus of proof. Just ask Queensland farmers who were recently faced with a Vegetation Management Act that criminalised Queensland farmers. They actually went beyond that to eradicate mistake of fact. This is a government that has form on reversing the onus of proof.

We have the Fair Work Act in place federally. Again, the minister has referred to this tonight. It is simply mirroring the provisions. I think we need to examine the adverse actions and what has happened in the federal jurisdiction. Over 2013 and 2014, year on year we have 17 and 18 per cent increases in adverse action proceedings, and we have a recent Queensland decision that relates to a Central Queensland mine where an employee in that mine received a \$1.3 million payout under an adverse action proceeding. What is not commonly known is that in that proceeding which was a Federal Court proceeding there was another party—

**Honourable members** interjected.

**Mr FURNER**: Madam Deputy Speaker—

**Madam DEPUTY SPEAKER** (Ms Farmer): Order! Just a moment, member for Ferny Grove. There is an increasing level of conversation in the chamber including members who are having a chat across the aisle. I ask members to keep their conversations to a minimum so we can hear the member. Now I will take the point of order from the member for Ferny Grove.

**Mr FURNER**: Madam Deputy Speaker, I rise to a point of order. I refer to standing order 236 on relevance. Quite clearly, the member is completely off the track on this bill and is referring to federal matters under Work Choices. I ask you to—

**Honourable members** interjected.

**Madam DEPUTY SPEAKER**: Order! Honourable members! Member for Ferny Grove, have you finished?

**Mr FURNER**: I was making the point that the member is completely off track in talking about matters related to Work Choices legislation which, as you would know, is federal legislation, not the state legislation before us.

**Mr BLEIJIE**: Madam Deputy Speaker, I rise to a point of order. The long title of the bill is 'for an act relating to industrial relations in Queensland'. The member is speaking about the inclusion of adverse actions which are copied from the federal legislation but they are included in this bill. The minister herself has referred to the provisions being the same provisions in the fair work legislation. The member is talking about adverse actions being included which are specifically debated in this bill tonight.


**Mr RICKUSS:** Madam Deputy Speaker, I rise to a point of order. I think that the member for Ferny Grove getting up and taking a point of order is quarrelling. Under standing order 246, quarrelling is not permitted and I think that is what the other side is doing.

**Madam DEPUTY SPEAKER:** Order! There is no point of order. This is a debate that is going to engender quite passionate arguments on both sides of the chamber. I remind all members to refer to the long title of the bill and make their comments relevant. If I think members on either side of the chamber are straying off track, I will ask you to point out to me in what way you are being relevant. I call the member for Toowoomba South.

**Mr JANETZKI:** Thank you, Madam Deputy Speaker. I will continue my reflections on adverse actions which are being proposed to be included in the Industrial Relations Bill 2016. We have a significant Federal Court decision relying on the federal provisions that relate to adverse action proceedings. What we saw in that particular case was another payment that was ordered by the Federal Court and that other penalty order payment was ordered by the Federal Court to none other than the CFMEU. What we now have is the possibility of Queensland taxpayers' money being paid to trade unions for their involvement in adverse action proceedings—the penalty order payment that was ordered by the Federal Court that was ordered to be paid to the CFMEU.

What we are going to see now is the floodgates opening and trade union officials taking every last bit out of the system that they can. I have to give them full credit because they are going to be looking at diversifying their income. Their trade union membership is catastrophically in decline. Like any good business, they are looking for diversity and an income stream, and adverse action gives them that possibility.

There are other stakeholders who love adverse actions and are very interested in it. Maurice Blackburn are very interested in adverse action. That nursery of Australian prime ministers, Slater and Gordon, is interested in adverse action. What we are now going to see is the floodgates open in the Queensland public sector industrial relations system to trade union officials and other stakeholders which stand to gain. It is enough to send a shiver down the spine of local government, as we have heard from other speakers here tonight. It is enough to send a cold shiver down the spine of small business in this state, and I believe it is enough to send a shiver down the spine of every hardworking man and woman who is a rank-and-file member of a trade union and every hardworking Queenslanders across this state.

 **Mr MADDEN** (Ipswich West—ALP) (8.40 pm): I am pleased to rise and speak in support of the Industrial Relations Bill 2016. This bill rewrites industrial relations in Queensland. It repeals the Industrial Relations Act 1999, and it amends the Anti-Discrimination Act 1991, the Holidays Act 1983, the Hospital and Health Boards Act 2011, the Magistrates Courts Act 1921, the Ombudsman Act 2001, the Public Guardian Act 2014, the Public Service Act 2008 and the Workers' Compensation and Rehabilitation Act 2003. It also amends the acts mentioned in schedule 6 for particular purposes.

As the minister said when she introduced the bill to this parliament on 1 September 2016, the Palaszczuk Labor government made an election commitment to Queenslanders that we would restore fairness to the state's industrial relations jurisdiction, and this bill delivers on that commitment. Queenslanders want fairness and balance in their industrial relations laws, and that is what they will get under this government. The bill will wipe away the last vestiges of the former Campbell Newman LNP government's unfair, harsh and unbalanced industrial relations laws. The former LNP government stripped away the hard-fought-and-won employment conditions of state and local government workers. Its laws failed to respect the right of workers to collectively bargain with their employer for their wages and conditions. They tied up registered industrial organisations in expensive and ineffective red tape. The LNP laws made it harder for workers to be represented in their workplaces.

The policy objective of the Industrial Relations Bill 2016 is to provide a framework for the conduct of industrial relations within the state's industrial relations jurisdiction that is fair and balanced and supports the delivery of high-quality services, economic prosperity and, most importantly, social justice for Queenslanders.

In March 2015 the government established an independent review of the state's industrial relations laws and tribunals. This was the first major review of the state's industrial relations laws since 1998 when a review that led to the current Industrial Relations Act 1999 was undertaken. The independent review was headed by Jim McGowan AM, a former director-general in the Queensland Public Service who has extensive industrial relations experience. He was assisted by key industrial relations stakeholders from right across the spectrum, including representatives of unions and employer

organisations, the Queensland Bar Association, the Law Society and government agencies. He was also assisted by the Local Government Association of Queensland, which has been mentioned numerous times by speakers opposite to me.

The final report of the reference group—*A review of the industrial relations framework in Queensland*—was published on 4 March 2016 and it made 68 recommendations. All 68 recommendations provide a sound foundation for a modern, fair and balanced system of industrial relations in Queensland and were incorporated in the Industrial Relations Bill 2016. The bill provides industrial relations laws that are fair and balanced but also provides for economic growth and regulates Queensland's industrial relations jurisdiction.

The Industrial Relations Bill 2016 will replace the Industrial Relations Act 1999. This mainly covers the state public sector and local government employees. The private sector is now covered by the national industrial relations system as a result of federal legislation introduced by the Howard government in 2005 with further referrals by the state government in 2010.


The key elements of this bill are: a set of minimum employment conditions and standards; collective bargaining as a cornerstone for setting wages and conditions in Queensland; a set of individual rights to fair treatment; effective, transparent and accountable governance and reporting obligations for all registered industrial organisations and employer associations; as well as a strong and effective independent umpire. The bill includes amendments to the Holidays Act 1983 to make Easter Sunday a public holiday from 2017. Easter Sunday is being celebrated as a public holiday because of its significance as a religious and cultural day.

The Palaszczuk government is committed to providing a high-level consultative forum for stakeholders to discuss Queensland's industrial relations laws and related matters that includes genuine consultation between government, local government, agencies, employees and their unions. The bill creates a bargaining model placing the emphasis on parties to reach an agreement through good-faith bargaining and for the commission to assist the parties to reach agreement through conciliation. The bill also provides for arbitration as a last resort only when agreement cannot be reached. It recognises the rights of parties to take protected industrial action in pursuit of their claims and ensures that the members of an industrial organisation have their say when it comes to taking that action.

In line with the recommendations of the review, the provisions in this bill promote democratic control of organisations and good governance by ensuring that reporting, training and other obligations are directed at ensuring accountability to members rather than unnecessary and unproductive red tape.

The bill will see employer and employee organisations treated equally and makes the financial reporting requirements for industrial organisations and the training requirement for officers with financial management duties similar to those of the Fair Work (Registered Organisations) Act 2009. This will assist those organisations with counterpart federally registered bodies to manage their administrative burden while ensuring registered organisations in this state are accountable to their members. The bill further provides the Industrial Registrar is an independent statutory officer with the authority to investigate suspected breaches of industrial organisations' obligations.

In closing, I would like to thank the Hon. Grace Grace, the Minister for Employment and Industrial Relations, Minister for Racing and Minister for Multicultural Affairs for bringing this important legislation before our parliament. I would like to also thank the members of the Finance and Administration Committee, chaired by Mr Peter Russo, the committee secretariat and the submitters. I am pleased to commend the Industrial Relations Bill to this House.

 **Mr ELMES** (Noosa—LNP) (8.48 pm): I rise to oppose the Industrial Relations Bill 2016 and I oppose it for what it is—as simply another example of Labor's long-held practice of union paybacks. I will deal with Easter Sunday first. Easter Sunday as a public holiday will cost the Queensland small business community alone at least \$53 million, not to mention the forgone productivity that will go with it. While that may appear to be a win for workers, it could very well lead to them being on the unemployment line when their employers can no longer afford to open their doors.

At the core of this bill lies a shameless grab for power by unions. The opposition is categorically convinced that this bill is flawed. When the report was handed down, the opposition members said in their statement of reservation that the bill should 'be returned to the Department for repair, reconstitution and proper consultation'.

Easter Sunday will hit hospitality businesses with hourly wage increases by about 25 per cent—all without consultation and without an RIS. This bill does not support small business; rather, it supports union influence and why wouldn't it? After all, the unions are in power in Queensland. In my electorate of Noosa, we face a conundrum. Ours is an economy built largely on the hospitality sector. While staff work long and hard, much of the work is casual across broken shifts and is subject to seasonal changes in tourism.

How can these businesses, many of which are run by mum-and-dad operators, survive if they are burdened with yet another cost and forced to play Russian roulette with their profit and loss statements, or do they themselves simply take a four-day Easter long weekend? In regional centres many small businesses are required to open seven days a week in order to survive. In larger cities big department stores, grocery stores et cetera are different; they are better able to absorb these wages costs. I wonder why it is that this one-size-fits-all legislation proposal is warranted.

What about local councils? We have heard a lot about local councils. In my part of the world the Noosa council and the Sunshine Coast council already struggle to keep a lid on their rates costs. They, too, have to shoulder their part of this impost thrust upon them with an argument that is punctured with holes. Undoubtedly, the result is increased pressure on ratepayers. We have heard about a cost to local councils large and small. It probably does not matter much to a council the size of Brisbane City Council, but for smaller councils like Gympie and Noosa and the councils west of the great divide, the impost will be enormous. One thing I know for sure is the effects that this bill will have on small business and that these impacts have simply not been considered at all. Given the importance of this sector to the performance of Queensland's overall economy, consultation at the very least would have been a no-brainer.

These amendments to the LNP's industrial relations laws will mean that the once independent Industrial Relations Commission set up by the LNP that was presided over by a Supreme Court judge will be stacked with retired Labor stalwarts and ex-union stooges and given jurisdiction to ensure that they get what they are paid for. Queensland will be back to being governed by the unions for the unions. Bullies will be assessing bullying claims and crooks will once again be above the law.


This legislation also sees: the removal of the state government's ability to intervene and terminate protected industrial action if there was a significant risk to the economy or to the health and wellbeing of the community; uncapped damages derived from adverse actions that are contained in the Fair Work Act including the reverse onus of proof whereby employers must prove their innocence; removal of the independence of the Queensland Industrial Relations Commission with respect to modern local government awards; removal of the majority of the accountability measures implemented by the LNP including the register of political party spending, loans, credit cards, grants, donations; the disclosure of political party affiliation and salaries of the highest paid officials and board members; and, alarmingly, the removal of financial management training for relevant officers. Again, this has already been mentioned here tonight, but I would remind the House not to forget the legacy of disgraced former federal MP Craig Thomson, who was charged with 13 counts of theft using a union credit card and for breaching the Fair Work Act. Who needs accountability when you have unions in charge? No-one, it seems.

It is well known that unions face dwindling support, and these changes are designed to help them address that, which in turn will secure Labor's financial revenue stream through membership fees. I learned at a very young age about the links between the Labor Party and the unions that gave birth to it. I understand it and I support that. I understand and appreciate the affiliations that exist between the ALP and the trade union movement, but I sound these few words of warning to the Premier: why should unions who spend more time taking part in the political process rather than serving their membership be allowed to hide? Union officials' wages should be out there for everyone to see. I cannot think of a better example from my time in government as a minister than the Together union Secretary, Alex Scott. Alex Scott has been running around Parliament House for the last couple of days, mostly with so-called Independent members of this parliament in tow.

**Ms Jones** interjected.

**Mr ELMES:** He should be—and he was at the time we were in government—the highest paid union official in Queensland on \$212,500 a year. That was two years ago. It has perhaps gone up a fair bit since then. I have no doubt, as I said, that he has negotiated a couple of increases since then, further widening the gap between him and the members he is paid to serve. Some union officials operate full time in the political process. If it was up to me, they would be subject to the same public disclosure rules as members of parliament, and why should they not be?

The indecent association the government has with the CFMEU is one that has the capacity to bring this government down simply by association. Even a casual look at the way this union operates in Queensland and interstate clearly shows that the CFMEU masquerades as a union, but in reality it is something akin to a bunch of standover criminals. By all means, Labor should keep its historic ties, but the Labor Party and the Labor government would be well served to ditch the CFMEU.

 **Mr BOOTHMAN** (Albert—LNP) (8.54 pm): I rise tonight to make a contribution to the Industrial Relations Bill 2016. From the outset I state that I agree with what the shadow minister has been talking about today and I echo the words of the member for Noosa. I understand that there are links between the union movement and the Labor Party. The Labor Party was founded on the union movement and so I can certainly understand their closeness.

I have stood many times in this place and spoken about education and setting examples for children in schools. I have said that our behaviour in public can be seen as an example of what we are instilling in our younger generations. I now wish to quote a federal circuit court judge, Judge Vasta, who recently made a ruling in relation to a workplace bullying case. On 9 March there was an article about it in the *Gold Coast Bulletin*. It certainly does have a lot of merit in terms of what we are talking about tonight. The judge stated—

Such thuggery has no place in the Australian workplace.

The article goes on to report the recorded exchange that was obtained by the federal government's Fair Work Building and Construction department, which included comments like—and I quote from the *Gold Coast Bulletin*—

“Get out of the shed you scab”, “You’re a—

unparliamentary language—

piece of—

unparliamentary language—

mate, that’s what you are”, “What did I just say mate? Get this—

unparliamentary language—

out of the—

unparliamentary language.

**A government member** interjected.

**Mr BOOTHMAN:** This is what is transpiring. I am highlighting that this is typical of some of the people who are supporting the Labor Party. We are trying to instil in the younger generation respect for each other. We are trying to introduce antibullying programs in our schools and this is nothing more than workplace bullying.

**Mr BLEIJIE:** I rise to a point of order. I say sorry to my honourable colleague, but the education minister is continually interjecting from that seat, which is not her seat and it is disorderly to the House.

**Madam DEPUTY SPEAKER** (Ms Farmer): Order! A couple of points about that: yes, it is inappropriate to interject from other than your chair. However, on the matter of interjecting in general, I do not think that the Minister for Education is interjecting any more than anyone else has been. I do advise the minister that if you are going to interject, please do so from your seat.

**Mr BOOTHMAN:** The article in the *Gold Coast Bulletin* highlights the thuggery that these individuals perpetrate on worksites. A safe workplace is no place for abuse or swearing. If honourable members read the Queensland government’s own website they will see—and there is a link—that it talks about unreasonable behaviour on worksites. This includes behaviour that victimises, humiliates, intimidates or threatens. This highlights the behaviour that these individuals are condoning on worksites, and I personally feel it is absolutely disgusting.

One of the main issues that I see in my electorate regarding this bill is in relation to Easter Sunday. I have a lot of small businesses, I have a lot of small cafes and lovely little corner stores in my electorate—

**Mr McEachan:** No. 1 employer in Queensland!

**Mr BOOTHMAN:** Yes, the No. 1 employer in Queensland. These individuals work extremely hard, they work long hours and they hire people—

**Mr Costigan:** They work their guts out.

**Mr BOOTHMAN:** They work their guts out and they give people a chance. One of my local business people said recently that it is already extremely difficult to make ends meet on a Sunday, and a lot of the time it is not even worth opening. When you speak to young school leavers, who are desperately trying to earn a quid, they say, 'If I can work on that Sunday I am more than happy to,' and they are glad to earn a bit of money that day.


Another issue that was brought up by my western colleagues—and I certainly understand their concern—relates to the limited consultation and the concerns of the Local Government Association of Queensland. These local councils employ 40,000 people; they are a crucial employer. There was no consultation. This is going to force rates up, and this will result in people losing their jobs. In these small—

**Madam DEPUTY SPEAKER** (Ms Farmer): I would like to confirm that members in the gallery are aware they are not allowed to take photographs from the gallery.

**Mr BOOTHMAN:** These small country towns rely on the councils, and if councils are forced to lay off people because of the cost of hiring, it will crucify a lot of these small country towns. I reiterate the words of the members for Gregory and Condamine because this is their lifeblood. We do not want to inflict any more hardship on local towns and farmers out there, because this will force rates up and push prices up. They are doing it tough as it is out there. This is why the Labor Party does not have any seats in Western Queensland, because they do not represent the farming communities out there. They do not give two hoots about farming communities.

**Mr McEachan:** Or small business.

**Mr BOOTHMAN:** And they do not care about small business. I am going to leave my contribution at that, but I would ask the crossbenchers to seriously consider what the Labor Party is doing here tonight. This is self-interest and this is caring about their union mates. I understand that the Labor Party has close links to the unions and I do not hold that against them, but when it comes at the expense of people in Western Queensland, small business operators and the little guy out there, I totally disagree with it.

 **Mr CRAMP** (Gaven—LNP) (9.04 pm): I rise tonight to speak on the Industrial Relations Bill 2016. I read with interest the explanatory notes put forward by the Labor minister, which state—

The policy object—  
of this bill—

is to provide for a framework for the conduct of industrial relations within the State's industrial relations jurisdiction that is fair and balanced and supports the delivery of high-quality services, economic prosperity and social justice for Queenslanders.

Fair and balanced? Nothing could be further from the truth.

As I have noted previously, to the best of my knowledge I am the only member of this chamber who has founded a successful workplace representative organisation outside of the politicised Labor union movement—and don't they love that—so I believe I have the credentials to stand here and unreservedly state that I am in absolute support of proper employee representation in Queensland workplaces. However, unlike the members on the other side of the chamber, who are nothing more than puppets to overpaid union powerbrokers, I believe that any organisation which seeks to represent employees in a workplace should be apolitical and their core focus solely on the very clients they represent: the workers!

Organisations should not be in existence to keep union executives on excessive pay packets with bottomless credit cards; nor should they be used as a funding source to line the pockets of the Labor Party for the next election. The fact is that the Industrial Relations Bill 2016 is nothing more than the Labor government's attempt to stem the continual outflow of membership numbers in unions across Queensland. If Labor took the time to have a comprehensive and honest reflection on why politicised union membership is so rapidly decreasing, one might hope they would recognise that the bullying and harassing behaviour they use to coerce employees into union membership and their continual failure to adequately represent employees in workplace matters—especially with regard to employee rights and entitlements—might shine through as behavioural issues which need to cease. Unfortunately, we instead see a Labor government and union movement which refuse to realise their failings and are instead intent on tightening their grip on their industrial representation monopoly via this bill.

Workers should be able to make the decision about who represents them in the workplace, not the government or union officials. I am advocating for more employee representation, not less. Multiple employee representative organisations for each industry would allow workers the opportunity to select the representation that is most focused on them as clients. This bill ensures that this opportunity will

not occur. Many modern careers are degree based or continual learning professions. Many of these blue-collar professionals such as teachers, paramedics and nurses no longer consider that a chest-beating, megaphone-using shop steward is acceptable to represent their views in workplace matters—like we witnessed outside of the parliament today by the CFMEU. If given the choice, blue-collar professionals would select apolitical employee representative organisations that do not have a vested interest in chaos between the employer and the employee and that understand that there can be a win-win situation between employers and employees. Organisations such as Emergency Medical Services Protection Association, or EMSPA—now APAQ in Queensland—which I founded over a decade ago, in 2005, recognised this fact and understood that discerning—

**Mr Harper** interjected.

**Mr CRAMP:** They wiped out the LHMU after only about 12 months, didn't they, member for Thuringowa?

**Government members** interjected.

**Mr McEachan:** They don't like the truth!

**Mr CRAMP:** No, they do not like the truth and they do not like facts. EMSPA recognised this fact and understood that discerning employees who spend so much of their lives building careers expect as a minimum that any person or organisation purporting to represent their interests in workplace matters has, at the very least, specific industrial and legal qualifications. Whilst professionals with these required qualifications may have representative costs, this is in fact an affordable service which enables them to have a legally qualified industrial representative where the fees that employees pay to an organisation are retained solely for this use and are not used to overpay union organisations or union organisers or to fund political parties.

Today we see the continuing success of EMSPA across the eastern seaboard of Australia, and new industrial representative organisations are being established in Queensland with membership growing at a rapid rate like the Nurses Professional Association of Queensland, or NPAQ, with over 600 members. I can say from speaking with NPAQ organisers about this legislation that they are concerned that a facility to inspect time and wages records will not be actioned. Thousands of nurses cannot get resolution of their payroll problems. A private employer would most likely be charged or go to jail for this, yet under this Labor government there are no industrial inspectors to investigate complaints. I would like to take this—

**Mr Harper** interjected.

**Mr DEPUTY SPEAKER:** Member for Thuringowa, you would do well to be a little softer in your interjections and be a little quiet.

**Mr CRAMP:** I would just like him to mumble less and make more sense.

I take this opportunity to congratulate all of the Queensland nurses who have exercised good common sense and joined NPAQ as they understand there is a better option for representation of their workplace matters. Organisations such as EMSPA and NPAQ are the future of representation in the industrial relations landscape not only in Queensland but also in Australia. Unfortunately, this is not something the Labor Party, as we can clearly hear tonight, wants to see come to fruition because without being able to siphon hardworking employee membership fees from union coffers the Labor Party would be unable to fund extravagant political campaigns.

**Mr Costigan:** I wonder how they would get on then.


**Mr CRAMP:** They would most likely fail—more than they do now. It is glaringly obvious that Labor has not taken the opportunity to make real improvement in industrial relations legislation, to remove the monopolistic provisions on industrial representation and allow workers to choose who represents their workplace interests. It never ceases to amaze me that in a prosperous democratic country such as Australia competition is encouraged in all areas except workplace representation.

It is very concerning that this bill will also remove the ability of the state to intervene and terminate protected industrial action if there is a risk of significant damage to the Queensland economy and it is threatening or would threaten or endanger the health and wellbeing of the local community. Allowing a union of any form the ability to strangle the economic output of any community in this state is abhorrent, and Labor should be absolutely ashamed of itself to even consider that this is an acceptable proposal. Over the past several months, even with laws in place, we have seen the CFMEU deliberately setting out to cause maximum disruption on a \$126 million taxpayer funded Commonwealth Games worksite in the Gaven electorate through daily stop-work meetings, with barbecues and prawns on offer, which

not only threaten critical deadlines for the Carrara sport and recreation project; it is also reported to have cost the head contractor approximately \$700,000. Who ultimately foots the bill for this blatant vested interest in chaos? It is Queensland taxpayers—just as they do in all government funded construction projects within Queensland.

The fact is that this bill will destroy jobs, provide employees less say, politicise registered industrial organisations that purport to represent them and provide no opportunity for choice of representative organisation for the worker. I urge all members of this House to oppose this bill.

**Mr DEPUTY SPEAKER** (Mr Elmes): Order! Before calling the member for Bulimba, we may have a little more silence in the House and a little less theatrics.

 **Ms FARMER** (Bulimba—ALP) (9.12 pm): Mr Deputy Speaker, I promise you I will not be theatrical. I rise to proudly support the Industrial Relations Bill. I say at the outset that I am a very proud member of a union, the mighty National Union of Workers. I am also proud to say that I consider to be some of my very good friends some of the very people the members opposite are talking about tonight—people who are employed by unions, who for decades have looked after workers across this state. The reason I am proud to call those people my friends is that they have literally changed the lives of millions of workers. They have ensured that there are fair wages and working conditions for the average person. They have ensured that when people go to their workplaces there is some framework that can guarantee their safety. They have ensured that there is a workers compensation system which can look after them if anything does happen to them in the workplace. These are the good works that these people—these good unionists—have done.

I am totally bemused by the LNP, so many of whom have quoted the *Courier-Mail* as their source. Please! They seem to think that because it is printed in the *Courier-Mail* it is somehow the truth. I think they need to improve their references if they are going to have any credibility whatsoever.

I would like to say to members opposite that when they are criticising union members they are criticising the nurse who put stitches in their child's toe when they went to the hospital. They are criticising the teachers who teach their children and do such a good job. They are criticising the person who handed them their driver's licence at the department of transport. Those are the people they are criticising, as if to be a union member you are somehow a subhuman—a different member of the human race. That is what they are saying with their disrespect to people who are members of unions.

Those opposite make ridiculous references to those union members who have committed illegal activities. I know for a fact that I am joined by every member on this side of the House when I say that we abhor illegal activities and that anyone, whether they are a union member or not, who undertakes illegal activities should go to jail. It is as though, if a union member was convicted of misusing a credit card or got caught going to a brothel, that applies to every union member. Let me just ask members opposite: are you Scott Driscoll? Those opposite should not taint the 99.9 per cent of union members and union workers who are doing the right thing by Queenslanders and Australians year after year as a result of the behaviour of a small percentage of people. That is what those opposite are trying to do.

**Mr Cramp** interjected.

**Mr DEPUTY SPEAKER:** Order! Member for Gaven, the chair gave you some support while you were making your speech. I would ask you to give the same courtesy to the member for Bulimba.

**Ms FARMER:** During 2015, and in fulfilment of an election commitment, the Palaszczuk government approved an independent review of the state's industrial relations laws and tribunals to provide recommendations for industrial relations reform. Contrary to what those opposite have been saying, the review panel was made up of a range of stakeholders, including employer groups. Let us be really clear on that. The review report, *A review of the industrial relations framework in Queensland: a report of the Industrial Relations Legislative Reform Reference Group*, was published in March 2016. The government accepted the report's recommendations, and the Industrial Relations Bill 2016 seeks to give effect to those recommendations.

The report recommended that new industrial relations legislation be drafted due to the significant changes in the jurisdiction covered by the current Industrial Relations Act and made recommendations about the essential features of the new legislation and additions to existing protections in the state system.

The jurisdiction of the state industrial relations system has changed significantly since the last review of IR legislation in 1998, particularly following the Commonwealth's expansion of its industrial relations jurisdiction in 2005 to cover all trading corporations in the private sector through the use of its constitutional powers and the subsequent referral by the state of the non-incorporated private sector to

the Commonwealth in 2010. The state's IR jurisdiction now covers the Queensland and local government sectors in some matters, for example long service leave and jury service leave. The state has some jurisdiction over the entitlements of national system employees as well.


Some of the key proposals introduced by this bill would be to repeal and replace the current IR Act; to amend established Queensland legislation, including the Anti-Discrimination Act and the Public Service Act; to strengthen collective bargaining arrangements, with greater emphasis on responsible representation and good-faith bargaining; to promote and strengthen the independence of industrial tribunals; and a range of other matters. At the absolute heart of this is restoring fairness and balance to the industrial relations system in Queensland.

When Labor came to government it was on the back of a raft of election commitments. They were about shoring up Queensland's future. A number of those were about righting the wrongs that had been imposed on the people of Queensland by the LNP government. Nothing could have been so stark as the way the LNP government treated workers in this state and I was very proud—just as I am proud to speak to this bill—to support the Work Health and Safety and Other Legislation Amendment Bill which restored the right-of-entry powers allowing workplace health and safety entry permit holders to gain immediate access to a workplace and a range of other things. I was proud to support the IR restoring fairness bill which restored those precious rights which had been taken away from public servants, including employment security, workload management, access to training, right of entry and a range of other things.

I was proud to support the Holidays and Other Legislation Amendment Bill which restored the Labour Day public holiday to the day that had been marked for that occasion for well over 100 years and was stripped away by the LNP as soon as it could manage it out of spite because it hates unions. That is what it does—it hates unions. I say to those opposite: how dare you stand up in this House and attack a bill which is aimed at valuing public servants after they had sacked 14,000 public servants after Campbell Newman had the cheek to actually say that public servants were grateful for having been sacked. I can still remember the pain after that disgraceful newspaper article when their mate Campbell Newman said that public servants were grateful, and that pain is still there among public servants in my electorate from people who had been sacked and from people whose family members had been sacked. How dare they get up and attack a bill which is looking at restoring their rights!

There are just a couple of particular points that I really want to make about this bill. As I said, I am proud to speak to this entire bill. One is the issue of domestic and family violence leave for public servants. This is fulfilling a couple of the recommendations of the *Not now, not ever* task force and provides that public servants will have 10 days a year leave, non-accumulative, to be taken in conjunction with other leave and incorporating sensitivity as to the proof requirements for approval of leave. This is absolutely critical and has sent such a positive message to those who are victims of domestic and family violence and to those who are supporting them. Even more importantly, it is a signal to employers across the country that this is the right way to look at domestic and family violence in terms of being supportive.

I also want to talk about the issue of temporary employees. Up to this point the protocols that have been in place have provided a precarious working environment for temporary employees and I thank the minister so much for the amendment that she has already flagged for temporary employees. I particularly want to thank Stephens Louwrens and Alexandra de Voss, who came to see me especially to discuss what it means to be a public servant in that particular environment. This is a government that values public servants. We value our workforce. We want to do everything we can to create a fair and balanced environment, and that is why I commend this bill to the House.

 **Dr ROWAN** (Moggill—LNP) (9.22 pm): I rise to contribute to the debate on the Industrial Relations Bill 2016. I am particularly pleased to follow the member for Bulimba but, whilst I know the member for Bulimba may be genuine in her beliefs when it comes to unions—and she believes, as she said in her own words, there are good unionists—if we look at some of the findings of the Royal Commission into Trade Union Governance and Corruption the extent of criminal conduct, harassment, bullying and intimidation has been truly staggering and that is one—

**Ms Grace:** Yes, more employers were charged than unions.

**Dr ROWAN:** I take the interjection from the member for Brisbane Central, but when we look at that it has truly been absolutely staggering. From a personal perspective, as I have said on a number of occasions in the House, the conduct of unions such as the Australian Salaried Medical Officers' Federation and the Queensland public sector union in recent times in relation to harassment and bullying, particularly with regard to some of our most vulnerable medical staff such as international

medical graduates and those on 457 visas, was truly unbelievable. It is important to remember that the conduct of unions and some of the senior leadership of unions not only in Queensland but also across Australia has been truly unbelievable. That is why we really need to see the Premier's leadership in repudiating the CFMEU and to see all of the recommendations of the Royal Commission into Trade Union Governance and Corruption implemented in Queensland.

The Industrial Relations Bill 2016 was introduced into the Queensland parliament on 1 September 2016 by the Minister for Employment and Industrial Relations, Minister for Racing and Minister for Multicultural Affairs, Hon. Grace Grace, and was subsequently referred to the Finance and Administration Committee for consideration. To provide some background, the objectives of the bill are to repeal the current Industrial Relations Act 1999 and to establish a new framework for industrial relations in Queensland. The bill also seeks to amend the Holidays Act 1983 to provide that from 2017 Easter Sunday will be a public holiday. As we are aware, the committee was required to report to the Legislative Assembly by 28 October 2016.

It comes as no surprise to my Liberal National Party colleagues that when Labor rewrites the whole industrial relations framework in Queensland it goes without saying who it will truly be supporting, and that of course is the union bosses, whom those Labor Party members opposite rely upon for both their preselection and their electoral financial support. The union bosses are truly running the Palaszczuk Labor government in Queensland. We have seen criminal elements of the CFMEU actively undermining our vital building and construction industry. Many officials of the CFMEU are guilty of illegal and unlawful conduct on various building sites including at the Royal Brisbane Hospital, the Brisbane Airport and the Brisbane Convention & Exhibition Centre, to name just a few.

If those opposite had any credibility, they would have urged their federal Labor colleagues to support the Australian Building and Construction Commission prior to the bill's introduction into the federal parliament. Having said that, it is great to see that the Senate has passed the Australian Building and Construction Commission bill. The non-Labor senators in Queensland have managed to achieve that outcome, and congratulations go to the LNP senators for their strong leadership in ensuring that vital piece of legislation was implemented at the federal level. Relentless campaigns by the Palaszczuk Labor government in collaboration with the CFMEU and other militant unions to disrupt our construction industry and be de facto participants in criminal activities must not be tolerated in Queensland.

One of the key issues of this bill is the gazetting of an additional public holiday on Easter Sunday. This decision, which has far-reaching financial consequences for business, was done without any regulatory impact statement. It is important to remember that restaurants, cafes and catering businesses are an essential part of Queensland's economic and social fabric. The cafe, restaurant and catering sectors generate around \$5 billion annually in turnover for Queensland's economy. Restaurant & Catering Australia is the national industry association representing the interests of owners of 35,000 restaurants, cafes and catering businesses across Australia. As a leading representative organisation of over 11,000 hospitality businesses across the state, Restaurant & Catering Australia opposes the introduction of an additional public holiday on Easter Sunday, and there are good, sound economic and business reasons why it does so.

The creation of an additional public holiday has significant ramifications for the hospitality sector and in turn for both Queensland jobs and the economic productivity of our state. If a regulatory impact statement was included, it would have shown that service businesses such as restaurants bear a disproportionate cost burden on public holidays due to the intensity of their staffing requirements and their customer service focus. If Easter Sunday is gazetted as a public holiday, the additional wages cost to the Queensland economy for just that day is estimated to be \$80 million. The additional wage costs of this legislation to the Queensland public sector are estimated to be between \$4.8 million and \$13.3 million. PricewaterhouseCoopers identified that employers that operate on public holidays are subject to increased labour costs, with the impacts concentrated in those industries that operate outside standard business hours.

The Liberal National Party government in 2014 put in some 10 accountability measures including a register of political spending, disclosure of salaries of highest paid officers and board members, disclosing spending for political purposes and disclosing political party affiliation fees, to name just a few. The Liberal National Party and I see this legislation as a considered Labor government attempt to support union bullying in the workplace and to empower highly paid union executives who are trying to coerce, intimidate and force Queensland workers into joining a trade union despite freedom of association being a core tenet of our democracy. This is certainly a catch-22 situation for the Labor Party, as unions collect funds from their union membership and then a significant proportion of that

money is then transferred to the Labor Party in the form of political donations. That is exactly why the Labor Party continues to back a framework of biased union monopoly in relation to its industrial relations legislation.

Like all Liberal National Party members, I believe that this bill is fundamentally flawed in its design and, therefore, its outcomes will be destructive for Queenslanders. Without proper industry and business consultation, this legislation simply cannot be passed. With respect to the design of this legislation, the fact that the review group was so profoundly weighted with union representatives speaks volumes with respect to Labor's intended biased outcomes. Out of the 44 submissions that were received, more than half of them were from unions, meaning that the outcome was a predetermined one. To see this we only have to look at the fact that there was absolutely no consultation in relation to the declaration that Easter Sunday would be gazetted as a public holiday.


To further weight the outcome, I note that, in May 2016, the Shop, Distributive & Allied Employees' Association, Queensland Branch, donated to the Queensland branch of the Labor Party an amount of \$38,341. It then took only three months for the minister, Hon. Grace Grace, to announce, without any consultation or warning, that Easter Sunday would be prescribed as a public holiday. The cost to the Shop, Distributive & Allied Employees' Association was only \$38,000, but let us not forget that that gazettal will cost the business community of Queensland at least \$53 million in additional wages. I can only repeat that this change comes without any consultation with the business community or a regulatory impact statement.

This legislation needs to be comprehensively rejected by all members of the Queensland parliament. What also needs to be rejected in Queensland is the left-wing socialist Greens-Labor alliance. There are other political parties in this place that are affiliating with crooked unions. I say to the Katter's Australian Party that, whilst North Queenslanders are keen to cull crocodiles owing to Labor's failed crocodile management strategy, it should be culling political donations from crooked unions.

Having travelled far and wide in North Queensland over the past few months, I can certainly tell members that North Queenslanders are absolutely keen for a government that invests in jobs and infrastructure. Like all of us on this side of the House, North Queenslanders want job creation, infrastructure investment, strong law and order policies, water and energy security, fair industrial laws, accessible health and education services and economic development balanced against a sensible and sustainable framework for the environment and associated conservation efforts.

I condemn the sinister left-wing Greens-Labor alliance and this government's biased, union dominated industrial relations agenda and associated legislation. We know that the Palaszczuk Labor government is beholden to union bosses. We regularly see CFMEU officials, including Michael Ravbar, coming on to the parliamentary precinct to give orders to various government ministers. This legislation is evidence of the Palaszczuk Labor government being beholden to its comrades in the union movement.

We know that, under this bill, workers in local government will be worse off. Job losses will occur. I ask members to ask the Local Government Association of Queensland. The Chamber of Commerce & Industry Queensland identified that the stripping away of transparency and accountability leading to job losses will be a potential outcome of this legislation. I condemn this legislation. It undermines independence, reduces productivity, transparency and accountability and will empower union dominance and influence in an unbalanced way in Queensland, leading to reduced economic activity.

 **Ms BATES** (Mudgeeraba—LNP) (9.32 pm): I rise to make a contribution to the debate on the Industrial Relations Bill 2016. This bill is yet another attempt by the Labor government to adhere to the will of its union bosses. This time, we have a government that is trying to support union thugs stepping into workplaces—bullying their way in—and is giving more power to unions bosses to stop union movement numbers declining at a rapid rate. This is a shameless attempt by this government to throw out the current Industrial Relations Act 1999 and replace it with an agenda that has been rubberstamped by its union mates.


Although the opposition will oppose this bill, as the shadow minister for the prevention of domestic and family violence I have discovered a significant provision in this bill, which was buried on page 83. This bill provides for domestic and family violence leave, which is a significant reform in the domestic and family violence portfolio. Rather than allowing for this reform to be debated and considered as part of a domestic violence bill, the government has quietly buried this provision among its pro-union agenda in the Industrial Relations Bill. It is mind-boggling that this government would bury this domestic and family violence reform in legislation that is designed to appease its union mates rather than it being introduced alongside other domestic violence reforms.

Important questions must be asked. Why was domestic and family violence reform not introduced by the Minister for the Prevention of Domestic and Family Violence? Is this minister no longer trusted to handle her own portfolio? This comes as no surprise, because this government has consistently dropped the ball on domestic and family violence under an embattled minister. As I have said before in the House, under this government, domestic and family violence services are completely underresourced under a minister who was caught off guard by a spike in domestic and family violence reports. In a year where we have had a record number of reports of domestic and family violence, where victims are finally getting the courage to leave their abusive homes, we have a minister who is too busy bumbling and fumbling from one crisis to the next to provide the necessary support for victims. As a result, we have domestic and family violence services on the front line that rely on government support to provide support and accommodation, often in emergency circumstances, absolutely stretched to the limit.

The figures speak for themselves—and they are the government's own figures. In a single year, around 9,000 nights of motel accommodation are provided to 9,000 women and, worse than that, more than 13,000 children fleeing domestic and family violence. This was a 240 per cent increase in demand in 12 months and the cost was more than \$1 million—\$1 million that could have about spent on vital domestic and family violence services, but instead was spent on putting up women and children in motels rather than shelters. This is a massive spike, but it was not unexpected, particularly given the heightened profile of domestic and family violence in this parliament, in the media and in the community.

Apparently, this issue has caught the minister completely unaware, with no idea and no plan to rectify the situation and provide domestic violence organisations with the funds that they need to provide assistance to vulnerable women and children. This is happening across the state. As I travel to regional areas—to Cairns, to Townsville, to the Sunshine Coast—the story is always the same. That story is that organisations established to help victims are underresourced. These services are absolutely swamped by calls from people escaping dangerous situations and who are needing help right now, today. DVConnect has felt the brunt of this spike in domestic violence awareness, with the service fielding more than 4,000 calls a month—double the number it used to receive—as police respond to increased call-outs to domestic violence incidents.

It is crucial that, when a victim makes the tough decision to leave a violent situation, the support and services are there for them so that they feel they have somewhere to turn. Under this government and under this minister, that confidence is simply not there. This minister was charged with delivering and implementing the recommendations of the *Not now, not ever* report. This minister was charged with delivering a whole-of-government response to the issue of domestic and family violence. Therefore, it is not at all surprising that this minister has been sidelined in legislating domestic and family violence leave. The question now remains: why is she still the minister?

 **Mr PERRETT** (Gympie—LNP) (9.36 pm): I rise to speak to the Industrial Relations Bill 2016. Put simply, this bill is about increasing union power. This legislation is so depleted in providing good workplace relations for both workers and their employees that I suspect that it was written in Trades Hall and emailed across to the minister. There is nothing in this bill that equates with improving the economic and employment outlook for Queenslanders.

This bill had its genesis in a report of the Industrial Relations Legislative Reform Reference Group. That review group was stacked with a chair who was an ex-Labor government director-general, six union representatives, six state government bureaucratic representatives, one academic, two legal experts and only three employer representatives. The Local Government Association of Queensland, which was an active member of the review, said that it is—

... important to record that the Group was chaired by a former trade union official, supported by a labour lawyer and was dominated by trade union representatives ... it is fair to say that the outcomes from the review, as expected, heavily favoured the views and interests of trade unions.

This bill is flawed in its construction and damaging in its outcomes. It is an example of what you should not do when implementing major policy changes. It has paid lip-service to consultation, contains reverse onus of proof measures, implements a financial impost without providing a regulatory impact statement and removes many accountability measures. The broad range of measures in this bill include removing the state's ability to intervene and terminate protected industrial action when it posed a risk of significant damage to the economy; threatening or would threaten to endanger the health and wellbeing of the local community; and introducing a scheme of uncapped damages from adverse actions that are contained in the Fair Work Act. These actions may include a transfer to another position, starting an investigation process, issuing a warning letter, altering a roster, imposing a suspension, or treating an employee less favourably than another.

The bill also contains a reverse onus of proof whereby employers must prove their innocence; it removes the independence of the Queensland Industrial Relations Commission—the QIRC—regarding the modern local government award; gives the QIRC jurisdiction to determine antibullying claims; and gazettes an additional public holiday on Easter Sunday. In seeking to appease the shoppies union with the extra holiday, the government forgot to amend the Trading (Allowable Hours) Act 1990 to allow shops to open on that day.

In effect, it means that Easter Sunday will be a public holiday but the shops cannot open. This measure had no regulatory impact statement and there was no consultation with the business community. It will mean a 43 per cent increase in the hourly wage rate for hospitality businesses and 25 per cent for retailers. The additional wages cost is estimated at up to \$80 million, with \$4.8 million to \$13.3 million for the Queensland public sector. This bill will wind back accountability and transparency measures that made union bosses answerable to grassroots union members on how their union dues are spent. This is despite numerous examples of the excesses of highly paid union bosses using members' money for prostitutes, cars for extended members of the family, holidays, school fees and exorbitant dining out costs. This bill seeks to change the local government modern award process which will lead to higher rates or job losses in councils across Queensland and is estimated to cost \$100 million.

Previously, I served as deputy mayor of Gympie Regional Council and, before the infamous amalgamations, on the Kilkivan Shire Council. Armed with that experience, I am concerned with the lack of legitimate consultation with councils and the economic cost of the bill. The LGAQ advised that no genuine consultation occurred with the LGAQ or councils prior to the decision by cabinet to implement all the recommendations. During the last 22 months the state government has overridden the interests of local government in industrial relations. In the words of the LGAQ—

Councils now lack confidence in the state government's regulation and management of the state industrial system and believe the state has demonstrated industrial disregard for the interests and views of councils as key players in the state system.

...

Because of recent events, Councils have a level of distrust towards the Government on industrial matters and hold a strong view that a serious chasm exists between government rhetoric on innovation and job creation and simultaneous regulatory actions on industrial matters affecting Councils and their management of the workforce. This disconnect affects the Councils delivery of services to their communities and the cost of those services for the community.

I remember the toxic and poisonous relationship of previous Labor governments with councils. I watched the disastrous effects of minimal consultation and a government riding roughshod over local governments. Premiers Beattie and Bligh took more than a decade to destroy that relationship and create an atmosphere of complete suspicion and distrust. In less than two years this government is fast on the road to the same relationship. The government says it wants to create jobs—that is, jobs for union mates, but not jobs for decent, modest, hardworking employees. The LGAQ said that under this bill, the government promises more extreme changes to the industrial system, which promote the cause of trade unions, undermine freedom of association, impose additional costs on councils and their communities, threatens the productivity of councils, and further erodes the independence and decision-making capacity of the Queensland Industrial Relations Commission. The proposed industrial relations framework will lead, in the local government sector, to further job losses, stifle job creation activities, impede productivity and increase the risk of additional costs to the community, particularly for ratepayers.

The LGAQ said that the legislation as it stands now puts the final nail in the coffin on the single modern local government award. This is despite demonstrated positive outcomes in councils which moved to the single award. Between 2014 and 2016 the 23 councils which had moved to that single award collectively recorded a 1.61 per cent increase in job numbers. In comparison, the 53 which still had multiple awards, with their numerous inequitable and dated conditions, recorded a 2.04 per cent decrease in jobs numbers. In short, there would be an additional 1,006 jobs in local government if those with multiple awards had increased their employment levels at the same rate as those councils under the single award.

The LGAQ said that any suggestion that by adding increased complexity to a payroll situation will not cause additional costs is quite fanciful. The recent report by the Auditor-General about the financial stress being faced by medium and small councils is concerning. Under what logic would you then impose on them more bureaucratic complexity? It is crazy, and wastes scarce ratepayers' dollars, to have staff managing an unnecessary and complex payroll system rather than delivering services to the community. Unlike the state government, which is a single employer, there are almost 40,000 local

government workers employed by 77 different communities. Labour costs represent about 50 per cent of total local government costs and equate to about \$4 billion to \$5 billion a year. Greg Hoffman said—


In the context of the Queensland Audit Office's recent report, we find ourselves in an incredible bind in terms of what is expected of us in the financial and asset management space and labour cost management to now find our hands have been further tied behind our backs.

....

We cannot understand why, with the successful implementation of the one award and a number of certified agreements put in place with overwhelming employer support, it is necessary to do this. There is no basis; there is no justification. It is a spurious argument that the workers of local government need to be protected by this award and it distresses us in local government managing .... seeking to sustain their employment ... in very stressful and difficult times, many of them in rural and remote areas, that we now have lost control of our workforce.

That was what was said by Greg Hoffman, the very well respected and now retired local government manager in Queensland who just last month the Deputy Premier stood beside at the LGAQ conference at the Gold Coast and made special mention of his service.

This bill is not about improving job opportunities and conditions for local government workers. This bill is not about workers' rights and improving the conditions of all Queensland workers. It is not about creating jobs. It is not about improving the economic health of Queensland. It is not about monitoring the excesses of highly paid, uncontrolled union bosses who fleece workers' union dues. The only thing that makes sense about this bill is that it is purely about garnering support from the union bosses who control the preselection of Labor members of parliament, who choose who sits in cabinet and their portfolios and who dictates the legislation that this government brings to the parliament. The government is beholden to the union bosses and this is their payback. In short, this bill is union-bullying, job-destroying legislation and should be opposed.

 **Mrs GILBERT** (Mackay—ALP) (9.47 pm): I rise to contribute to the Industrial Relations Bill 2016 debate. One of the most important things that we can give people is the dignity of work to enable them to support themselves and their families. They must be fairly remunerated for the duties carried out. Queensland is a fair society and our workers need to be protected to ensure that they are treated fairly in their workplace. Employers also need to know their obligations and their rights. In some countries that I have visited where there is inadequate protection for workers with reasonable minimum standards you find the working poor. We do not want that for our state. Without decent industrial relations laws workers are at the mercy of some rogue operating employers.

Some employers when they believe that the industrial relations laws are watered down do unfair things to people. That is when you hear stories of young people who get called in to work when there is no work and they just get to sit around and then are sent home without any pay. This is not the society that we want. We want dignity in our workplaces. The former Newman government set about attacking the working conditions of Queensland workers. The industrial relations laws need to be restored and updated.

During 2015 the Palaszczuk government approved an independent review of the state government's industrial relations laws and tribunal to provide recommendations for the industrial relations reform. This was an election priority for the Palaszczuk government. This is the first major review of the state industrial relations laws since 1998. The review was chaired by Mr Jim McGowan AM with representatives from key stakeholders, unions, employer organisations, the Queensland Bar Association and the Law Society.


The Industrial Relations Bill 2016 seeks to give effect to recommendations of the review report. The key proposals made in the bill include a set of minimum standards; collective bargaining as the cornerstone for setting wages and conditions; a set of individual rights to fair treatment; effective, transparent and accountable governance and reporting obligations for registered organisations; and an independent commission and court.

The state's industrial relations legislation needs to be fair and balanced and it needs to support the delivery of high-quality services, economic prosperity and social justice for Queenslanders. The bill will achieve that for employees and employers by providing a guaranteed safety net of fair, relevant and enforceable minimum employment conditions through the Queensland Employment Standards; preventing and eliminating discrimination, bullying and other unfair treatment in employment; and promoting collective bargaining, including by providing good-faith bargaining and establishing the primacy for collective agreements over individual agreements.

The most productive workplaces are ones where there is respect between the employer and the employee. The key objective in clause 4(e) of the bill provides for promoting productive and cooperative workplace relations, including by recognising mutual obligations of trust and confidence in the employment relationship. In exercising its functions, the QIRC is required to further the objectives of the act. The provision will promote a standard of ideal conduct for employees and employers. The objective is given effect through the range of protections in the statutory framework.

Remuneration for an employee's toil must be fair and not discriminate against any groups of workers. This bill strengthens the requirement for awards, including bargaining awards and certified agreements, to provide for equal remuneration for work of equal or comparable value. The equal remuneration provisions enable the QIRC to hear an equal remuneration case on application. The QIRC is required to ensure that new awards are subject to an equal remuneration test, which calls up the remuneration principle that is currently a statement of policy of the QIRC. In certifying or making bargaining instruments, the QIRC is required to be informed about the steps taken by parties to provide for equal remuneration. Also, when varying an existing award, making a determination or other functions relating to wages, the QIRC may give directions to parties to obtain and provide wage related information.

This bill is good for industrial relations. It is good for workers and for workplaces. I commend the bill to the House.

 **Ms SIMPSON** (Maroochydore—LNP) (9.53 pm): What a lot of rot. There will be fewer jobs as businesses will be unable to afford the additional holiday pay that this government is bringing in without consultation. I believe in fair pay for fair work. This government is treating small businesses like second-class citizens. They are the ones who will not be getting a fair pay for a fair day's work, despite their investments. They have leases and other expenditure that is locked in and now the government is throwing another expense at them, without giving them any consideration. What a sham! The government talks about supporting tourism and small business, but the evidence is in this bill: they do not give a damn about small business and tourism.

**Madam DEPUTY SPEAKER** (Ms Farmer): Order! I ask the member to withdraw that word.

**Ms SIMPSON:** I withdraw. They do not give a fig about small business and tourism in this state. I represent a beautiful area of the Sunshine Coast. I already see what happens on long weekends and public holidays because of the additional rates of pay that small business people have to pay. They shut their doors. They do not employ people.

**Ms Grace:** Rubbish.

**Madam DEPUTY SPEAKER:** Order! There are a lot of interjections and lots of very loud conversation. Please allow the member for Maroochydore to be heard.

**Ms SIMPSON:** I heard the minister say 'rubbish'. This minister has no idea, because this minister does not run a small business and does not pay the wages of people. In its notes on consultation, the government does not even mention the department responsible for tourism and small business. Why? Because they do not matter to it! The government has talked to the unions and it has talked to its mates, but those who will be paying the additional money, if they open their doors, have not been talked to. The department that is supposed to service those key areas of our economy has not been consulted, according to the explanatory notes to the bill.

I will explain something to the minister, who does not understand the economics of running a small business. Already they have to pay additional money to employ people on weekends. By putting in this additional public holiday, will they employ more people? No! In fact, many businesses will close their doors or, as I have seen often, the business owners themselves will have to narrow down the number of hours that they open.

**Mr Costigan:** They will be running around madly, doing everything.

**Ms SIMPSON:** Absolutely. That really upsets me, because not only are they paying the wages of the people we want to see employed; they are also paying fixed costs. They pay a lot of money for their leases and they pay a lot of other state government taxes, yet this government has not consulted with them. It has treated them absolutely like dirt. I want to see my tourism and hospitality industries flourish, rather than be hampered by the shackles of this government, which does not give a flying fig about them. It is about time that the government paid attention to the hospitality and tourism industries in our state, rather than bringing in this disgraceful piece of legislation without even consulting with those groups.

I oppose this union-bullying job-destroying piece of legislation. This bill is further proof that the Labor government is more interested in keeping its union mates happy than in supporting small business and growing the Queensland economy. The Sunshine Coast has one of the highest proportions of small business in Australia. A higher proportion of our population is involved in trying to make a living through their own efforts and capital by running small businesses than many other areas in Australia. Small business people do not always make a lot of money. They are not wealthy. They work hard. That is why it is a real kick in the guts that they have not even been consulted by this government. It is a real kick in the guts that we have a minister who does not understand that, when you impose additional costs upon people, it will have the impact that they will employ fewer people.

In a media statement, the Chamber of Commerce & Industry Queensland stated that the state government is damaging small businesses and the job market. I repeat: it is damaging small businesses and the job market. It says that the plans to create an extra public holiday will significantly increase the penalty rates paid by a large number of employers. The CCIQ estimates that on this day hospitality businesses would see their hourly wage rate increase by 43 per cent and retailers would see an increase of 25 per cent. That is substantial.

What world do those people opposite live in? That's right: it is not their money! Once again, their largess is with other people's money. Once again, the small business people—those businesses that are employing people and that are the job generators of the state—are being kicked in the guts by a government that does not give a flying fig about them. This decision comes with zero consultation with the business community and no regulatory impact statement. As I have noted, the government did not even mention the department responsible for small business and tourism, because they are not very important to it.

**An opposition member:** Which department are they?

**Ms SIMPSON:** That is right. They have ministers with business cards and titles, but they are not mentioned in the explanatory notes as having been consulted. I guess they do not matter, because the government did not care about them when it put together this piece of legislation.

The additional wage cost to the Queensland economy for the extra public holiday is estimated to be up to \$80 million. It is a lovely idea if you are not paying for it and this mob ain't paying for it. However, the economy will pay for it, and not only small businesses but also those who are not employed on that day because the employers will simply close their doors or curtail their hours. That will result in a loss of productivity as more cafes and restaurants close on a number of those days. We are already seeing that happen and this legislation will make it worse.

I do not know what world those opposite are living in, but obviously they are not paying attention to areas such as mine and those of many others—I know the member for Whitsunday was agreeing—because we see this in our communities. We want to see people employed. I know many young people who will not have jobs offered to them simply because the cost of wages will be out of the price range that businesses can support. That extra cost cannot simply be loaded on to the customers. It does not add up.

I note the objection lodged by the Queensland Hotels Association which said that there is no compelling evidence that Easter Sunday should be declared a public holiday. It stated—

The experience from other states shows that every party loses; businesses through loss of income, workers through loss of hours, community through loss of services and Governments through loss of taxes.

Once again, this mob has no idea. They are just going to do it. What about the additional wages cost that would be imposed on our burgeoning public sector? This cost is estimated at between \$4.8 million to \$13.3 million. With the current Palaszczuk government's public sector recruitment drive, who knows what that cost will blow out to. It is not their money, it is taxpayers' money that they are so good at spending.

Both the Brisbane City Council and the LGAQ asked the committee to make a recommendation against the bill and asked for it to be redrafted with proper consultation with stakeholders. Even the committee could not agree that the bill be passed. Both government and non-government members raised their concerns with regard to this legislation.

The LGAQ was a member of a review group and actively participated in the review. However, it commented that the group was chaired by a former trade union official, supported by a labour lawyer and dominated by trade union representatives. Thus, it is not difficult to assume that the outcomes from the review heavily favour the interests of the trade unions. I believe in the role that trade unions should


play, which is a servant, but they are the masters of this government. They are bad masters for Queenslanders because the balance is simply not there. We want to see balance. It needs to be fair for everybody, and this is not fair.

The legislation as proposed is not about workers' rights in Queensland, but about bullying workers to join unions through an industrial relations regime that would benefit union membership and give unions an enterprise bargaining monopoly. It would remove the ability of the state to intervene and terminate protected industrial action if there was a risk of significant damage to the Queensland economy or threat to the health and wellbeing of the local community.

This legislation would also remove the majority of accountability measures that were implemented by the LNP government to keep tabs on what union officials put on their credit cards and what donations they made to political parties. They will no longer have to disclose their spending for political purposes. They will no longer have to publish their financial register or disclose the salaries of the highest paid officers and board members. Where is the transparency and integrity? This bill is purely about this Labor government paying off what they owe to their union friends. That is not serving Queensland and not serving the workers well.

It is interesting that the minister will move about 86 amendments to her own legislation. What a shemuzzle. What a mess. Unfortunately, that will cost. This mob cannot even put their legislation together and know what they are doing. It is causing damage to our economy.

*(Time expired)*

 **Mrs SMITH** (Mount Ommaney—LNP) (10.02 pm): I rise to make a contribution to this debate in an attempt to halt another—

**Government members** interjected.

**Madam DEPUTY SPEAKER** (Ms Farmer): Order! Members on my right, please allow the member for Mount Ommaney to be heard.

**Mrs SMITH:** I rise to make a contribution to this debate in an attempt to halt a further nail in the coffin for small business that this bill attempts to inflict. I think it is absolutely laughable that those on the government side actually believe that they are acting in the best interests of small business. This bill is yet another example of how anti business this Palaszczuk Labor government is. This bill is yet another hit to the confidence of the business community. This is going to put at risk the livelihoods of mums and dads and place undue pressure on an already stressed small business sector.

Let me first draw the attention of the House to the chair's foreword in the committee report. The member for Sunnybank stated—

This Bill was developed by the government following the consultation process during and following the review.

We all heard how the review was made up. The member for Sunnybank needs to look up the definition of consultation. In their submission the CCIQ counters this statement when they said—

... our organisations express concern that the decision to declare Easter Sunday a public holiday was a last minute ministerial directive that occurred entirely outside the scope of the appointed Reference Group. CCIQ can confirm that no discussions were had on the proposal for an Easter Sunday public holiday as part of our participation in the Reference Group.

The CCIQ submission goes on to state—

Further, the business community expresses deep frustration with the lack of formal consultation on this issue. Our organisations believe the State Government should have exercised best practice legislative development by drawing on the views of those most impacted by the decision.

It sounds like a lot of consultation went on. We are seeing a pattern of this with this government. Last night we saw the watering down of the VLAD laws when the community clearly did not want that to occur. Now what we are seeing is that the business community will get Easter Sunday as a public holiday. That will have a huge impact on their businesses. How do I know this? I know this because I ran my own business for seven years—a butcher shop and cafe which operated seven days a week. I will get back to the devastating effects the Easter Sunday public holiday will have in a minute.

Last year this government brought in a range of laws about union encouragement and moving Labour Day back to May. Now that they brought in the Easter Sunday public holiday what we will see for business—and this is the reality—is that we will have Easter, then Anzac Day and then the May Day holiday. That will be six public holidays in a three-week period. That hurts cash flow. That is going to absolutely cruel cash flow. I know that. You sit there and shake your head. You have never run a business. Where was the minister for the three years—

**Madam DEPUTY SPEAKER:** Order! Could I ask the member to direct her comments through the chair.

**Mrs SMITH:** I apologise, Madam Deputy Speaker. Where was the minister during her three-year sabbatical? She did not open up a small business because she knew they would be a bunch of mugs. Employers employ people but they need to make a profit. You are absolutely destroying that, Minister. The ALP thinks so little of small business. The CCIQ gives examples of this.

**Ms Grace** interjected.

**Mrs SMITH:** Minister, let us have a look at the survey from 3 November 2016. That is two years after yours—

**Ms Grace** interjected.

**Madam DEPUTY SPEAKER:** Order! I am keen to discourage the minister and the member for Mount Ommaney from having a conversation. Minister, we have had some low level interjections from you. They are starting to ramp up. Member for Mount Ommaney, could you continue to address your comments through the chair.

**Mrs SMITH:** What we have in the minister is a business slayer. She is the slayer of businesses. That view is supported by the CCIQ survey of 3 November this year. A sizeable sample of 1,605 people were surveyed. Let us look at some of those results. People were asked, 'Do you believe the state government's policies are supportive of small business?' Some 60.9 per cent said that they worked against small business. They were then asked, 'How would you rate the performance of the state government?' Some 38.2 per cent rated it very poor. A total of 87.2 per cent of people think the government is average to very poor. If we work out the net favourability it is around minus 1,193.

I move on to the other provision in the bill which I think is really concerning—the introduction of the adverse outcome. By introducing this what the minister is effectively doing is cutting the legs out from under managers to actually be able to manage the departments and do their jobs. As I said, last year we saw the introduction of the union encouragement awards which included a clause asking managers to actively participate in encouraging union membership. Now we have managers who will not be able to make a decision for the fear hanging over their heads. For example, if somebody wants to change their hours but that does not suit departmental needs—they might be looking after a patient—the reverse onus is on the employer and the manager will be constantly paralysed in doing their job. That is not going to increase productivity. It is certainly not going to encourage good relationships. I do not think that anyone will want to take on a manager's job.

At the end of the day, we now know from all of these pieces of legislation that this is a government that is beholden to the unions. I want to give the House another example as to why this government is very unsupportive of small businesses, and it is another example of their standover union thuggery tactics. In 2011, I ran for the LNP. A local ALP branch member who was a customer stopped into my shop one afternoon and said to me that the local ALP branches knew that I was running for the LNP and had spread the word to their members to boycott shopping at my store and to tell their friends and family to do the same. They are the very people who are in this place today—42 members here.

The sad thing about that is that I was in the Forest Lake electorate employing 18 local people—18 local people had a job. I was an employer putting up the risk to try to get the rewards, to service the community and to employ 18 people. These types of laws are so destructive that you are absolutely discouraging businesses. I say to the minister, who, as I said, had three years sabbatical—did not go and open up a business, has never opened up a business, has only ever taken roles in the union and became a union heavyweight. All I can say to you, Minister, is that these laws—

**Ms DONALDSON:** Madam Deputy Speaker, I rise to a point of order. The member needs to address the minister through the chair.

**Madam DEPUTY SPEAKER** (Ms Farmer): Order! I think we have had that conversation. I call the member for Mount Ommaney.

**Mrs SMITH:** As I said, when you have a business and you have to pay the overheads and then you have to deal with customers who do not pay their bills, that is always a risk that the employer has to take. I just have to say to you, Minister, that this legislation is a destroyer of business.

**Madam DEPUTY SPEAKER:** Order! I ask the member to address her remarks through the chair.

**Government members** interjected.

**Madam DEPUTY SPEAKER:** Thank you, members. I think we can allow the member to continue speaking.

**Mrs SMITH:** As I said, this legislation is a destroyer of business. This legislation is strangling confidence in the business community. I absolutely oppose this legislation.

**Mr PEARCE** (Mirani—ALP) (10.12 pm): In rising to speak to the Industrial Relations Bill 2016, I want to remind members in this place that the Labor government made a commitment to Queenslanders to restore fairness to the state's industrial relations jurisdiction. That is just what this legislation is doing. Only Labor in government understands that Queenslanders want fairness and balance in their industrial laws. I know that most members in this place today who have some understanding of industrial relations in Queensland acknowledge that private sector workplaces are now covered by the national industrial relations system. Members should all be able to remember that as it all happened as a result of the hostile actions of the Howard government in 2005.

It is the state public sector in local government that will be covered under this legislation. I commend the Minister for Employment and Industrial Relations, Minister for Racing and Minister for Multicultural Affairs. The minister understands industrial relations. She is right across it. She knows her portfolio very well. I love to be here when she is on her feet because she certainly knows how to handle the shadow minister for industrial relations—and he does not like it.

Given the way workers from the German Creek mine near Middlemount have been treated by Anglo American under federal legislation, it is refreshing to learn that industrial parties can take industrial action at the same time they are in conciliation to resolve the matters in the dispute. The bill seeks to provide for protected action as a valid element of the bargaining process. It is very simple. If you can do that, you can make some headway. The collective bargaining charter of the bill, clause 163D, is about recognising the right of negotiating parties to take protected industrial action.

Martin Luther King Jr once called the corporate and political conservatives who mobilise against organised labour as 'labour haters'. He argues that if you reduce union activity economic prosperity will be unleashed. From experience—and if you understand what the multinational mining companies are doing to the economies of Central Queensland—it is certainly not about economic prosperity. Restricting union growth has always been bad for workers' economic and political freedom. In an article written for *Newsday* in March 2016, Robert Bruno wrote—

The cumulative weight of decades of social science has unquestionably demonstrated that union-bargained contracts provide workers with higher incomes, more and better benefits, and a stronger "voice" in the workplace.

Earlier in this debate members in this place at the time heard the member for Kawana open the manure gates and attack members on this side of the House. The member for Kawana has a history of demonstrated hate for unions. Every time he stands you can smell the odour of a compost pot. His language is foul. His intent is in the gutter. The member for Kawana can do nothing more than speak words of hate for people who choose to work in a unionised workplace.

**Mr Seeney:** Just like you hate the mining companies, Jim.

**Mr PEARCE:** I want to say to you guys over there that members sitting on that side of the House need to—

**Mr Seeney** interjected.

**Madam DEPUTY SPEAKER:** Order! Member for Callide.

**Mr PEARCE:** I will put a couple of questions to you. How many members sitting over there—

**Madam DEPUTY SPEAKER:** Order! I beg your pardon. I was going to ask you to speak through the chair, but I think that is what you are doing.

**Mr PEARCE:** How many members on that side of the House have family members working in a unionised workplace?

**Mr Costigan:** Is this question time?

**Mr PEARCE:** You would not be able to answer half of them. Do we have anybody over there who is a parent of a son or a daughter who has been done over by a boss who has ripped them off for wages, forced them to work in an unsafe workplace or not paid the going hourly rate?

**Ms Pease:** And what did you do?

**Mr PEARCE:** What did you do about it? I just wish every now and again that those opposite would acknowledge that the unions have made the workplace better and safer for employees. They make sure that the employees get what they are entitled to. I have seen it happen so many times where young people in particular have been done over by greedy bosses and they have no-one to turn to because they are not encouraged to join a union, and that is a shame.

I want to finish off by saying that, frankly, I am embarrassed by the behaviour of the member for Kawana. I am embarrassed for the LNP. I am embarrassed for this place.

**Mr HART:** Madam Deputy Speaker, I rise to a point of order. I really hate to interrupt the member when he is on a roll, but we are talking about a particular bill and he really has not spoken about the bill at all.

**Madam DEPUTY SPEAKER:** Given the debates that we have had tonight, I will allow the member to continue.

**Mr PEARCE:** Thank you, Madam Deputy Speaker, for protecting me. I think that the honourable member whom I speak of had a pretty good go at the people sitting on this side of the House. Sometimes I find myself focused on the member for Kawana and in the best interests of—

**Government members** interjected.

**Mr PEARCE:** No, this is good stuff; wait for it. In the best interests of my personal health, I do not intend to take the pathway of abuse we are accustomed to from that honourable member. In saying that, I do get some personal satisfaction because if you swap around the letters in the electorate name you get an understanding of what I think of the member—if you play Scrabble with that name. I can see a few lights flashing over there. Maybe we still have somebody interested. I have been a member of the miners union, now known as the CFMEU, for 30 years.

**Mr Seeney** interjected.

**Madam DEPUTY SPEAKER:** Order! Please allow the member for Mirani to be heard.

**Mr PEARCE:** I say to the member for Callide: you know as well as I do that I have not bothered to attack you like that wild dog—


**Madam DEPUTY SPEAKER:** Order! Member for Mirani, I ask you to direct your comments through the chair.

**Mr PEARCE:** I understand, Madam Deputy Speaker. Keep it down if you do not mind because I—

**Mr Seeney** interjected.

**Madam DEPUTY SPEAKER:** Order! I know the member for Mirani and the member for Callide are great buddies, but I ask for no conversations across the chamber. Member for Mirani, please direct your comments through the chair.

**Mr PEARCE:** Madam Deputy Speaker, you are so correct. I say to the member for Kawana: when the member continues to attack the integrity of the CFMEU, the member attacks the integrity of all members of the union and the member attacks my integrity. As the member for Callide knows, that is not a very good thing to do. I am an easygoing person. In fact, I consider myself to be a gentleman, but I have no love for a big mouth such as the member for Kawana.

 **Mr PYNE** (Cairns—Ind) (10.23 pm): I rise to speak in support of this bill's attempt to bring local government into line on workplace bullying. While I applaud many other aspects of this bill, it is the changes in this bill in relation to workplace bullying that I most appreciate.

Last year I called for an inquiry into local government in Queensland, stating that bullying, nepotism and toxic working environments are common. For more than a year I have been tabling examples of these matters and it is most disappointing that it has taken this long to legislate for change. Councils could be employers of choice—model employers. I can reliably inform this House that Queensland councils are in many cases toxic workplaces that have damaged, and will continue to damage, people.

Suicide and attempted suicide resulting from systemic bullying are usually not brought to the public's attention. As a result, those cases any of us know of personally are surely just the proverbial tip of the iceberg. A number of local issues have been brought to my office by constituents concerning such tragic circumstances. In relation to the Tablelands Regional Council, there were three suicides in just eight months. This sad reality was noticed by the deputy CEO who said, 'We are getting used to this now.' What a sad commentary that is.

Even closer to home in my electorate the Cairns Regional Council has proved to be a toxic workplace. Just prior to Christmas a senior staff member attempted suicide following bullying, harassment and dismissal, despite an unblemished employment record spanning 30 years. In September this year an employee of Cairns Regional Council—a beautiful young woman—committed suicide following prolonged bullying at work. This is not easy for me to speak about in detail in this place at this time.

More recently, a woman who was subjected to prolonged sexual harassment in the workplace took extended medical leave and has resigned as the only effective way to deal with the issue. My office regularly supports local government staff who are at their wits end. We hear it time and time again that bullying is systemic, akin to torture and emotional death by a thousand cuts. This silent killer destroys good people. It eats away at them daily, their families and relationships.

In October 2015, Tablelands resident and farmer Lyn O'Connor said there were serious problems, while fellow resident Jason Ward said concerned citizens were seeking to 'stop the harm' across-the-board. Mrs O'Connor said an inquiry was needed to 'pull apart all the causal effects'. I table some relevant documents to demonstrate my point that this is statewide and systemic.

*Tabled paper:* Document, dated 30 November 2016, titled 'Documents in support of IR Bill 2016—Re Bullying jurisdiction for local government employees' [\[2195\]](#).


Even with these changes there are many other contributing factors that need to be acknowledged and addressed in local government, and I will continue to agitate in this space and call for more to be done.

Without access to a bullying jurisdiction, councils in Queensland have become a place of institutional emotional abuse. The people who have allowed and encouraged this to fester are no better than the men of cloth and position who turned a blind eye to institutional child abuse. Council staff front up at work every day to be emotionally bullied by their superiors, managers, HR departments, CEOs and mayors who allow or encourage this or at the very least are bystanders.

For too long local government has been without access to any bullying jurisdiction and the behaviours that are now common, trained for, and encouraged in these workplaces has created a toxic culture. When an organisation's best practice HR techniques constitute breaches of human rights in any other jurisdiction or institution, there is something very wrong with our laws and those who are supposed to be enforcing them. This is not some video game where you hit refresh and start again the next day. There are some good people who are supporting damaged staff and collating data. These sorts of things that happen should be rare, not routine. There are too many children in Queensland who have no mother or father tucking them into bed at night because they were employees of a council or they were councillors.

When council staff say 'game over' they leave the workplace so damaged they are unemployable for an average of two years due to the mental health burden of betrayal and systemic abuse. The mental health burden that local government bullying is having is enormous, and it impacts on our communities and economies every day. This issue is not isolated to my electorate. The petition tabled by the member for Gympie on Tuesday speaks of at least 24 senior staff who have been sacked under the current CEO, Mr Bernard Smith. The email by Fraser Coast CEO Lisa Desmond which I have tabled today is not normal. That is not explainable by a change in strategic direction. That is only explainable in my mind as someone getting up to no good and a deliberate misuse of HR systems to manage good people out of employment. That is not in the public interest. In some communities, mental health service providers are snowed under with local government caseloads. It is great that people are seeking support. However, it still disgusts me that they have to.

I have high expectations for what this bill promises for local government employees. It is finally giving them a uniform bullying jurisdiction. I commend the elements of this bill that will provide a uniform bullying jurisdiction for all employees, and I hope to see further reforms to local government that will ensure greater fairness, justice and fair employment for all employees.

 **Miss BARTON** (Broadwater—LNP) (10.28 pm): I rise to speak this evening to the Industrial Relations Bill. At the outset, I can say that I do not intend to canvass every single element that is contained in this bill. My colleague the shadow minister for industrial relations and the member for Kawana did a fantastic job earlier this evening of putting the opposition's case. There are one or two things in particular that I want to highlight and focus on tonight.

I join with my LNP colleagues in opposing this bill. I am disappointed that there are some provisions with respect to domestic and family violence leave. I note that the member for Condamine touched on that in his contribution. I think it is particularly disappointing today on a day where many members of this House are wearing white ribbons and many members of this House took an oath. We acknowledge the bipartisan support that reforms around domestic and family violence have had, but there are some very important and well-thought-out provisions that are contained in this bill that, quite frankly, the opposition were never going to be able to support. I think it is a real shame that we have a government that is looking to play wedge politics with such an important issue.

The issues that I wanted to touch on in my contribution this evening relate to the public holiday being declared for Easter Sunday as well as the state's ability to intervene and terminate industrial action. I will touch, firstly, on the decision to make Easter Sunday a public holiday. I am very, very lucky to represent an amazing part of Queensland. Over long weekends like Easter and many others, particularly in the lead-up to the Christmas period, my electorate—like so many others around Queensland and particularly on the coast—is home to many visitors and many tourists. Over the Easter long weekend, the Gold Coast is a very, very popular destination for tourists to visit.

**Mrs Stuckey:** It's a full house.

**Miss BARTON:** I take the interjection from the member for Currumbin and a former minister for tourism—the Gold Coast is indeed a full house over the Easter long weekend. One of the things we are really proud of not only in my electorate of Broadwater but across the Gold Coast is the fantastic offerings that we have—whether it is the many, many restaurants which are small businesses in my electorate or some of the larger entertainment and family tourist offerings that we have on the broader Gold Coast. It really concerns me that we are debating tonight as part of this legislation a provision that is going to make it so much more difficult for those small businesses which are tourism operators or hospitality operators, particularly on the Gold Coast. It is really disappointing that the House is debating a provision that will make it so much harder for small businesses in those tourist areas—whether it is the Gold Coast, the Sunshine Coast, North Queensland, Far North Queensland or the Whitsundays. The government is looking to pass a provision that is going to make it so much more difficult for small businesses to be able to operate during their peak periods for tourists.

We know that if you make it too expensive for small businesses to be able to operate then they just will not open. I remember at Easter last year there was a lot of debate in the media on the Gold Coast around the fact that a lot of small business operators could not afford to operate over the Easter long weekend. That means that tourists who come to Queensland do not get the opportunity to see the fantastic offerings of our many small business tourism and hospitality operators. It also means that those who work in those small businesses—those who work at the many cafes in my electorate, or the many restaurants and hotels that the member for Whitsunday has, or the many restaurants and cafes that the member for Maroochydore has on the Sunshine Coast—will not be able to earn any money because those places will not open.

We have to be very conscious of the impact that this provision will have particularly on small business, but I do not think any of us on this side of the House are really surprised by the lack of concern that Labor Party members have for small business in this state. We know that they do not understand small business, that they do not come from small business, that they are not small business. One of the things that we are really, really proud of on this side of the House is that we believe in small business. We believe in supporting and enabling them and working with them because they are the economic powerhouse of this state. We are seeing tonight the Labor Party looking to really attack our small business operators.

**Mrs Stuckey** interjected.

**Miss BARTON:** They are discriminating against small business operators—I thank the member for Currumbin—in tourist hubs from the Gold Coast up to the cape by making it so much more difficult for them to operate. That is really disappointing, particularly when we see just how important tourism is not only for the Gold Coast but across Queensland.


The other issue I want to touch on is the removal of the state's ability to intervene in or to terminate industrial action. We have seen consistently across Queensland that there are some unions which see industrial action not as a tool to raise what may be very genuine safety concerns but as a tool to disrupt business, to disrupt the economy and to disrupt job growth in this state. We have seen, particularly on the Gold Coast, the ill effects of this kind of industrial action. We just need to look at all the work stoppages that we have seen at the Commonwealth Games sites.

We have seen consistently that unions like the CFMEU are not using industrial action as a tool for which it was originally intended—to raise genuine concerns about safety on a work site—but they are using industrial action to disrupt job growth and to disrupt the economy. This is having very significant and serious consequences not only on the Gold Coast, where construction is a very significant pillar of our economy, but across Queensland. This has been a significant issue for many years. I am sure we all remember the abhorrent action that was taken during the construction of the Children's Hospital here in Brisbane. It beggars belief that an industrial organisation would wish to use the construction of a Children's Hospital to play politics. It beggars belief, but then again when it comes to the actions of organisations like the CFMEU I am sure to members on this side of the House it really does not come as a surprise.

We have seen in contributions earlier today and particularly after the election all of the acknowledgements of the unions and their union mates. We know that the Labor Party is of unions, for unions and by unions. The legislation that we have before us today is looking to strike through the heart of small business, through the heart of the construction industry and through the heart of local economies. Whether it is in the construction industry, small business or local government authorities, what we see very, very clearly tonight is that this government, like all Labor governments, is controlled and dictated to by unions.

I saw senior union officials earlier today in the parliament clearly looking to lobby those last few votes of the crossbenches because they know that this is all about what they want and it has nothing to do with what everyday Queenslanders want. This is not about protecting small business, and that is what the LNP will stand up for with respect to the Easter Sunday public holiday. That is what the LNP will stand up for when it comes to saying that the government should in some cases intervene and should have the right to intervene and terminate industrial action.

It is a shame that the government are playing politics around some of the domestic and family violence reforms in this debate tonight. They are clearly playing wedge politics by putting a provision such as the one they are including tonight in a bill that they know the LNP will not be able to support. It is disgraceful that this Labor government would play politics on this day with leave for domestic and family violence victims.

 **Mrs STUCKEY** (Currumbin—LNP) (10.39 pm): I rise to contribute to the Industrial Relations Bill 2016. Before I address aspects of this bill, I wish to acknowledge that fateful day of Tuesday, 25 October, when four people lost their lives in a tragic accident while enjoying a ride at Dreamworld. I am sure all honourable members join with me and look forward to a new beginning when Dreamworld reopens on 10 December.

I also want to recognise the dangers of working in construction and the need to have adequate workplace safety regulations and practices. Two lives lost at Eagle Farm recently highlight the ever-present risk to human life when unexpected circumstances occur. Stringent safety protocols are essential. There is no dispute about that. That is not what we are debating here tonight.

The objectives of the bill are to repeal the current Industrial Relations Act 1999 and to establish a framework for industrial relations in Queensland. Additionally, the bill seeks to amend the Holidays Act 1983 to provide that, from 2017, Easter Sunday will be a public holiday. The closing date for submissions was 30 September of this year and a total of 44 submissions were received by the committee including a number that were provided confidentially.

In what is becoming a frequent occurrence, yet another parliamentary committee—this time the Finance and Administration Committee—was not able to reach a majority decision to recommend that the bill be passed. I am not surprised that agreement could not be reached when we read the non-government statement of reservation that describes this bill as union-bullying, job-destroying legislation that should be reworked and rethought. We probably should add ‘and chucked out’. Of particular interest to me is the change in classification of Easter Sunday to a public holiday. However, there were other provisions that can only be described as blind union worshipping.

What is concerning to not only the LNP but also the wider public is the fact that this legislation winds back a number of other accountability and transparency measures that made union bosses answerable to grassroots union members on how their union dues are spent—items such as the register of political spending and all credit card registers. Who can forget the Craig Thomson fiasco? There is the register of loans, grants and donations; publication and updating of financial registers; and disclosing spending for political purposes and disclosing political party affiliation fees.

Key stakeholders such as the Queensland Hotels Association said there is no compelling evidence that Easter Sunday should be declared a public holiday. The experience from other states shows that every party loses—business through loss of income, workers through loss of hours, community through loss of services and governments through loss of taxes. The LGAQ asked the committee to set the bill aside and develop a bill with proper consultation with stakeholders. They noted the review group was chaired by a former trade union official, supported by a Labor lawyer and dominated by trade union representatives, and it heavily favoured the views and interests of trade unions. There were only three employer representatives in the 20-member IR Legislative Reform Reference Group.

It is the comments from those in my electorate of Currumbin that I wish to share with honourable members here in the House tonight as they are the people whom I represent directly. The centre manager at The Pines, Elanora and local chamber president said—

... the main thing is to understand that shops in shopping centres on this part of the coast aren't allowed to open anyway, so does this proposal mean that shops in those centres will have to give an alternative day for the Sunday making it 5 public holiday days in effect.

Perhaps the minister will be able to address that. The centre manager goes on—

Currently the following is the case—Good Friday—Centres are closed, Saturday—Public Holiday—penalty rates apply, Sunday—Centres are closed, Monday—Public Holiday—penalty rates apply.

If there will be a requirement to provide an alternative day then this will put pressure on businesses and increase costs. For those businesses that are allowed to open on Sunday it will depend how the penalty rates for that industry apply if it will impact costs and each industry may be affected differently in this respect. Sunday and Public Holiday penalties may not be the same.

Just as a note of interest, last year when the building works were going on there was no building works undertaken during the whole Easter period so making an extra public holiday seems to be something to appease unions, but in reality won't be really be any good for anyone else! Much like messing around with Labour Day and making it fixed in May has done, creating havoc around Easter, Anzacs and Labour day next year, where there are 6 holidays in 18 days in 2017!

A tourism and events organisation said—

This legislation is clearly aimed as being a means of increasing the pay packets of workers—highly impractical—does not come from a position of common sense—another step to making the Gold Coast & the rest of Qld more expensive over Easter as a result of a compounding cost base.

Another large local tourism business stated—

Public holiday rates do more to close businesses or put stress on those working as staff levels at higher penalty rates render the businesses unviable.

A representative of retailers at The Strand said—

We do not support making Easter Sunday a public holiday. It would essentially encourage more retailers to close for the day to avoid paying penalty rates.

It is very telling that people do not want to reveal their names as they fear retribution from unions and this Palaszczuk Labor government. Businesses and related organisations are furious at the zero consultation in relation to the declaration that Easter Sunday would be made a public holiday. The minister has lost the confidence of many groups by pandering to the shoppies union after the SDA donated \$38,000 to the Queensland branch of the Labor party and then promptly announced this public holiday. In her haste she forgot to amend the Trading (Allowable Hours) Act 1990, which means the shops cannot open even if Easter Sunday is a declared public holiday.

The 2018 Commonwealth Games is the biggest sporting event in Australia for a decade and is a \$2 billion investment. Deliberate stop-work meetings on key games work sites infuriated Gold Coast residents. Day after day we were told of workers stopping twice a day for two hours. On 29 July 2016 a *Courier-Mail* article by Melanie Petrinec exposed the CFMEU admitting it deliberately set out to cause maximum disruption on a \$126 million taxpayer funded Commonwealth Games worksite, but defiantly said 'so what?' The union's lawyers told a Federal Court hearing it was entitled to hold almost 70 hours of stop-work meetings in May, which put critical deadlines for the Carrara Sports and Recreation project at risk and cost the head contractor \$700,000. I understand some 70 subcontractors were stood down as well. On 18 August in the *Gold Coast Bulletin* Paul Weston wrote—

PREMIER Annastacia Palaszczuk has ruled out her government intervening to stop any further industrial action at Games sites, despite it putting taxpayer dollars at risk.

...

A ... report ... revealed the Carrara Sports Precinct had not been visited once by State Government inspectors, despite the site being plagued by union disputes.

...

... Hansen Yuncken, said the project had suffered nonrecoverable staff-related costs of \$243,000 due to the industrial action.

Did the Premier and Labor MPs condemn the actions or chastise those involved? No, of course they did not. They did absolutely nothing except turn a blind eye to the typical antiwork form of their beloved union heavies. Further provisions in this legislation would remove the ability of the state to intervene and terminate protected industrial action if there was a risk of significant damage to the Queensland economy and is threatening or would threaten to endanger the health and wellbeing of the local community. Matthew Killoran wrote in the *Courier-Mail* on 21 Oct 2016—

QUEENSLAND has had the highest number of new investigations into alleged unlawful industrial activity launched by the national construction watchdog for the second year running ...

What more proof do Queenslanders need that unions are holding this state to ransom? It goes on—

The watchdog launched 35 new investigations into alleged workplace law breaches on construction sites in Queensland during 2015-16, well above the 28 investigations in Victoria and 27 in NSW.

Yet this Labor government wants to hand these thugs more power? On 31 October 2016, Matthew Connors wrote in the *Courier-Mail*—

The stoush over the CFMEU follows revelations in yesterday's *Sunday Mail* showing the rogue union's actions are costing Queensland 17,000 jobs.

This legislation would also see the transferral of the jurisdiction to determine antibullying claims to the QIRC. Des Houghton wrote in the *Courier-Mail*—

Filthy language dribbled from the union bosses' mouths within earshot of schoolgirls yesterday when militant unionists marched in Fortitude Valley in support in aggrieved workers in faraway Melbourne.

We hear Labor MPs endorsing these bullying, thuggery, foul language and standover tactics. One of their good pals, a former state president, threatened to stuff a phone down a worksite manager's throat and spray him with water. The CFMEU are strongarming Queensland companies into releasing personal addresses of thousands of workers who have not joined their union. This actually happened to a good friend of mine who was visited by two union reps at work—not one, but two. They arrived unannounced at her desk and tried to strongarm her into joining.

Labor do not care about jobs and they certainly do not like small businesses. Democracy—that is, equality and fairness—flies out the window when it comes to bullish unions and I oppose it—

(Time expired)



**Hon. SM FENTIMAN** (Waterford—ALP) (Minister for Communities, Women and Youth, Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence) (10.48 pm): As Minister for the Prevention of Domestic and Family Violence, I am so proud to lend my support to the Industrial Relations Bill which, if passed, will make Queensland the first jurisdiction to legislate for domestic and family violence leave.

Domestic and family violence is absolutely a workplace issue. Two-thirds of women who experience domestic and family violence are in the workforce, and when workers are affected by domestic and family violence the organisation suffers from increased absenteeism, a reduction in performance and safety for everyone and victims, and their colleagues can be put at risk. For some women the workplace is the only place they feel safe and the only space where they have to talk to someone about the violence and the intimidation they experience at home. Their workmates may be the only people in their lives who can help them plan and execute their exit, and of course it is almost impossible to leave a violent relationship without an income.

The Queensland government was told in the *Not now, not ever* report to act as a model employer, and we have. We have implemented 10 days leave as part of supportive workplace packages across government; training for staff in the form of recognise, respond and refer online training which empowers staff to support their colleagues experiencing violence; \$6.8 million for the training of front-line professionals to support the delivery of quality services to upskill workers, particularly in rural and remote locations; and of course we have joined the national campaign calling for 10 days paid leave in the National Employment Standards. We think that more organisations should join major companies like Telstra, NAB, Virgin Australia and Ikea to provide this much needed leave to their employees.

Sadly, this position does not have the federal government's support. Senator Michaelia Cash, who holds the industrial relations, employment and women portfolios, says that domestic and family violence leave could provide a 'perverse disincentive' from hiring women. We have heard that before: it is the same argument once used against maternity leave, which is now considered a universal right. What would we expect from a government that has instructed agencies and departments to reject paid domestic and family violence leave provisions in Public Service bargaining, which was a move criticised by everyone from the YWCA to the Human Rights Commission.

The Australian Council of Trade Unions is currently running a case in the Fair Work Commission for 10 days paid domestic violence leave in addition to any other paid leave entitlements to attend doctors appointments, court hearings, finding somewhere safe to live or a new school for children et cetera without putting their job at risk. Along with my colleagues Minister Grace and Minister Bailey, I attended an event to mark the first day of this case before the commission as part of the 'We Won't

Wait' campaign. I was very pleased when Brisbane hosted the national COAG summit on reducing violence against women. Our Premier Anastacia Palaszczuk joined the Victorian and South Australian premiers in lending support for the inclusion of domestic violence leave in the National Employment Standards.

Queensland is once again leading the way in this important policy area, and it is adding to the tremendous reforms already achieved in combating domestic and family violence which will be a lasting legacy of the Palaszczuk government. I commend the bill to the House and eagerly await the outcome of the Fair Work Commission.

**Mr NICHOLLS** (Clayfield—LNP) (Leader of the Opposition) (10.53 pm): There is good that unions do and have done, but there is much that is bad, illegal and immoral which is done in the name of the hardworking union membership. It is done by union bosses, and that is why the changes that we are seeing here tonight which have been introduced by the minister will be opposed by the LNP.

At the outset let us be clear that this is nothing more than a payoff by the Palaszczuk Labor government to the union movement for the support they gave them during the election campaign and ever since. This is a movement led by career union agitators who no longer truly reflect their membership but come from the ranks of those who manipulate the genuine and legitimate needs of their members for their own self-serving purposes—a union plutocracy concentrating on the privileges of the few over the needs of the many.

Nowhere is this more obvious than with the minister who has introduced the Industrial Relations Bill tonight: a former secretary of the Queensland Council of Unions who was parachuted into a safe seat in 2007; who failed to make any impression in the then Labor government from 2007 to 2012; was consigned to the back ranks of this chamber and not given any chance of advancement or moving forward until 2012—

**Mr POWER:** Mr Deputy Speaker, I rise to a point of order. Is this personal abuse in any way relevant to the bill?

**Mr DEPUTY SPEAKER** (Mr Furner): Order! There is no point of order. I call the Leader of the Opposition.

**Mr NICHOLLS:**—until she lost the seat. When she lost, what sinecure did she then find? A home in the Queensland Nurses' Union, which was notoriously silent on Labor's bungled Health payroll and which sold its members short but which never got up and said, 'Get rid of this slack, lazy Bligh Labor government that either pays people too much, too little, pays dead people and cannot organise a system.' It was a government that never accepted responsibility. The former member for Rockhampton, who put it in place, said, 'It wasn't my fault.' The former member for Lytton, who was the health minister, said, 'It wasn't my fault.' The premier in charge of the lot said it was not her fault. We had a Treasurer who knew nothing about what was going on, and we had taxpayers forking out \$1.2 million for the pleasure of—

**Mrs LAUGA:** Mr Deputy Speaker, I rise to a point of order. I have to question what relevance Health has to do with this bill. Surely the member needs to be brought back to the relevance of the discussion.

**Mr DEPUTY SPEAKER:** There is no point of order. I call the Leader of the Opposition.

**Mr NICHOLLS:** The Queensland Nurses' Union is a union that operates under the auspices of the Queensland industrial relations legislation. We are discussing industrial relations legislation here in Queensland, and the member for Whitsunday wonders what the relevance is. Well, that tells you everything you need to know about the member—

**Honourable members** interjected.

**Mr NICHOLLS:** Mr Deputy Speaker, I am forced to apologise to my good friend, the member for Whitsunday. I have put words into his mouth and I have attributed to him to the worst of motives, when of course I was referring to the member for Keppel. That says everything we need to know about the member for Keppel.

Returning to my point, the Queensland Nurses' Union sat shamefully silent for a year while nurses were not being paid and refused to take up the cudgels for its members. Who was a member of that union? Who slotted into that sinecure after losing Brisbane Central in 2012? Today's Minister for Industrial Relations, the 'minister for 85 amendments'. How many amendments did we have in the racing bill: 200 or 300? This is the 'minister for not getting her legislation right the first time'. After the change of government to the LNP, the Queensland Nurses' Union never stopped complaining, despite securing a three per cent wage rise within three months of the change of government.

Without any argument they got their deal. They saw their members being paid week in and week out and the system was fixed. They saw hospitals being built like the Sunshine Coast University Hospital—a hospital that the Labor government had not delivered year in and year out—that was delivered six months early and was funded and put in place by the LNP. The LNP government returned birthing services to places like Beaudesert and provided double the patient travel subsidy schemes so that people could get to those services after there being no change for 10 years by the Labor Party. That tells you all you need to know about the bloated union plutocracy: they act in their own best interests and not in the interests of their members.

This is a government that is hopelessly compromised by conflicts of interest between union bosses who those over there rely on for their preselection and the duty to act in the best interests of Queensland. This is truly a government of the unions, by the unions, for the unions. There is no greater evidence of that than the fact that at no time during the minister's introductory speech did she mention the taxpayers of Queensland who will be paying the bill for the services that those taxpayers expect. Will there be better services as a result of this? At no stage did the minister mention the ratepayers of the local governments who will be forced to pay the bill, nor that they will be getting any better services as a result of these changes.

At no stage did this minister mention the unincorporated associations covered by this bill in terms of how this will benefit their business and help them to sell more and better products to their customers. At no stage of this debate did this minister say, 'This will be better for consumers in Queensland.' This bill is all about it being better for the union bosses of Queensland and no-one else.

There was no mention of better government services, no mention of better local government services, no mention of consumer benefits and no mention of what impact it will have on businesses, other than the fact that it will cost them an estimated \$53 million a year. That is the reality of the thought process of this government as it goes about paying back its union paymasters for all of the support, all of the dirty tricks and the \$178,000 that the shoppies poured into the Labor Party in this state this year alone.


Let me talk about the shoppies. I was harking back to some changes and what did I find? I found a new union to challenge the shoppies after a massive wages scandal. There was a 15-month Fairfax media investigation—those opposite cannot blame the media—that revealed how the deals left more than 250,000 workers paid less than the award, the basic wages safety net, and saved big business more than an estimated \$300 million a year. It showed the shoppies in cosy deals with big businesses—I have no truck with big businesses that do not do the right thing—trying to save them \$300 million a year.

One would expect that such a Socialist Left government would not support the shoppies because what do the shoppies do? They oppose gay marriage. The shoppies under Joe de Bruyn were the last bulwark in the labour movement against the left-wing agenda being driven over there. Some \$178,000 they took off them.

**Mr DEPUTY SPEAKER:** Leader of the Opposition, I will bring you back to the long title of the bill.

**Mr NICHOLLS:** Of course, there was no mention of the deals done by Bill Shorten and Cleanevent staff, who lost \$400 million under the deal. I particularly want to mention the changes in relation to union accountability. At a time when the federal parliament sees fit to pass measures about increasing union accountability so that we do not see debacles like those of the Craig Thomsons of the world, or F100s and F250s in Western Australia, or hear stories of the Health Services Union—we know that Stephen Conroy was replaced by Kimberley Kitching, who has such a notable record in the Health Services Union; she even sat tests for six union officials—we are seeing the removal of the accountability measures that should be in place to ensure that union members, whom those opposite speak so fondly of, have the right to know how their money is being spent, what political affiliations are being put in place, what credit cards are being used to pay for and myriad other measures put in place in relation to disclosure of salaries, publication of financial disclosures, remuneration and benefits of officers. This is nothing more than simple union payback—a government of the unions, by the unions, for the unions, led by a former failed union leader. It should be opposed.

*(Time expired)*

 **Mr COSTIGAN** (Whitsunday—LNP) (11.03 pm): I rise to make a contribution to the debate of the Industrial Relations Bill 2016. While there are some measures in the bill that have some merit—I refer to the family and domestic violence leave provisions—from my perspective this piece of legislation is ill-conceived, fundamentally flawed and a kick in the guts for small business right across the length and

breadth of Queensland, including in my electorate of Whitsunday and particularly the tourist town of Airlie Beach. Tomorrow morning, when the sun rises in the place that I call paradise, I wonder what the local chamber of commerce will have to say about this legislation, if in fact it is passed here tonight. I have a pretty good idea.

**Mr Perrett:** I know what they'll say.

**Mr COSTIGAN:** I have a pretty good idea. I take that interjection from the member for Gympie. I mention Allan Milostic, Mark Beale, Anne-Marie Oxley, Jimmy Duncan, Luke McCaul and Judy Porter. Last month the chamber of commerce hosted a breakfast at which the guest speakers included none other than the Premier of Queensland and the Minister for Small Business. There was no mention of the sort of prize the government has for them before Christmas: 'We have a Christmas present coming for you mob and your members.' Guess what? It stinks like a polecat. All of those members of the Whitsunday Coast Chamber of Commerce will look forward to reading about this burden on them. Those people who have cafes, restaurants or retail shops on the main street of Airlie Beach have a nasty surprise coming their way. There will be an increase of 43 per cent for those in hospitality due to the need to pay penalty rates as a result of Easter Sunday being gazetted as a public holiday. It will result in increases of about 25 per cent in the retail precinct.

Members could go through Airlie Beach and talk to Leni Fries from La Tabella, one of the fine restaurants on the esplanade. She will be in meltdown at the thought of this and she will not be alone. Members could go and see Harry at Harry's Corner, right next to the Heart Hotel, where the Premier's office gave me the big A last month. Members could go and see Harry. He has stood the test of time. I think he came back in the days of the pilots dispute. What he does not know about Airlie Beach and tourism probably ain't worth knowing. He is one of the little blokes.

I said when I first came into this place that I would stand up for the forgotten people. I was a member of the union. There is no doubt that the trade union movement has helped make this country a better place, but we will not condone thuggery and grubs and bullying and all this sort of rot that goes on from the trade union thugs that have become infamous in this state.

**Mr Bleijie** interjected.

**Mr COSTIGAN:** I hear the interjection from the member for Kawana. I will tell a little story. I remember that when I was a member of the Australian Journalists Association I received a phone call. The phone call came in to what was RTQ7, WIN Television—I think it was demolished this week—the spiritual home of television in Central Queensland. The phone call came in from this union hack in the big smoke. We heard from them every year. I said, 'Mate, we only hear from you once a year. We never see you. Do you realise we are three centimetres above you on the map?' We never saw them; all they wanted was the money. I remember seeing the look on Karl Stefanovic's face. I said, 'You can stick it up your Jatz cracker,' and I quit the union because I had had a gutful.

I have to say that it is not only the Airlie Beach Chamber of Commerce that has concerns; it is also the Mackay Chamber of Commerce, the Bowen Chamber of Commerce and the Proserpine Chamber of Commerce. I wonder what Bruce Hedditch at the Bowen chamber is thinking tonight. He would be drowning his sorrows at the Larrikin Hotel, thinking, 'Here is another kick in the guts.'

**Mrs Lauga** interjected.

**Mr DEPUTY SPEAKER** (Mr Furner): Order! Member for Keppel, your interjections are not being taken. I will give you caution.

**Mr COSTIGAN:** I wonder what the great publican at the Larrikin Hotel, Bruce Hedditch, would be doing. I think he would be drowning his sorrows tonight after another kick in the guts. He is probably watching events unfold here on George Street tonight. As the member for Burdekin would know, Bowen has been to hell and back. On the Proserpine Chamber of Commerce there are people like Chris Patrick and Karen Vloedmans. I am a proud member of that chamber. In fact, not long ago I addressed the chamber about my great vision for the electorate—that is, the job-creating project that is Urannah Dam. On the Mackay Chamber of Commerce there are people like Peter Jones-Trifelly and Kylie Porter.

It was interesting to hear the contributions of the members for Mackay and Mirani tonight. They made not one mention of what this legislation will mean for their local chambers of commerce. They should go and talk to the traders. I suggest that the member for Mirani goes along Central Street, Sarina; Broad Street, Sarina; and Dutton Street, Walkerston. The office of the member for Mackay is smack-bang in the city heart, in Sydney Street—around the corner from Porters, as in Kylie Porter, who has given great service to the local chamber of commerce. She is in fact the great-great-granddaughter

of Charles Porter, who started that firm in 1883. Small business in a lot of parts of Central and North Queensland has been to hell and back—not only in Bowen at the top of the Whitsundays but also across my electorate and far and wide.

Those opposite should go and talk to people in Townsville on The Strand—people like Carolyn McManus at the Coffee Club on The Strand. They should go and see what Carolyn has to say about this kick in the pants. They should go and talk to Tony Basher at Barnacle Bill's on The Esplanade in Cairns. I see the member for Barron River come to life. I tell him what: if he goes in there and gets an oyster, I would not be eating it! Tony is a good man, but he has probably had it up to here with the socialist members opposite because, at the end of the day, they just do not get it. They do not get small business.


I will be going back to my chambers of commerce at the conclusion of this sitting week and listening to their concerns. I come back to what happened there only last month. The whole Red Army minus the red subs from Vladivostok came into Airlie Beach. They had the business breakfast and the Minister for Small Business did not say boo about what was coming for members of the Whitsunday Coast Chamber of Commerce and nor did the Premier of the state of the Queensland.

Not only is this a kick in the guts for small business across my electorate and beyond; it is also a kick in the guts for local government. I wonder what the mayor of Mackay must have thought. He was in talking to the member for Gladstone today. This is another kick in the guts for local government. This week I spoke in the chamber about the Townsville City Council—that Labor administration in Walker Street. It is costing \$27,000 a day extra as of a couple of weeks ago because they had to press the go button to pump the water from the Burdekin because there is a crisis situation in relation to the Ross River Dam, hence the need for water security in Townsville. Guess what? That is another burden on the Townsville City Council and the Cairns Regional Council. I reckon Bob Manning will be shaking his head in disbelief.

What about those smaller councils? We heard from the member for Gregory, didn't we? What about those western councils? What about Joyce McCulloch, the Mayor of Mount Isa? It was a great pleasure to catch up with Mayor McCulloch, the first female mayor in the history of Mount Isa. I bet you she is not jumping up and down at the old Boyd's Hotel having a few beers tonight in relation to this if it is passed, and nor is Liz Schmidt in Charters Towers, nor is Joe Paronella on the Tablelands, nor is Tom Gilmore at Mareeba, nor is Andrew Willcox in the Whitsundays, nor is Lyn McLaughlin in Burdekin and on it goes.

This is ill-conceived legislation. It is fundamentally flawed and I have no doubt from a local government point of view it will be talked about in circles well and truly in the coming weeks and months right up until that big conference on the Tablelands next July because local government is going through a lot of pain at the moment, but I have to say that my primary concern tonight is representing the people of Whitsunday—people like Kevin Collins at Fish D'Vine, Leni Fries at La Tabella, Mr Bones sidewalk cafe, Capers, Mark Bell and the team at the Airlie Beach Hotel. What happens to those workers who come to work and the boss says, 'I'm sorry. We're not opening today,' in the Whitsundays? I say that the Whitsundays is open for business, and Airlie Beach is such an iconic tourist town. We need those businesses rocking and open for business. For the hospitality workers, imagine coming to work and the boss saying, 'Sorry, no job on. We're not opening on Easter Sunday.' That concerns me greatly. The lack of consultation has been breathtaking.

What about that reference group loaded up with hacks—left-leaning hacks? They all went that way, didn't they, except three, if memory serves me right, from the bread and butter world of small business? My grandfather had a small business at Nebo for nearly 20 years in the late forties, fifties and into the sixties, and I tell members what: he will come back and haunt some of this mob because this is, as I say, a kick in the guts for local government and indeed small business, which of course is so critical in a town like Airlie Beach where tourism is the lifeblood of our local community. I cannot believe that those opposite have basically treated small business with contempt, not only in Airlie Beach but in the southern part of the electorate and people like Craig Stewart, the butcher at the Mount Pleasant Shopping Centre, and Steve Jackson, the chicken man and the former Canberra grand final hero from 1989. They all are battling to keep their heads afloat and they need this like a hole in the head!

 **Mr WATTS** (Toowoomba North—LNP) (11.13 pm): I do not look forward to following the member for Whitsunday because he knows everybody in his electorate and he is a great local representative, so I can only hope to emulate his effort. I rise to oppose the Industrial Relations Bill. Ultimately, what is the fundamental purpose and need that the people of Queensland have for this bill to be brought

forward? What is the big benefit in this bill for the mums and dads sitting around their kitchen tables adding up their bills? Is it that union officials will no longer have to keep a register of their political spending? Is it that their credit cards will not need to be registered? Is it that they will not need to register their loans, grants or donations? I am wondering how any of this is going to benefit those mums and dads, and why is it those union officials are worried about that level of transparency and accountability? The only reason you could possibly be worried about that level of transparency and accountability is that you are either embarrassed, have something to hide or would like to mislead the people of Queensland and your membership as to what it is you are doing with the money.

Why would you not want to publish a financial disclosure? I do not know why you would not want to do that. Why would you not want your remuneration known by your membership, because they pay that? The people of Queensland pay my salary and it is published. I do not have a big issue with that. I am happy for that to be published. These union officials are representing members who pay their fees. Why are they not entitled to know how much they are getting paid? I wonder how this piece of legislation is going to help the mums and dads of Queensland—the hardworking families of Queensland? How is it going to help them by making these changes that remove the accountability and the transparency that the union officials have to show? How does it help their members? How do their members benefit from having transparency and accountability measures removed? I do not understand how that is going to help them. It is interesting to read the LGAQ's submission, which states—

The LGAQ notes the government's reference to this bill implementing all the recommendations arising out of an independent review of the state's industrial relations laws and tribunals. The LGAQ was a member of the Review group and actively participated in the review; however, it is also important to record that the Group was chaired by a former trade union official, supported by a labour lawyer and was dominated by trade union representatives. Without denigrating the efficacy and capability of the Chair Mr Jim McGowan or his support staff, it is fair to say that the outcomes from the review, as expected, heavily favoured the views and interests of trade unions.

If the LGAQ is worried about that, we have to ask: why would it be worried about that and why would it favour the trade unions and what is the consequence for the people of Queensland when that happens? The consequence is that the union will use its power and coercive nature of getting people's membership and the ability to be able to hold the local government to ransom for various deals and the local government will have to yield because the power has been given to them to do that and when they have to yield they will have to spend more money and the mums and dads of Queensland will have their rates go up. That is the consequence. What we can say is that the government implemented a review and it stacked the review to make sure that it got the outcome that it wanted from the review so that it could extort the mums and dads of Queensland via their rates so that the union that does that can make a donation and help in the preselection and the perpetuation of the members in the House here who will give those same officials more power to take more money off the mums and dads of Queensland, and so the system goes around one more time.

Ultimately, we are looking at a situation where we have a Labor government that is completely beholden to the unions. I note a video on the *Courier-Mail* site earlier today where there was a meeting held and it was very clear from the members of that union how they felt they need to control the entire political party of the ALP to ensure that the things they want—not the things the people of Queensland want but the things they want—are delivered to them. Of course, what do they want? They want to make sure that they get the transparency measures removed so that people do not know how much they earn, what they are spending their money on and where the credit cards are being used.

To me, it is a puzzle why a state government would remove its ability to terminate protected industrial action if there were a risk of significant damage to the Queensland economy and a threat to the health and wellbeing of the local community. I wonder how that is to the benefit of the people everybody here has been elected to represent. How is it to their benefit for the government to be able to say, 'We don't think we should be able to terminate protected industrial action even if it might endanger the health and wellbeing of your local community?' I would be very interested to hear an answer to that in the context of the benefit to the mums and dads and the working families of Queensland and not the union officials of Queensland.


We are really discussing the balance of power and where it should rest. How much power should a local government have? How much power should a state government have? How much power should an individual have? How much power should a union member have? How much power should a union organiser have? We are seeing the pendulum swinging away from the people of Queensland and to the union officials. As that pendulum swings away, who benefits the most from the union officials having more power and control over the people of Queensland and more ability to put their hands in people's pockets to take money out on a regular basis? It is not the people of Queensland; it is the people who get the money spent on them. Who gets the money spent on them? That is right: the Labor members

sitting opposite. That is where their funding comes from. That is where their support base comes from. It comes from the very unions that they now wish to empower over and above the people of Queensland, over and above the local councils of Queensland and over and above the individuals who elected us to this place.

Again, I ask the question: why would the government not want to disclose political party affiliation fees? Why would the government not want to disclose spending for political purposes? Why would the government not want to disclose the remuneration and benefits of key officials in organisations? What is the point of hiding all of those things from the people who are funding them? I am a great believer in transparency and accountability. Unfortunately, in this bill I see the removal of a lot of transparency and accountability measures. The removal is for a very specific purpose and that purpose is not in the best interests of the individual mums and dads and families of Queensland; it is in the best interests of the union officials and it is in the best interests of those people who benefit from the union movement, who are the members opposite.

I very much caution the people of Queensland to see what happens next. If this legislation is passed, they will be the net losers. Some of their money will be transferred in the form of union fees to union officials and then transferred to the Labor Party so that it can empower the union officials to take more Queenslanders' money in the future and give the union movement more opportunity to bend them to their political will by using various forms of intimidation and bullying in the workplace.

I did not stand for that. I think that a well-run good industrial organisation would be only too happy to have these transparencies. They would not fear them at all and there would be no need for them to be removed. I see that this government has chosen to remove those transparencies. I do not think that that is in the best interests of the people of Queensland. That is why I oppose the bill in its entirety.

 **Hon. G GRACE** (Brisbane Central—ALP) (Minister for Employment and Industrial Relations, Minister for Racing and Minister for Multicultural Affairs) (11.23 pm), in reply: I am pleased to make a final contribution to the debate on the Industrial Relations Bill. I thank all members for their contribution. As is always the case when we discuss industrial relations matters in this House, they arouse a great deal of passion and excitement from members on all sides. Obviously, this bill is no exception.

Before dealing with the matters that were raised specifically, I make the general comment that I was absolutely appalled by the lack of sophisticated debate that came particularly from those opposite. They embarked on one of the most disgusting union bashing, continually broken-record talking about one particular union—the CFMEU—using very derogatory language about officials who are elected by their members, who represent their members and get them their wages and conditions and do an incredible job in this country in looking after and protecting workers.

We also heard a series of inept contributions that either got the details of the legislation completely wrong or were misleading or confused about what this bill is intended to do as far as covering mainly public sector workers and local government. They did not understand the difference between federal obligations and federal coverage and state coverage. It was absolutely gobsmacking to hear some of the contributions that were so far off the mark that it was almost embarrassing for those opposite.

Having said those words, the opposition members who contributed to the debate also condemned the comprehensive review that this government put in place to have a look at these laws. It was one of the most comprehensive reviews of the industrial relations legislation of this state that has taken place in the past 20 years. They denigrated the people who participated in that review as somehow being stacked to the left. There were just absolutely disgraceful performances by those opposite. The people appointed to that review voluntarily gave their time. The organisations that we put in place to review the legislation were denigrated by those opposite for participating.

Let me tell members that a big participant in that review was the LGAQ. I totally reject any accusation from those opposite that those people did not do the job that they were there to do in representing their organisations. They would be disgusted to hear those opposite suggesting for one second that they were not there representing the organisations that they were put there to represent.

This process has been comprehensive. I totally reject anything to the contrary. We received many submissions. The report was brought down and made public in March 2016. There were 68 recommendations to reform the industrial relations legislation. The government has accepted those recommendations and put in place a comprehensive bill that reflects the contemporary working environment of this state.

The bill was also considered by the Finance and Administration Committee. There was another round of public consultation and submissions. To suggest that there was anything other than a full and comprehensive review that entailed submissions from the public and listening to what people had to say in regard to this legislation is absolutely incorrect.

**Mr Crandon:** Which you just ignore in the end.

**Ms GRACE:** Let me tell the member that there were not very many issues that came up that I needed to ignore. When I met with many employers and other people about this bill, not very many issues were raised directly with me. In fact, the government did not agree with the LGAQ on one position. We do not understand the big difference between one award with three schedules that had been set out in consultation with the commission, under the auspice of the commission, and it being converted to three identifiable separate awards, exactly like they are in relation to the Brisbane City Council, which has three separate identified occupational categories. That was the only main issue that the LGAQ had. That was it. We agreed to disagree. We thought that this was the better way to go. Yet, because of that incident, the LGAQ raised all of these other matters.

I am someone who has worked in industrial relations for most of my working life. I am very proud of that. I started in the union movement in 1980. I have represented workers and I will put my qualifications and my record against that of anybody opposite at any time. I am a very proud union official. I am very proud to have represented the workers. If members think that all employers in this state are innocent and they are all angels, let me tell them that that is not the case. There are a lot of workers who are bullied in workplaces, there are a lot of workers unfairly sacked and there are a lot of workers in this state injured or killed.

**Mr Seoney:** When are you going to get a real job?

**Ms GRACE:** I will take the interjection from the member for Callide, who asks me when I will get a real job. Right back at you, member for Callide. Right back at you!

**Mr DEPUTY SPEAKER** (Mr Furner): Pause the clock. Minister, take your seat. I call the minister.

**Ms GRACE:** It is worth remembering that when we looked at it there was a set of guiding principles and they were that we have flexibility, fairness and balance; the ability to protect those who are covered by the legislation; an independent tribunal; a system that promotes secure employment; strong legislation; and strong government. The system should also have an appropriate balance that recognises the protection of both individual rights and collective rights, including the right to collectively bargain. The agreed principles are reflected in the provisions that are in the bill.

Queensland is leading the way with a new entitlement to domestic and family violence leave. I hear, 'Why isn't this put in different legislation?' The misunderstanding of industrial relations by those opposite is breathtaking. This is an industrial entitlement. Industrial entitlements belong in the industrial relations legislation. That is what governs the entitlements of workers in their workplace. To suggest that it be put somewhere else is gobsmackingly, unbelievably naive. Amendments to strengthen the conversion arrangements for long-term temporary and casual employees to move into permanent employment is another principle, as is a new right for flexible working arrangements, a bargaining model that recognises the right of employees to collectively bargain and be represented and that encourages parties to reach agreement, and a set of robust governance and accountability requirements that apply equally to all registered organisations.

Let me give members a bit of information when it comes to us saying we will not have different reporting regulations for employee organisations and employer organisations. I note the member for Kawana went on about the credit cards of unions. There has not been one action taken against a union since all of those records have been publicly available. I would like to see the credit cards of those employer organisations published to see exactly what their entertainment expenses may have been like, but we will never know because the member for Kawana, when he brought that provision into the act, only applied it to unions and not to employers. When it came to the point of discussing this on the committee we talked about not having two separate conditions for employers and unions and guess who were the ones who thought, 'All that red tape? Oh dear, no.' They were the most vocal in not wanting their credit cards to be published. It was the employers' side that did not want it to flow to them. The employer organisations did not want it; it was too much red tape. They were very much against that happening and it did not get into this bill.

In regard to a number of the members opposite making allegations about how having three separate awards in local government was going to lead to an additional amount of money being spent—\$100 million has been put forward; all of these extra costs—and to people being laid off, there is not one shred of evidence that that was going to be the case.

**Mr Bleijie:** Haven't you read the LGAQ submission?

**Ms GRACE:** I will take that interjection. The LGAQ has not provided a shred of evidence. We heard from members in the western areas talking about the western councils. They are operating with more than one award right now and I do not hear anybody complaining about laying off staff or it costing them extra money. I do not understand how, if conditions remain constant, they can say that this is going to cause additional expense. It is absolutely preposterous. It makes no economic sense. Anybody who peddles it, like those opposite did time and time again, are not only misleading this House but they are misleading themselves and they are misleading the people of Queensland.

There are other matters on which the member for Kawana is just plain wrong. He says those provisions remove the ability of the state to intervene in disputes. The bill does no such thing. I refer the member to clause 240. Those opposite either have not read or do not understand the bill. They do not know what it means. They get up and make these accusations and they are totally wrong. I refer the member for Kawana to clause 240 where it is clear that the minister has a power to apply to the commission to stop industrial action that is causing significant economic harm. It is right there in clause 240. The bill removes the ability of the minister to unilaterally stop industrial action. This implements a recommendation of the reference group that this provision should be removed because it is clearly not appropriate for the minister to have this power when the government is also an employer of a large part of the industrial relations jurisdiction. That is a direct conflict of interest and that should never have been in there. The member for Kawana gave it to himself.

The member for Kawana also tried to run the line that the bill waters down the accountability requirements for registered organisations. From his speech it is clear that he has not even read the relevant provisions of the bill. He tried to suggest there is no requirement for registers that detail the salaries of union officials. That is plain wrong. To the member for Kawana, the member for Toowoomba North and all of the rest of the members over there who said that, clauses 745 and 746 of the bill provide that an organisation must prepare a remuneration register that details the remuneration paid to the five most highly paid officers of the organisation. Under clause 764—wait for it, member for Kawana—that remuneration register must be included in the operating report that each organisation prepares at the end of each financial year. That operating report is freely available to all members under the reporting requirements at clause 778. Those opposite do not even read the legislation.

I reiterate that strong accountability and transparency requirements are placed on state registered organisations. It is simply false that those requirements have been removed under the bill. The requirements are very much in line with the new federal provisions. As I said, they also include that gifts and hospitality must be reported, there must be continuing financial management, policies in place to act honestly and compliance with the requirements of the Electoral Act in regard to political spending and reporting. Misinformation was peddled by those opposite. Those requirements are actually in the bill. If they read it they would find out.

The stringent requirements placed on registered organisations under this bill stand in stark contrast to the complete lack of scrutiny applied to unregistered organisations that those opposite advocate for. We heard them mention a couple of these associations not registered under the legislation. They do need to show how many members they have. They talked about these organisations having all of these members. How would they know? They never have to disclose it. They do not have to report anything to the commission. They are unregistered. They do not have to abide by any of the conditions.

**Mr Cramp** interjected.

**Mr DEPUTY SPEAKER** (Mr Furner): Order! Member for Gaven, you are already warned. I am getting very close to taking this matter further.

**Ms GRACE:** Those are the organisations that are supported by members opposite. They talk about being apolitical. I refer to the advisory panel connected to that nursing association and all the Liberal National Party members who sit on that advisory panel, yet they come into this House and tell us that they are apolitical. They have to be joking! Those organisations do not have to abide by any regulation whatsoever and they are the ones that they support. I find that absolutely breathtaking. They might like to explain the reports of significant financial irregularities with one of those organisations, the Australian Paramedics Association, over its financial arrangements for 2013-14 and 2014-15. The member for Kawana talks about union stacked reference groups. I refer to the people who represented the AIG, Nick Behrens of the CCIQ—he has resigned now, but I understand that he might be running in Brisbane Central and I welcome him; I have worked with him quite well and we are all free in this place—people from the Bar Association and the Queensland Law Society. To suggest that none of them were representing their organisations is disgraceful.

I turn to the question of Easter Sunday being declared a public holiday. My goodness. Apparently, the whole world is going to collapse because Easter Sunday is going to be declared a public holiday. The Gold Coast is going to close, the Sunshine Coast is going to close and the Whitsundays are going to close. They are all going to close. Dear me! We are declaring Easter Sunday a public holiday. We made that known in August, but in 2017 Easter Sunday will not come around until April. Therefore, there will have been eight months notice. At the same time, we have made it clear in declaring that we wanted to look at trading hours in Queensland. We have put a very robust group together, chaired by John Mickel, to look at the trading hours and how Easter Sunday can be better accommodated within those trading hours. That is a very sensible and practical approach. I look forward to the report. They are working with the chair, John Mickel. That is the way it should be. Of the last public holiday change, an editorial in the *Courier-Mail* stated—

Inserting a new public holiday into the calendar is the kind of ... innovative thinking that is going to keep this state moving. A public holiday might not seem like an obvious way to churn the cash but it is actually exactly when people really are going to spend money. And it is going to do their health and wellbeing some good, too.

That editorial talked about the benefits that come from having a public holiday—in that case talking about the October public holiday recently gone. To those who oppose the move, I ask: where is the evidence that the economies of New South Wales, Victoria and the ACT have collapsed? Where is the evidence that the tourist areas in those states are all closing, that nothing is happening and that businesses are not employing? Where is the evidence? I can tell the House that there is none. There is not a shred of evidence. They do not know what they are talking about. They do not know what small business wants.

During the last campaign something that absolutely astounded me and made me realise I was going to win my seat was that the biggest complainers were small businesses. The government drove them to the wall. They were closing all over the place. I heard more complaints from small business than from any other any sector and far more than at any other time that I have run for an election, yet they make out that they stand for small business. I have never seen so many small businesses close as when the LNP was in government, because its sacking of staff impacted on small business. However, they come in here and say, 'Oh dear, if we have three awards in local government, they are going to sack people.' Theirs was the government that sacked thousands upon thousands of public servants. They cry crocodile tears about some bogus report that says that, because we will have three awards instead of one award and three schedules, staff are going to be sacked. That is an absolute joke. They are a joke. They have no idea. It is absolutely amazing that they would even say what they said.

I have covered the area of awards. Honestly, it seems as if the sky will fall in when it comes to adverse action. Adverse action is available. The Abbott and Turnbull governments left it in the industrial relations legislation. Adverse action mirrors the federal conditions. We heard one member talk about a particular case that came out of a federal circuit court decision where even the judge described the action of the employer in sacking an injured worker and the adverse action taken against that worker in the mining sector as absolutely disgraceful. Members opposite talked about an award. An award of \$1.3 million was given to that worker for injuries, pain, suffering and loss of money. That money did not go to the union. It did not go to the mining division of the CFMEU. It went to the worker and the union was reimbursed a small amount—I think about \$30,000—for legal fees. It was not \$1.3 million—

**Mr DEPUTY SPEAKER** (Mr Furner): Order! Pause the clock. Take your seat, Minister.

**Ms GRACE:** It was not \$1.3 million. They intimated that the sky was going to fall and that the union was going to make all of this money. Adverse action is exactly what the member for Cairns was talking about. Not only will staff have rights to bullying provisions; they will also have rights to adverse action. This is best practice. It is the way that you incentivise and ensure that employers do not engage in adverse action.

In conclusion, this bill continues to build on the Palaszczuk government's program of economic and social reform. Industrial relations has always been a mix of economic and social considerations and this bill will form yet another part of Labor's proud tradition of progressive industrial relations reform that strikes the right balance between the two. The bill will provide a new framework for cooperative industrial relations that is fair and balanced, and supports the delivery of high-quality services, economic prosperity and social justice for Queenslanders. That is what it is going to provide to the people of Queensland. Once more, I commend the bill to the House.

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

**AYES, 45:**

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

**KAP, 2**—Katter, Knuth.

**INDEPENDENT, 2**—Gordon, Pyne.

**NOES, 41:**

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

Pair: Russo, McArdle.

Resolved in the affirmative.

Bill read a second time.

### Consideration in Detail

Clauses 1 to 51—



**Ms GRACE** (11.54 pm): I seek leave to move amendments en bloc.

Leave granted.

**Ms GRACE:** I move the following amendment—

**1 Clause 31 (Entitlement)**

Page 69, lines 13 and 14, from ' , unless' to 'otherwise'—  
*omit.*

I table the explanatory notes to my amendments.

*Tabled paper:* Industrial Relations Bill 2016, explanatory notes to Hon. Grace Grace's amendments [2196].

These are mainly technical amendments. They also include an amendment to clause 530 to clarify the legal representation arrangements by leave of the commission in full bench matters other than for arbitration.

Amendment agreed to.

Clauses 1 to 51, as amended, agreed to.

Clause 52—



**Ms GRACE** (11.55 pm): I move the following amendment—

**2 Clause 52 (Entitlement to domestic and family violence leave)**

Page 84, after line 25—

*insert—*

(9) In this section—

**day**, for an employee mentioned in subsection (1) who is paid on the basis of the number of hours worked, means one-fifth of the number of the employee's ordinary hours of work for a week, averaged over each completed 6 weeks of employment with the employer.

This is an amendment to clarify transitional provisions for bargaining matters.

Amendment agreed to.

Clause 52, as amended, agreed to.

Clauses 53 to 164—



**Ms GRACE** (11.55 pm): I seek leave to move the following amendments en bloc.

Leave granted.

**Ms GRACE:** I move the following amendment—

**3 Clause 141 (General requirements for commission exercising powers)**

Page 146, line 17, 'more favourable than'—

*omit, insert—*

at least as favourable as

Amendment No. 3 is a technical amendment. It includes an amendment to the Public Service Act to provide fair treatment appeal rights and a review of temporary employment in the public sector.

Amendment agreed to.

Clauses 53 to 164, as amended, agreed to.

Clause 165—



**Mr BLEIJIE** (11.56 pm): I move the following amendment—

**1 Clause 165 (Who may make certified agreements)**

Page 160, lines 12 to 20—

*omit, insert—*

A certified agreement may be made between—

- (a) on the one hand, an employer; and
- (b) on the other hand—
  - (i) 1 or more employee organisations that represent, or are entitled to represent, any employees to whom this chapter applies and who are, or are eligible to be, members of the organisation; or
  - (ii) the employees, at the time the agreement is made, to whom this chapter applies.

I table the explanatory notes to all my amendments.

*Tabled paper:* Industrial Relations Bill 2016, explanatory notes to Mr Jarrod Bleijie's amendments [\[2197\]](#).

At the outset, can I say that the eight amendments that I am moving, some of which are technical in nature or consequential on other amendments, are moved on the basis of feedback that the opposition has received from both the Local Government Association of Queensland and the CCIQ—the same organisation that the tourism minister often stands up and quotes in this House.

Amendment No. 1 that I have moved will allow the employer and employees to bargain directly where this is their wish, while still requiring the employer to meet with any union representing their members, if their members so desire. Our amendment will not inhibit the making of a union agreement where the parties wish. The clause proposed by the government in fact denies employees who do not wish to be represented by the union the right to negotiate directly with the employer an employee agreement, unless a union decides that they do not wish to bargain with that employer. Under the government's clause, even unions that have no members can still choose to bargain on behalf of employees if the council employs someone who may be a member. Our amendment will benefit particularly rural and remote councils, including Indigenous councils, where staff and council intermix regularly due to the close nature of their communities and where a union presence is rare and membership is small because it removes the monopoly of unions to conduct bargaining on behalf of all employees of those councils.

**Ms GRACE:** The government does not support this amendment. Clause 165 of the government's bill provides that a certified agreement may be made between an employer and one or more employee organisations that are entitled to represent any employees of the employer or, if not between an employer and employee organisation, between the employer and the employees. Our bill's collective bargaining model supports the primacy of collective bargaining and the right to be represented in bargaining and has been drafted to ensure that the collective representation through an industrial organisation cannot be sidestepped.

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

**AYES, 41:**

**LNP, 41—**Barton, Bates, Bennett, Bleijie, Boothman, Costigan, Cramp, Crandon, Cripps, Davis, Dickson, Elmes, Emerson, Frecklington, Hart, Janetzki, Krause, Langbroek, Last, Leahy, Mander, 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, Kelly, King, Lauga, Linard, Lynham, Madden, Miles, Miller, O'Rourke, Palaszczuk, Pearce, Pease, Pegg, Pitt, Power, Ryan, Saunders, Stewart, Trad, Whiting, Williams.

**KAP, 2—**Katter, Knuth.

**INDEPENDENT, 2—**Gordon, Pyne.

Pair: Russo, McArdle.

Resolved in the negative.

Non-government amendment (Mr Bleijie) negated.

Clause 165, as read, agreed to.

Clauses 166 and 167, as read, agreed to.

Clause 168—



**Ms GRACE** (12.05 am): I move the following amendment—

**4 Clause 168 (Definitions for chapter)**

Page 162, line 1, '51'—

*omit, insert—*

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Once again, this is a technical and minor amendment to the schedule 5 dictionary.

Amendment agreed to.

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

**2 Clause 168 (Definitions for chapter)**

Page 162, lines 22 to 26—

*omit, insert—*

*negotiating party* means a person who is negotiating under this chapter.

Amendment No. 2 amends clause 168 regarding the definition of a 'negotiating party'. Good-faith bargaining implies that parties are actively involved in bargaining, not simply being named by one party as someone whom they wish to bargain with or whom for good reason they may not wish to bargain with. Forcing a person to the bargaining table is the very opposite of good-faith bargaining. That is exactly what this bill does.

**Ms GRACE**: The government does not support this amendment. Clause 168 of the government's bill addresses a situation where a party simply ignores a notice of intention to bargain and will not consider bargaining. Ignoring bargaining is not consistent with an industrial relations system built upon the cornerstone of collective bargaining. Considering Queensland's industrial relation jurisdiction covers only state and local government sector employees, workers and their representatives, it is wholly appropriate that both sides demonstrate good-faith bargaining and are engaged in, rather than ignore, the bargaining process.

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

**Mr SPEAKER**: Ring the bells for one minute.

**AYES, 42:**

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

**INDEPENDENT, 1**—Gordon.

**NOES, 44:**

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

**KAP, 2**—Katter, Knuth.

**INDEPENDENT, 1**—Pyne.

Pair: Russo, McArdle.

Resolved in the negative.

Non-government amendment (Mr Bleijie) negated.

**Mr SPEAKER**: I propose that for any further divisions the bells will be rung for the duration of one minute.

Clause 168, as amended, agreed to.

Clauses 169 to 174, as read, agreed to.

Insertion of new clause—



**Mr BLEIJIE** (12.11 am): I move the following amendment—

**3 After clause 174**

Page 169, after line 17—

*insert—*

**174A Employer may ask employees to approve proposed agreement being negotiated with employee organisation**

- (1) This section applies if—
  - (a) the parties to a proposed agreement are an employer and 1 or more employee organisations; and
  - (b) the agreement is not a project agreement.
- (2) The employer may request the employees who will be covered by the proposed agreement to approve it.
- (3) The request must not be made until after the peace obligation period has ended.
- (4) In making the request, the employer must comply with section 171(2)(a) and (b).
- (5) If a valid majority of the employees approve the proposed agreement—
  - (a) the employer may apply to the commission to certify the agreement under part 5; and
  - (b) the agreement is taken to be made by—
    - (i) the employer; and
    - (ii) the employees at the time the agreement is made.

*Note—*

See section 165(b).

- (6) For part 5, if, in negotiating a proposed agreement—
  - (a) a step was taken by the employer, or an employee organisation mentioned in subsection (1), to comply with a requirement under this Act; and
  - (b) the employer or employee organisation, as applicable, complied with the requirement as it applied to the proposed agreement;
 the requirement is taken to have been complied with as it applies to the agreement made between the employer and the employees.

*Example—*

For paragraph (a), the step taken was that the employer, or employee organisation, gave a notice of intention under section 169(2).

For part 5, section 169(2) is taken to have been complied with for the agreement made between the employer and the employees.

- (7) If the commission is satisfied a valid majority of the employees approved the agreement, section 196(1)(b) does not apply.
- (8) Subsection (5) does not prevent an employee organisation mentioned in subsection (1) being covered by the agreement under section 221.
- (9) If the full bench has jurisdiction to arbitrate the matter under part 3, division 2, this section stops applying and anything being done under this section ends.
- (10) Making a request under subsection (2) does not, of itself, constitute a failure to comply with the requirement to negotiate in good faith under section 173.

Amendment No. 3 amends clause 174 by the addition of clause 174A. This is related to ensuring that employees who are affected have the opportunity to vote on proposed certified agreements that prescribes their conditions of employment when an impasse on bargaining between the employer and the union occurs and before it is referred to the Queensland Industrial Relations Commission for conciliation and arbitration. In a nutshell, if the employer and the unions are not able to reach a decision then the members or the employees should have an opportunity to vote on the proposed certified agreement. If the majority of those who vote on the certified agreement agree with it then that is the way it should be undertaken, because that is real consultation.

**Ms GRACE:** The government does not support this amendment. The removal of existing section 147A supports fair outcomes in bargaining. This provision was introduced by the former LNP government to enable an employer in the process of negotiating an agreement with union involvement to sidestep that process and ballot its employees about a proposed agreement removing access of those workers to union representation despite an employee's wishes. This is what the LNP did.

The government's intention is to not allow for a process where representational rights can be altogether sidestepped and which, in turn, could lead to employees' conditions and rights being unfairly reduced in an agreement. This government and this bill support collective bargaining through bargaining in good faith. Representational rights are an important part of the collective bargaining model and result in fairer bargaining outcomes for workers.

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

**AYES, 41:**

**LNP, 41**—Barton, Bates, Bennett, Bleijie, Boothman, Costigan, Cramp, Crandon, Cripps, Davis, Dickson, Elmes, Emerson, Frecklington, Hart, Janetzki, Krause, Langbroek, Last, Leahy, Mander, 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, Kelly, King, Lauga, Linard, Lynham, Madden, Miles, Miller, O'Rourke, Palaszczuk, Pearce, Pease, Pegg, Pitt, Power, Ryan, Saunders, Stewart, Trad, Whiting, Williams.

**KAP, 2**—Katter, Knuth.

**INDEPENDENT, 2**—Gordon, Pyne.

Pair: Russo, McArdle.

Resolved in the negative.

Non-government amendment (Mr Bleijie) negated.

Clauses 175 to 994—



**Ms GRACE** (12.16 am): I seek leave to move the following amendments en bloc.

Leave granted.

**Ms GRACE:** I move the following amendments—

**5 Clause 177 (Referral to arbitration by conciliating member)**

Page 171, line 11, 'or'—

*omit, insert—*

and

**6 Clause 183 (Operation of arbitration determinations)**

Page 175, lines 7 to 10, from 'until—' to 'instrument.'—

*omit, insert—*

until it is terminated under part 7, division 3.

**7 Clause 233 (When industrial action is protected industrial action)**

Page 203, lines 12 and 13, from ', or' to 'of,'—

*omit.*

**8 Clause 235 (Approval to engage in industrial action)**

Page 204, lines 19 and 20, from ', or' to 'of,'—

*omit.*

**9 Clause 281 (Action to which this part does not apply)**

Page 235, lines 7 and 8, from '281' to '(Cwth)'—

*omit, insert—*

280 if the Commonwealth Fair Work Act

**10 Clause 447 (Commission's functions)**

Page 341, lines 14 and 15, from 'a fair' to 'enforceable'—

*omit, insert—*

fair and just

**11 Clause 457 (Associates)**

Page 348, lines 5 and 6—

*omit, insert—*

an associate to the president.

**12 Clause 457 (Associates)**

Page 348, before line 7—

*insert—*

(1A) The president may appoint associates to the vice-president, a deputy president or a commissioner.

- 13 Clause 481 (Limitations on when order may be made)**  
Page 365, line 9, 'mentioned in paragraph (a) or (b)'—  
*omit, insert—*  
or representations mentioned in paragraph (a), (b) or (c)
- 14 Clause 486 (Referring matter to full bench)**  
Page 368, lines 23 to 25—  
*omit.*
- 15 Clause 486 (Referring matter to full bench)**  
Page 369, lines 1 to 3—  
*omit.*
- 16 Clause 530 (Legal representation)**  
Page 389, lines 26 to 28 and page 390, lines 1 to 15—  
*omit, insert—*
- (1) A party to proceedings, or person ordered or permitted to appear or to be represented in the proceedings, may be represented by a lawyer only if—
    - (a) for proceedings in the court—
      - (i) all parties consent; or
      - (ii) the court gives leave; or
      - (iii) the proceedings are for the prosecution of an offence; or
    - (b) for proceedings before the full bench—the full bench gives leave; or
    - (c) for proceedings before the commission, other than the full bench, under the *Anti-Discrimination Act 1991*—the commission gives leave; or
    - (d) for other proceedings before the commission, other than the full bench—
      - (i) all parties consent; or
      - (ii) for a proceeding relating to a matter under a relevant provision—the commission gives leave; or
    - (e) for proceedings before an Industrial Magistrates Court—
      - (i) all parties consent; or
      - (ii) the proceedings are brought personally by an employee and relate to a matter that could have been brought before a court of competent jurisdiction other than an Industrial Magistrates Court; or
      - (iii) the proceedings are for the prosecution of an offence; or
    - (f) for proceedings before the registrar, including interlocutory proceedings—
      - (i) all parties consent; or
      - (ii) the registrar gives leave.
  - (2) However, the person or party must not be represented by a lawyer—
    - (a) if the party is a negotiating party to arbitration proceedings before the full bench under chapter 4, part 3, division 2; or
    - (b) in proceedings before the commission under section 403 or 475; or
    - (c) in proceedings remitted to the Industrial Magistrates Court under section 404(2) or 475(2).
- 17 Clause 530 (Legal representation)**  
Page 390, line 16, 'Also, despite'—  
*omit, insert—*  
Despite
- 18 Clause 530 (Legal representation)**  
Page 390, line 24, '(c)(i)'—  
*omit.*
- 19 Clause 530 (Legal representation)**  
Page 391, lines 20 to 32—  
*omit, insert—*
- (6) In proceedings before the Industrial Magistrates Court for the prosecution of an offence under subsection (1)(e), the person represented can not be awarded costs of the representation.
  - (7) In this section—
- 20 Clause 530 (Legal representation)**  
Page 392, line 1, after 'court,'—  
*insert—*  
full bench,

- 21 **Clause 530 (Legal representation)**  
Page 392, after line 5—  
*insert—*  
**relevant provision**, for a proceeding before the commission other than the full bench, means—  
(a) chapter 8; or  
(b) section 471; or  
(c) chapter 12, part 2 or 16.
- 22 **Clause 536 (Interlocutory proceedings)**  
Page 394, line 16, 'In an industrial cause,'—  
*omit, insert—*  
For conducting proceedings under this Act or another Act,
- 23 **Clause 536 (Interlocutory proceedings)**  
Page 394, lines 19 and 20, from 'interlocutory proceedings' to ', including proceedings'—  
*omit, insert—*  
interlocutory matters to be taken before the hearing of the proceedings, including matters
- 24 **Clause 554 (Appeal from court or commission in certain circumstances)**  
Page 407, line 22, 'under'—  
*omit, insert—*  
on a ground mentioned in
- 25 **Clause 557 (Appeal from commission)**  
Page 408, line 10, 'A'—  
*omit, insert—*  
The Minister or another
- 26 **Clause 557 (Appeal from commission)**  
Page 408, line 14, 'a person'—  
*omit, insert—*  
the Minister or another person
- 27 **Clause 557 (Appeal from commission)**  
Page 408, line 24, 'under'—  
*omit, insert—*  
on a ground mentioned in
- 28 **Clause 558 (What court may do)**  
Page 409, lines 9 and 10, from ', an Industrial' to 'registrar'—  
*omit, insert—*  
or an Industrial Magistrates Court
- 29 **Clause 559 (President must hear and decide appeal from commission)**  
Page 409, line 25, 'appeal from commission'—  
*omit, insert—*  
**particular appeals from full bench**
- 30 **Clause 559 (President must hear and decide appeal from commission)**  
Page 409, line 27, 'commission'—  
*omit, insert—*  
full bench
- 31 **Clause 563 (Definition for div 5)**  
Page 412, line 4, after 'court'—  
*insert—*  
, full bench
- 32 **Clause 564 (Time limit for appeal)**  
Page 412, lines 7 and 13, 'of'—  
*omit, insert—*  
to
- 33 **Clause 702 (Definitions for part)**  
Page 480, line 27, 'section 680'—  
*omit, insert—*  
documents

- 34 Clause 765 (Reporting guidelines)**  
Page 516, line 8, '785(4)'—  
*omit, insert—*  
785(5)
- 35 Clause 780 (When copy of full report or concise report must otherwise be given)**  
Page 528, line 22, 'the period of 5 months starting at'—  
*omit, insert—*  
5 months after
- 36 Clause 782 (Obligation to present to general or committee meeting)**  
Page 529, lines 19 and 20, 'financial disclosure statement'—  
*omit, insert—*  
general purpose financial report
- 37 Clause 784 (Reports etc. to be lodged with registrar)**  
Page 530, line 14, 'general'—  
*omit.*
- 38 Clause 810 (References to audit report for pt 11, div 5, sdiv 5)**  
Page 544, line 28, 'div 5'—  
*omit, insert—*  
div 6
- 39 Clause 843 (Holding office after amalgamation)**  
Page 562, line 29, '624'—  
*omit, insert—*  
organisation
- 40 Clause 857 (Registration of property transferred under pt 15)**  
Page 568, line 7, 'pt 15'—  
*omit, insert—*  
this part

These are mainly technical amendments and also clarify legal representation in terms of clause 530.

Amendments agreed to.

Clauses 175 to 994, as amended, agreed to.

Clause 995—

**Mr SPEAKER:** The member for Kawana's amendment No. 4 proposes to omit clause 995. Thus the member for Kawana needs to oppose the clause.

**Mr BLEIJIE** (12.18 am): As you indicated, Mr Speaker, my amendment No. 4 omits clause 995 of the bill. This is one of the major elements of the bill that the Local Government Association of Queensland particularly has issues with. This legislation essentially undermines the independence of the Queensland Industrial Relations Commission and dictates the terms of local government modern awards through the industrial registrar, which I have to say is an extraordinary move—so extraordinary that it caused the Local Government Association to make a submission to the parliamentary committee. Their submission states—

The LGAQ on behalf of its 77 constituent councils strongly **recommends this Bill be set aside altogether** or at the very least **be amended** to provide a fair and modern industrial relations system that:

- Appropriately balances both the short and long-term interests of council employers and workers;
- Is contemporary and relevant for a modern local government industry;
- Recognises and respects the rights and roles of workers and employer and employee associations;
- Provides for a resourced, capable and genuinely independent Industrial Relations tribunal.

While there are many specific aspects of the legislation which the LGAQ and councils find offensive to various degrees, this submission focusses on the most serious and significant issues of concern.

In the summary of recommendations they conclude—

As raised above, local government at this time holds a high level of distrust towards the state government's management of the industrial relations system regulating the local government industry. The prospects of achieving the proposed objectives of the new Act within this environment would be enhanced by much more rigour in the cost-benefit analysis of many of the proposed changes that prima facie impact detrimentally on Councils as employers and aspirants to maximising their local workforces.

If we look a bit further, particularly into clause 995, we see that it takes the power from the Queensland Industrial Relations Commission and hands it to a public servant, being the Industrial Registrar, to partition the particular awards into three categories. This clause is so offensive that it even says at 995(5)—

A party to the relevant award is not entitled to be heard in relation to the partitioning of the award.

If this bill and this clause goes through, the registrar will terminate the relevant awards, make new awards without consultation, and anyone that is a party—the union, the employee and the employer—is not even entitled to be heard in relation to the partitioning of the award. It can be done in the back office of the Industrial Registrar without full consultation. We put a Supreme Court justice as president of the industrial relations court to make sure it was independent. This has taken the ability of the president, which is a Supreme Court justice, to look impartially and independently at these matters and put it in the hands of the Industrial Registrar. Therefore, I call on all members to oppose this particular clause 995.

**Ms GRACE:** The government does not support this amendment. Clause 995 of the bill provides a purely administrative function for the registrar to partition the award to result in three awards based on the three occupational divisions as per the schedule of the award, and similar to the three awards that currently exist in the Brisbane City Council. The reason for parties not to be heard is that this is an administrative function only to assist employers and workers by making the document simpler and more user-friendly for each occupational division. The registrar will not otherwise award, extend or reduce the decision of the commission.

Division: Question put—That clause 995, as read, stand part of the bill.

**AYES, 45:**

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

**KAP, 2**—Katter, Knuth.

**INDEPENDENT, 2**—Gordon, Pyne.

**NOES, 41:**

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

Pair: Russo, McArdle.

Resolved in the affirmative.

Clause 995, as read, agreed to.

Clauses 996 to 1106—



**Ms GRACE (12.25 am):** I seek leave to move the following amendments en bloc.

Leave granted.

**Ms GRACE:** I move the following amendments—

**41 Clause 1000 (Existing applications for certification)**

Page 653, after line 6—

*insert—*

(2A) If the commission grants the application, the agreement is taken to have been certified under this Act.

**42 Clause 1006 (Conditions of employment for continuing employees)**

Page 655, line 26 and page 656, line 3, after 'certified agreement'—

*insert—*

or arbitration determination

**43 Clause 1007 (Continuation of working time provision for an employee under old s 9 or 9A)**

Page 656, lines 12 and 21, '1007'—

*omit, insert—*

1006

**44 Chapter 18, part 2, division 6, heading (Protected industrial action)**

Page 663, line 3—

*omit, insert—***Division 6 Existing collective bargaining processes****45 Clause 1021 (Protected industrial action under repealed Act)**

Page 663, lines 4 to 8—

*omit, insert—***1021 Application of division**

This division applies if, before the commencement—

- (a) a notice of intention to negotiate a certified agreement was given under old section 143; and
- (b) an application to certify the agreement was not made to the commission under old section 153; and
- (c) the requirement under old section 149(4) to determine the matter by arbitration had not started to apply.

**46 After clause 1021**

Page 663, before line 9—

*insert—***1021A Continuation of bargaining under this Act**

- (1) From the commencement, chapter 4 applies in relation to the negotiations for the proposed agreement.
- (2) For subsection (1), a step taken in relation to the proposed agreement under a provision of the repealed Act has effect, if the context permits, as if the step had been taken under this Act.

*Examples of steps taken under the repealed Act—*

- the giving of the notice of intention under old section 143
- the giving of a notice under old section 143(4) or (5) in relation to a project agreement or multi-employer agreement
- the making of a request by the negotiating parties under old section 148 that the commission help the parties negotiate the agreement

- (3) Subsection (2) does not apply to the making of an agreement with employees under old section 147A.

**1021B Taking of protected industrial action under this Act**

- (1) This section applies if, immediately before the commencement—
  - (a) a negotiating party was taking protected industrial action under the repealed Act in relation to the proposed agreement; or
  - (b) had a negotiating party taken industrial action in relation to the proposed agreement, the industrial action would have been protected industrial action under the repealed Act.
- (2) From the commencement, the negotiating party is taken to satisfy the requirements under chapter 4, part 8 of this Act for taking protected industrial action in relation to the proposed agreement.
- (3) To remove any doubt, it is declared that old section 150A does not apply to the taking of protected industrial action under this Act.

*Note—*

Under chapter 4, part 8 of this Act, protected industrial action may be taken during conciliation—see section 233.

- (4) This section does not limit section 1021A.

**1021C Continuation of protected action ballot process under repealed Act**

- (1) This section applies if—
  - (a) a PABO application was not decided immediately before the commencement; or
  - (b) both of the following apply—
    - (i) a protected action ballot order was made under the repealed Act in relation to the proposed agreement;
    - (ii) immediately before the commencement, the protected action ballot required to be conducted under the order had not been conducted.
- (2) Chapter 6 and schedule 4 of the repealed Act continue to apply for—
  - (a) deciding the PABO application mentioned in subsection (1)(a) and, if the application is granted, conducting the protected action ballot; or
  - (b) conducting the protected action ballot mentioned in subsection (1)(b).

- (3) Protected industrial action may be taken in relation to the proposed agreement under the repealed Act.
- (4) However, the 30-day period mentioned in section 176(3)(e)(i) of the repealed Act can not be extended under section 176(7) of that Act.
- (5) This section does not prevent protected industrial action being taken for the proposed agreement under this Act.
- (6) This section applies despite section 1021A.
- (7) In this section—  
**PABO application** means an application made under the repealed Act by a negotiating party for the making of a protected action ballot order in relation to proposed industrial action for the proposed agreement.

**1021D Continuation of conciliation etc.**

- (1) This section applies if, immediately before the commencement, the commission was helping the parties negotiate under old chapter 6, division 1, subdivision 2.
- (2) From the commencement—
  - (a) the conciliation process continues under chapter 4, part 3 of this Act; and
  - (b) protected industrial action may be taken under chapter 4, part 8 of this Act.
- (3) For section 177, conciliation of the matter started when conciliation started under the repealed Act.
- (4) An order made by the commission before the commencement under old section 148A continues in effect despite the repeal of the repealed Act.
- (5) This section does not limit section 1021A.

**47 Clause 1027 (Authorised industrial officers taken to be authorised under this Act)**

Page 665, lines 13 and 14, from 'was, immediately' to 'the authority'—  
*omit, insert—*

, immediately before the commencement,

**48 Clause 1037 (Provision for old s 428 (Organisation must have complying rules))**

Page 669, lines 16 to 20—  
*omit.*

**49 Clause 1099 (Replacement of ch 7, pt 2, div 1A (Tribunal's functions))**

Page 688, line 30, after 'orders'—  
*insert—*

under section 144

These are again technical amendments to clarify bargaining matters with regard to transitional provisions.

Amendments agreed to.

Clauses 996 to 1106, as amended, agreed to.

Omission of heading—

**Mr SPEAKER:** The member for Kawana's amendment No. 5 proposes to omit a heading.



**Mr BLEIJIE** (12.26 am): I move the following amendment—

**5 Chapter 19, part 3, hdg (Amendment of Holidays Act 1983)**

Page 694, lines 8 and 9—  
*omit.*

This amendment deals with the removal of Easter Sunday as a public holiday. It should never have come to this because there was no consultation with respect to this particular amendment. I had a look at the joint document to the Finance and Administration Committee from the CCIQ, Clubs Queensland, MGA Independent Retailers and the Queensland Tourism Industry Council, the voice of tourism. Their conclusion stated—

- 64. The move to declare Easter Sunday a public holiday is unacceptable to the small business community and is entirely at odds with the State Government's emphasis on job creation as Queensland's key priority.
- 65. The Committee will be best placed to recognise the negative impact this decision will have on Queensland retail, hospitality, and accommodation businesses, taking into account the evidence-based arguments contained herein.
- 66. The decision comes with zero consultation with the business community nor a Regulatory Impact Statement.
- 67. This proposition reinforces the perception that the government, either deliberately or inadvertently, is making it difficult to do business in Queensland. We believe the State Government should make it easier to provide a job and not the reverse.
- 68. Our survey demonstrates that thousands of small businesses will foot the bill for this extra public holiday.

I will just re-emphasise one of the conclusions reached by not only the CCIQ but also Clubs Queensland, MGA Independent Retailers and the Queensland Tourism Industry Council. They said—

66. The decision comes with zero consultation with the business community nor a Regulatory Impact Statement.
67. This proposition reinforces the perception that the government, either deliberately or inadvertently, is making it difficult to do business in Queensland. We believe the State Government should make it easier to provide a job and not the reverse.

It flies in the face of the Premier saying that her government is open, transparent and listening, that she is flying around Queensland listening to all Queenslanders, when there are four major bodies—Clubs Queensland, the Queensland Tourism Industry Council, CCIQ and the MGA Independent Retailers—saying that this decision comes with zero consultation. There was no consultation, other than over \$100,000 in March given by the shoppies union to the Labor Party and all of a sudden we have a bill introduced without consultation.

**Mr Costigan** interjected.

**Mr BLEIJIE:** I take the interjection from the member for Whitsunday. Are all these groups that represent thousands and thousands of people wrong? What does the tourism minister think about the Queensland Tourism Industry Council's joint submission? This is going to cost millions and millions of dollars for small business. This came with no consultation. It was not even in the government's own review that was held this year. We oppose that particular provision.

**Mr SPEAKER:** Minister for Industrial Relations, do you wish to respond?

**Ms GRACE:** No.

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

**AYES, 41:**

**LNP, 41—**Barton, Bates, Bennett, Bleijie, Boothman, Costigan, Cramp, Crandon, Cripps, Davis, Dickson, Elmes, Emerson, Frecklington, Hart, Janetzki, Krause, Langbroek, Last, Leahy, Mander, 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, Kelly, King, Lauga, Linard, Lynham, Madden, Miles, Miller, O'Rourke, Palaszczuk, Pearce, Pease, Pegg, Pitt, Power, Ryan, Saunders, Stewart, Trad, Whiting, Williams.

**KAP, 2—**Katter, Knuth.


**INDEPENDENT, 2—**Gordon, Pyne.

Pair: Russo, McArdle.

Resolved in the negative.

Non-government amendment (Mr Bleijie) negatived.

Clause 1107—

 **Mr BLEIJIE** (12.32 am): If members have read amendments Nos 6, 7 and 8 that have previously been circulated in my name they will see that they are obviously consequential upon amendments that were moved earlier. Therefore, there is no point moving amendments Nos 6, 7 and 8, the previous amendments having already been voted down.

Clause 1107, as read, agreed to.

Clauses 1108 to 1157—

 **Ms GRACE** (12.32 am): I seek leave to move amendments en bloc.

Leave granted.

**Ms GRACE:** I move the following amendments—

**50 Clause 1119 (Insertion of new s 49A)**

Page 698, line 7, 'schedule 1'—

*omit, insert—*

schedule 5

## 51 After clause 1125

Page 701, after line 25—

*insert—***1125A Amendment of s 149 (Review of status of temporary employee)**

- (1) Section 149(2), 'period provided for in a commission chief executive directive'—  
*omit, insert—*  
required period
- (2) Section 149(3)—  
*omit, insert—*
- (3) In making the decision, the chief executive must—
- (a) consider any criteria for the decision fixed under—
    - (i) a directive by the commission chief executive; and
    - (ii) an industrial instrument; and
  - (b) if an industrial instrument provides for the way the decision must be made—  
comply with the industrial instrument.
- (3) Section 149(5)—  
*insert—*
- continuously employed as a temporary employee*** has the meaning given under a commission chief executive directive or an industrial instrument.
- required period***, for making a decision under subsection (2), means—
- (a) the period stated in an industrial instrument within which the decision must be made; or
  - (b) if paragraph (a) does not apply—the period starting on the last day of the period mentioned in subsection (1)(a) or (b) and ending 28 days later.

## 52 After clause 1127

Page 703, after line 12—

*insert—***1127A Amendment of s 194 (Decisions against which appeals may be made)**

- (1) Section 194(1)(e)—  
*insert—*
- Note—*
- A failure by the chief executive to make a decision under section 149 is taken to be a decision that the person's employment in the department is to continue as a temporary employee according to the terms of the existing employment. See section 149(4).
- (2) Section 194(1)—  
*insert—*
- (ea) a decision under section 149A that the employment of a casual employee in a department is to continue as a casual employee (a ***casual employment decision***);
  - (eb) a decision a public service employee believes is unfair and unreasonable (a ***fair treatment decision***);
- (3) Section 194(2)—  
*omit, insert—*
- (2) However—
- (a) if an appeal may be made under this section against a decision, other than under subsection (1)(eb), the appeal can not be made under subsection (1)(eb); and
  - (b) an appeal can not be made against a decision if section 195 applies to the decision.

## 53 Clause 1128 (Amendment of s 195 (Decisions against which appeals can not be made))

Page 703, after line 14—

*insert—*

- (1) Section 195—  
*insert—*
- (3A) A person can not appeal against a fair treatment decision—
- (a) made under chapter 5, part 7; or
  - (b) made under chapter 6, part 2, other than—
    - (i) a finding under section 187 that a disciplinary ground exists for the person; or
    - (ii) a decision under section 189 to suspend a person from duty without pay; or

- (c) relating to the recruitment or selection of a public service employee; or
- (d) relating to a person's work performance, other than a decision about the person's work performance that is recorded in a formal way as part of a periodic performance review; or

*Example for paragraph (d)—*

a decision about performance recorded in a person's performance development agreement as part of the person's 6-monthly or annual performance review

- (e) relating to the resolution of a grievance under an industrial instrument, other than a decision about the outcome of the grievance; or
- (f) relating to the development or performance management of a chief executive or senior executive.

**54 Clause 1128 (Amendment of s 195 (Decisions against which appeals can not be made))**

Page 703, line 15, before 'Section'—

*insert—*

(2)

**55 After clause 1128**

Page 703, after line 20—

*insert—*

**1128A Amendment of s 196 (Who may appeal)**

Section 196—

*insert—*

- (ea) for a casual employment decision—the casual employee the subject of the decision;
- (eb) for a fair treatment decision—a public service employee who is aggrieved by the decision;

**56 Clause 1135 (Amendment of s 200 (Appeals officer may decline to hear particular appeals))**

Page 705, after line 18—

*insert—*

(1A) Section 200(1)—

*omit, insert—*

(1) An IRC member may decline to hear an appeal against a decision mentioned in section 194(1)(a), (d) or (eb) unless the IRC member is satisfied the appellant has used procedures required to be used under the employee complaints directive.

(1A) However, the IRC member may hear an appeal against a fair treatment decision under section 194(1)(eb) if the IRC member is satisfied it would be unreasonable to require the employee to comply with the procedures in the circumstances.

**57 Clause 1135 (Amendment of s 200 (Appeals officer may decline to hear particular appeals))**

Page 705, line 19, '200(1), (2)'—

*omit, insert—*

200(2)

**58 Clause 1135 (Amendment of s 200 (Appeals officer may decline to hear particular appeals))**

Page 705, after line 21—

*insert—*

(3) Section 200(5)—

*omit.*

**59 Clause 1144 (Amendment of s 208 (Decision on appeal))**

Page 708, line 6, before 'Section'—

*insert—*

(1)

**60 Clause 1144 (Amendment of s 208 (Decision on appeal))**

Page 708, after line 8—

*insert—*

(2) Section 208(1)(b), 'or temporary employment decision'—

*omit.*

**61 After clause 1151**

Page 709, after line 23—

*insert—***1151A Amendment of s 218A (Commission chief executive may make directive about dealing with complaints by officers and employees)**

(1) Section 218A, heading, 'may'—

*omit, insert—***must**

(2) Section 218A(1), 'may make a directive'—

*omit, insert—*must make a directive (the **employee complaints directive**)**62 Clause 1152 (Insertion of new ch 9, pt 12)**

Page 710, after line 24—

*insert—***289A Review of status of temporary employees—reviews triggered before commencement**

(1) This section applies in relation to a decision under section 149(2) if—

- (a) the period mentioned in section 149(1)(a) or (b) ended before the commencement; and
- (b) immediately before the commencement, the decision had not been made.

(2) Section 149 and any directive of the commission chief executive mentioned in that section, as in force immediately before the commencement, continue to apply for the making of the decision.

**289B Review of status of casual employees**

For section 149A, a person's employment as a casual employee on a regular and systematic basis includes employment before the commencement.

**63 Clause 1152 (Insertion of new ch 9, pt 12)**

Page 710, after line 29—

*insert—*

(1A) However, chapter 7, part 1 and any commission chief executive directive mentioned in that part, as in force immediately before the commencement, continue to apply for an appeal against a decision mentioned in section 194(1)(a) or (e) that was made before the commencement.

(1B) For subsection (1A), a person who, immediately before the commencement, was appointed as an appeals officer under section 88A is taken to be an IRC member.

**64 Clause 1153 (Amendment of sch 4 (Dictionary))**

Page 711, after line 11—

*insert—***casual employment decision** see section 194(1)(ea).**employee complaints directive** see section 218A(1).**fair treatment decision** see section 194(1)(eb).

These are the amendments to reflect the changes to the Public Service Act to provide fair treatment appeals and the review of temporary employment in the public sector.

Amendments agreed to.

Clauses 1108 to 1157, as amended, agreed to.

Schedules 1 to 4, as read, agreed to.

Schedule 5—

**Ms GRACE** (12.34 am): I move the following amendments—**65 Schedule 5 (Dictionary)**

Page 732, line 3—

*omit, insert—***act**, for chapter 12, part 13, see section 826.**66 Schedule 5 (Dictionary)**

Page 732, line 8, '636O'—

*omit, insert—*

- 67 Schedule 5 (Dictionary)**  
Page 732, line 14, '838'—  
*omit, insert*—  
595
- 68 Schedule 5 (Dictionary)**  
Page 733, line 29—  
*omit, insert*—  
**audit report**, for chapter 12, means a report prepared under section 768.
- 69 Schedule 5 (Dictionary)**  
Page 734, lines 24 and 25—  
*omit*.
- 70 Schedule 5 (Dictionary)**  
Page 735, line 31, '50'—  
*omit, insert*—  
121
- 71 Schedule 5 (Dictionary)**  
Page 738, lines 3 and 4, from 'means'—  
*omit, insert*—  
see section 508(2)(b).
- 72 Schedule 5 (Dictionary)**  
Page 738, line 11, '438'—  
*omit, insert*—  
627
- 73 Schedule 5 (Dictionary)**  
Page 738, line 19—  
*omit*.
- 74 Schedule 5 (Dictionary)**  
Page 740, line 1, '65(2)(a)'—  
*omit, insert*—  
66(2)(a)
- 75 Schedule 5 (Dictionary)**  
Page 741, line 5—  
*omit*.
- 76 Schedule 5 (Dictionary)**  
Page 741, line 19—  
*omit*.
- 77 Schedule 5 (Dictionary)**  
Page 742, line 10, after 'adopted child,'—  
*insert*—  
foster child,
- 78 Schedule 5 (Dictionary)**  
Page 742, line 14, '297'—  
*omit, insert*—  
279
- 79 Schedule 5 (Dictionary)**  
Page 742, line 25, '637'—  
*omit, insert*—  
877
- 80 Schedule 5 (Dictionary)**  
Page 743, line 2, '393'—  
*omit, insert*—  
389

- 81 Schedule 5 (Dictionary)**  
Page 743, lines 30 and 31, from 'see'—  
*omit, insert*—  
part 11, see section 731.
- 82 Schedule 5 (Dictionary)**  
Page 745, line 6, '637'—  
*omit, insert*—  
877
- 83 Schedule 5 (Dictionary)**  
Page 745, line 27, '6'—  
*omit, insert*—  
168

They are technical and minor amendments to schedule 5, the dictionary.  
Amendments agreed to.

**Ms GRACE:** I move the following amendments—

- 84 Schedule 5 (Dictionary)**  
Page 750, line 13, '297'—  
*omit, insert*—  
508(2)(a)
- 85 Schedule 5 (Dictionary)**  
Page 751, line 9, from 'see'—  
*omit, insert*—  
part 11, see section 731.
- 86 Schedule 5 (Dictionary)**  
Page 752, after line 15—  
*insert*—


**spouse**, of an employee, includes a former spouse of the employee.

Once again, these are technical and minor amendments to schedule 5, the dictionary.  
Amendments agreed to.

Schedule 5, as amended, agreed to.

Schedule 6, as read, agreed to.

### Third Reading

 **Hon. G GRACE** (Brisbane Central—ALP) (Minister for Employment and Industrial Relations, Minister for Racing and Minister for Multicultural Affairs) (12.35 am): I move—

That the bill, as amended, be now read a third time.

Division: Question put—That the bill, as amended, be now read a third time.

**AYES, 45:**

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

**KAP, 2**—Katter, Knuth.

**INDEPENDENT, 2**—Gordon, Pyne.

**NOES, 41:**


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

Pair: Russo, McArdle.

Resolved in the affirmative.

Bill read a third time.

### Long Title

 **Hon. G GRACE** (Brisbane Central—ALP) (Minister for Employment and Industrial Relations, Minister for Racing and Minister for Multicultural Affairs) (12.38 am): I move—

That the long title of the bill be agreed to.


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

Motion agreed to.

## REVENUE AND OTHER LEGISLATION AMENDMENT BILL

Resumed from 16 June (see p. 2419).

### Second Reading

 **Hon. CW PITT** (Mulgrave—ALP) (Treasurer, Minister for Aboriginal and Torres Strait Islander Partnerships and Minister for Sport) (12.41 am): I move—

That the bill be now read a second time.

I would like to thank the Infrastructure, Planning and Natural Resources Committee for its report tabled on 19 August 2016 regarding the Revenue and Other Legislation Amendment Bill 2016. I would also like to thank those who made submissions to the committee about the bill and those who appeared as witnesses as part of the committee's inquiry.

The committee made two recommendations: that the bill be passed; and that the bill be amended to require a local government's annual report for each financial year to include a statement about the local government's actions in relation to matters in its corporate plan that relate to Queensland. The Queensland government does not accept the second recommendation. I am pleased to table the government's response to the committee's report.

*Tabled paper:* Infrastructure, Planning and Natural Resources Committee: Report No. 30—Revenue and Other Legislation Amendment Bill 2016, government response [\[2198\]](#).

As I stated when I introduced this bill, the intent of the Queensland Plan is beneficial. It requires consultation with community, business and industry to develop a plan that can exist beyond electoral cycles. Most of the Queensland Plan Act is unchanged, including the role of the Queensland Plan Ambassadors Council. I would like to put on record the government's support for the ambassadors council.

The bill amends the Queensland Plan Act 2014, streamlining it by replacing the requirement to develop and implement a government response with a requirement that the state government consider the Queensland Plan in developing its statement of government objectives for the community made under the Financial Accountability Act 2009. The requirement for the government to consider the Queensland Plan in developing its statement of objectives to the community will ensure there is one strategic direction document for the government's objectives for the community that will be used as a basis for government planning and reporting.

The bill removes state and local government reporting, which is, in effect, an additional layer of reporting created by the Queensland Plan Act. The requirement for the Premier to provide an annual report on implementation and progress is retained as an accountability measure.

The committee recommends that, as an accountability measure, the bill be amended to require a local government's annual report to include a statement about the local government's actions in relation to matters in its corporate plan that relate to the Queensland Plan: the retention of the existing local government reporting provision. The Queensland Plan is incorporated into local government planning. The act requires a local government, in preparing its corporate plan, to have regard to the Queensland Plan in developing the strategic direction of the local government and performance indicators for measuring the local government's progress in achieving its vision for the future of the local government area.

The Local Government Regulation 2012 requires a local government's annual report to include the chief executive officer's assessment of the local government's progress towards implementing its five-year corporate plan and annual plan. The Local Government Association of Queensland, a major stakeholder, has written to the Premier since the committee tabled its report expressing its

disappointment about the committee's recommendation and reiterating its support for the bill as introduced. The LGAQ rejects the argument that, by removing the requirement for the local government to report annually, a significant accountability mechanism will be lost. I table the letter.

*Tabled paper:* Letter, dated 22 August 2016, from the General Manager—Advocate, Local Government Association of Queensland, Mr Greg Hoffman PSM, to the Premier and Minister for the Arts, Hon. Annastacia Palaszczuk, regarding the Revenue and Other Legislation Amendment Bill 2016: Queensland Plan Act amendment [\[2199\]](#).

We accepted the LGAQ's position when we developed the amendments and we continue to accept it. The government acknowledges the committee's report and respects its conclusion, but we support the concerns that have been raised by the LGAQ through consultation on the amendments and recently in its letter supporting the bill. Our amendments will reduce red tape for local governments in Queensland without compromising the integrity of the Queensland Plan.

The committee has accepted the revenue amendments proposed in this bill. As revenue regulates the collection of a significant proportion of the state's funds which are critical to essential services for Queenslanders, it is pleasing to see the committee's support for the need to maintain the revenue legislation. I would like to thank the committee for the time it took to gain a good understanding of these amendments.

Therefore, the bill will make the following amendments to revenue legislation:

- ensure the home concession provisions under the Duties Act 2001 operate as intended in relation to leasing arrangements;
- give legislative effect to two existing beneficial administrative arrangements under the Duties Act 2001 which extend the operation of the corporate reconstruction and an insurance duty exemption;
- also give legislative effect to the beneficial administrative arrangements in relation to the Land Tax Act 2010 to clarify the operation of the subdivided discount provision under that act;
- provide certainty for, and align the operation provision of the Taxation Administration Act 2001 to, electronic environments in relation to the giving of documents to and making of payments to the commissioner; and
- make other amendments to clarify that costs ordered by the Queensland Civil and Administrative Tribunal are included in a person's tax law liability; correct a cross-reference; remove a redundant transfer duty exemption and correct a drafting error, as part of the normal maintenance amendments required to ensure this legislation remains current and clear.

The bill also makes amendments to the Superannuation (State Public Sector) Act 1990 and the Local Government Act 2009 to allow Queensland's core public sector employees, both at state and local government level, to choose the superannuation fund into which their superannuation is paid. This will give state and local government employees the same opportunity to choose their own superannuation fund as applies in most other states and the Commonwealth. The introduction of choice increases competition in the superannuation industry, not just in this state but nationally, because for the first time in over 100 years for state government workers and 50 years for council workers these employees can now choose the superannuation fund that best suits their needs. Many thousands of Queenslanders can now have the same option as everyone else with regard to superannuation. They can choose any fund they want and all funds in the country can now compete for their membership. Importantly, the bill does not change the contribution rates paid for Queensland's public servants and local government employees which apply, regardless of the superannuation fund to which they are paid.

Where an employee does not nominate a superannuation fund, the employer must select a high-quality default fund. The Queensland government is the single employer of core state public sector employees, and there is to be one default fund for all departments and agencies. This is in the best interests of employees, who often transfer across departments, and is the most efficient mechanism for employers. One default fund for core government is common practice across other jurisdictions and the bill provides for QSuper to be the default fund.

It is not the same situation for government owned corporations, GOCs, as each is a separate employer. Even though the bill does not unilaterally nominate QSuper as the default fund for these entities, to remove all doubt I will move amendments during consideration in detail of the bill to retain the existing default arrangements for GOCs. Similarly, after consultation with local government employers and their respective representative industry body, the Local Government Association of Queensland, it was clear that councils supported continuing LGIAsuper as the default superannuation fund for local government employees.

Neither QSuper nor LGIASuper are owned by government. Their day-to-day operations are overseen by boards of trustees consisting of equal employer and employee representatives. Each fund is regulated by the Commonwealth government and meets the requirements needed to be a default fund. QSuper provides tailored insurance for state public sector employees, which is particularly important for emergency services workers who may otherwise be able to access insurance. Both funds have worked in close association with employer payrolls over the years, most recently to ensure the efficient implementation of new Australian government contribution standards.

The decision to nominate QSuper and LGIASuper as the default funds creates minimal disruption to employees and payrolls and is supported by major unions representing the employees in these sectors; however, the bill does not preclude the selection of an alternate default fund. This matter was raised at the committee, and for that reason I plan to move amendments during consideration in detail of the bill to formalise that an independent review will be undertaken at the end of five years from the commencement of choice. This review will be undertaken by a major independent body with appropriate experience in superannuation. It is envisaged that the review would include consideration of the needs of employees, performance of the funds, the impact of any changes on local and state government bodies and broader industry developments.

The government sees the introduction of choice and the increase in competition that will result as in the best interest of employees as funds across the country will vie for their membership. However, as a result of the increased competition new employees and existing members of QSuper and LGIASuper may elect to join another fund. This, combined with the potential that the government may in the future choose another default fund, are legitimate concerns for the boards. Consequently, the board of each fund has requested the removal of membership barriers contained in their respective legislation. The bill removes such barriers, which will allow the boards to apply to the Australian government for approval to amend their licence and to open up fund membership.

The bill also proposes to amend the Right to Information Act 2009 to remove the QSuper board's functions from its operation. QSuper's members will continue to be able to access information on their personal record under provisions in Queensland's Information Privacy Act 2009.

Lastly, in relation to superannuation the bill proposes to formalise the existing administrative process to manage unfunded windfall benefit gains resulting from artificial salary increases. Let me be clear: this amendment applies only to employees with defined benefit accounts. There is no effect on the benefits accrued before the artificial increase in salary and there is no change to the treatment of normal salary growth, promotions or existing allowances.

Some comments made in a number of quarters that this provision reduces accrued benefits may have raised concerns with employees about the security of their defined benefits. I would like to remind those who have unfortunately caused concern to defined benefit members that not only is this protection contained in the bill but also the Commonwealth superannuation legislation specifically prohibits the reduction of accrued benefits. However, there are concerns around the principle of the government of the day being able to adjust defined benefit multiples. For that reason I plan to move amendments during consideration in detail of the bill to have the government's superannuation officer, an existing statutory position, make the decision after consulting the QSuper board and the Under Treasurer.


Currently this position is occupied by the CEO of QSuper, an appointment which is no longer appropriate in an environment of member choice and public offer. Therefore, prior to commencement of this provision I anticipate the appointment of a senior Treasury officer to this role. Further, I am confident that when the QSuper board considers consequential amendments to the Superannuation (State Public Sector) Deed 1990 as a result of this bill it will look at the impact on and protect from reduction the rights and benefits of QSuper members.

Finally, I note that in the committee's report the statement of reservation made by the members for Cleveland and Burleigh about this proposed amendment. As stated—

Some of the Opposition's concerns relate to the lack of appeal rights regarding the application of this change.

Can I be very clear that if an employee believes a decision to adjust their multiple was an inappropriate application of the law they would have the right to appeal the decision under Queensland's Judicial Review Act. Again, I thank the committee for its consideration of the bill. I commend the bill to the House.

**Mr DEPUTY SPEAKER** (Mr Elmes): Before calling the member for Indooroopilly, I ask those members who are standing in the aisles to either leave the chamber or take their seats. We will have a little less conversation in the House as well.

 **Mr EMERSON** (Indooroopilly—LNP) (12.51 am): The debate of this bill illustrates why the Labor colleagues of the Treasurer want to get rid of him. This is yet another example of a treasurer who is simply not up to the job, who was caught trying to sneak through a change that could leave some public servants hundreds of thousands of dollars worse off. The LNP does not oppose this bill—many of the changes are technical and administrative in nature—however, in the first part of my contribution this morning I will focus my comments on the section of the bill we do oppose, that is, clause 68.

Clause 68 as it now reads inserts a new section 28A into the Superannuation (State Public Sector) Act 1990, which provides the treasurer of the day with a discretionary power to adjust a member's accrued multiple. This is a significant change. This is an unprecedented change. It represents the latest raid by the Treasurer on the superannuation benefits of hardworking public servants.

Members should remember that this Treasurer's first budget was based on tricks and raids—taking \$3.4 billion from the long service leave funding pool, shifting almost \$4 billion of debt into the GOCs and putting a freeze on superannuation contributions into the defined benefit superannuation fund. His second budget was even worse. His promises rely on a \$4 billion raid on the government's defined benefit fund. As has been admitted by the State Actuary himself, this is twice the amount that was actually recommended.

**Mr Pitt:** That's not what he said at all.

**Mr EMERSON:** As I say, the State Actuary recommended only \$2 billion. As he said—

**Mr Pitt:** No, he recommended various choices.

**Mr EMERSON:** I take that interjection from the Treasurer, who says he never recommended that.

**Mr Pitt** interjected.

**Mr EMERSON:** I heard him say, 'No, no, no. He never said that.'

**Mr Pitt** interjected.

**Mr EMERSON:** No, what he said earlier—

**Mr DEPUTY SPEAKER:** Gentlemen, it would help if the comments were directed through the chair, rather than via a conversation between the two of you.

**Mr EMERSON:** As I heard, the interjection from the Treasurer was very clear. He denied that the State Actuary ever said there was a recommendation of only \$2 billion. That is clearly what he said in his interjection.

As has been previously canvassed, the State Actuary was asked to bring forward by one year his full triennial review into the state public sector super scheme to give the government time to properly consider the report ahead of this year's budget. That report included a recommendation from the State Actuary. Of course, the government chose to ignore that recommendation. When the State Actuary presented those figures, the Labor government went back and changed the goalposts. I am happy to go through the history of it all, if it pleases members opposite, but at its heart this raid was based on the fact that the government is incapable of responsibly managing Queensland's finances. The raid also came at a time when superannuation funds are experiencing lower levels of return.

**Mr PITT:** Mr Deputy Speaker, I rise to a point of order. Not to cruel the flow the member for Indooroopilly apparently has going, I seek your guidance in terms of the scope of this bill. Are his comments related to the budget decisions made by the government within the scope of this bill? I would suggest that they are not.

**Mr DEPUTY SPEAKER:** I will listen very carefully to the comments by the shadow Treasurer and trust that he will stay within the confines of the bill.

**Mr EMERSON:** This bill specifically targets and discusses the superannuation scheme and I am talking about the superannuation scheme. I know that the Treasurer struggles with this issue. This week we heard, in an extraordinary interview with Steve Austin, how much he does struggle with his portfolio. The reality is that this is about superannuation.

As I said, that report includes a recommendation from the State Actuary. Of course, the government chose to ignore this recommendation. When the State Actuary presented these figures, the Labor government went back and changed the goalposts. At its heart, that raid was based on the fact that the government was incapable of—

**Mr PITT:** I rise to a point of order. I seek advice as to whether the member's comments are within the scope of the bill. I would suggest that they are not.

**Mr DEPUTY SPEAKER:** Order! Would the member for Indooroopilly explain to me where his line of debate is fitting in to the bill?

**Mr EMERSON:** Certainly, Mr Deputy Speaker. This bill deals with superannuation changes, specifically to the defined benefit scheme. It has an impact on the defined benefit scheme. The comments I am making now refer to the defined benefit scheme and superannuation, specifically that scheme which is referred to in this bill. This bill impacts on that scheme. Therefore, it is relevant.

**Mr DEPUTY SPEAKER:** I will listen exceptionally carefully to the comments from the shadow Treasurer.

**Mr EMERSON:** As I was saying, the raid comes at a time when superannuation funds are experiencing low levels of return. This was made obvious by the Queensland State Actuary during budget estimates, when he outlined that the returns for the government DB super fund in 2015-16 were below the ongoing investment returns of six per cent identified in the State Actuary's full actuarial investigation. The risk of the raid was highlighted yet again in the QTC annual report for 2015-16, which showed a more than \$900 million loss for long-term assets including the state's super funds. I table that document.

*Tabled paper:* Extract from Queensland Treasury Corporation—Annual Report 2015-16, page 18, 'Statement of Comprehensive Income' [\[2200\]](#).

Essentially, the investment returns from long-term assets fell short of what QTC is required to provide the government under the fixed-note arrangement, with the more than \$900 million gap described as a loss. Yet again, the danger of the member for Mulgrave's super raid has been exposed. At a time when most industry experts are urging caution, at a time when low investment returns are expected moving forward, the Treasurer saw fit to raid the future fund put aside to cover the retirement costs of long-term public servants. In terms of the industry outlook an article states—

Future Fund Chairman Peter Costello has forecast lower investment returns are coming and warned investors against taking increased risks to try to compensate for a shortfall in earnings.

'There will be very difficult trading conditions going forward. Returns are at historic lows,' he said yesterday.

'This is a very difficult yield environment and it means we are looking very carefully for ways to maximise yields while not chasing the risk too far.'

I table the document.

*Tabled paper:* Article from the *Herald Sun* online, dated 2 September 2016, titled 'No time to pursue risks, says Future Fund chairman Peter Costello' [\[2201\]](#).

This is what is intriguing about the changes as identified at clause 68 of the Revenue and Other Legislation Amendment Bill: the ROLA Bill was introduced only two days after the budget. Two days after a budget which raids \$4 billion from the Public Service super fund, the Treasurer seeks the ability to change the multiple at which public servants' final benefit is calculated. This is more than mere coincidence. These changes are required to protect the fund against falling into deficit following the Treasurer's unprecedented raid. This is precisely why the Treasurer tried to sneak it through, hoping that it would not be picked up and that no-one would be awake to his tricky change. His decision not to talk about and to seemingly not discuss it with the unions has left him with egg on his face and with further questions to answer about his competency. I know those opposite will stand here and accuse the LNP of running scare campaigns, and we have seen that already from the Treasurer tonight. The fact is that these changes could leave a public servant with more than 30 years experience up to \$210,000 worse off. That is precisely what the example provided by Queensland Treasury as part of the committee's consideration of the bill shows, and I am happy to table that document as well.

*Tabled paper:* Document, undated, titled 'Extract of explanatory notes to the Revenue and Other Legislation Amendment Bill 2016' [\[2202\]](#).

There we have it in evidence from Queensland Treasury—the example of a government worker losing as much as \$210,000 from their final retirement benefit. This is a considerable amount of money that a worker stands to lose and the fact remains that the member for Mulgrave has failed to make the case as to why this change is necessary. In fact, this is what Together union's Alex Scott had to say on the issue when asked to respond to the issue—

... what we do know is this legislation is bad legislation because it allows for the principle that the Treasurer would be able to change the defined benefit payment on an individual basis.

The reason we're opposing these changes is a broader principle issue that we believe superannuation should not be at the whim of any government and we believe that the current legislation is the thin end of the wedge that would allow Treasurers to start changing defined benefit schemes in the future.

... as a matter of public policy, we don't believe any Minister should ever be able to vary the defined benefit scheme payouts for public sector workers and that's why we'll be opposing the legislation on that principle.

Under these changes, any time a public servant on the standard defined benefit fund receives an increase in their superannuable salary, the Treasurer can review it with the power to change the multiple at which their final salary is determined. This would significantly reduce the final retirement benefit of core public servants including police, teachers and nurses. The changes would mean public servants who have successfully negotiated to have allowances rolled into their salary will no longer have this considered as part of their super entitlements. The LNP opposition has put a great deal of work into understanding these changes and the potential impacts of the changes. This advice shows that the salary arrangements may often change because employers want to simplify arrangements. Various allowances can complicate salary calculations and it may in fact be that the employer then seeks to make those changes. The employer may decide to roll those allowances together rather than maintain a complicated system of allowances.

At a time like this, following negotiations with an employee, a new salary may be agreed. When the new salary is negotiated, it becomes superannuable salary and the allowances which may not have previously been part of that superannuable salary are included. These roll-ups often occur as part of enterprise bargaining negotiations or negotiations when moving employees on to contracts. By seeking to make these changes, the government can circumvent these enterprise bargaining negotiations which allow for these allowances to be considered as part of their total salary package and therefore their superannuable package.

It has been a consistent principle that employees on the DB fund—the defined benefit fund—are entitled to a fixed multiple of their final salary, but this government is seeking to change that principle. This is yet another unprecedented move by the Treasurer, Curtis Pitt, to tamper with the public servants' super fund. It is directly related to his decision to raid \$4 billion from the fund—double the amount recommended by the State Actuary. This will lower future payouts to public servants, protecting the fund from the risk of going into deficit following his short-sighted raid. In his contribution the Treasurer failed to adequately answer questions about how many people stand to lose and how many people will be impacted. That is why we are calling on all members in this place to vote against this clause. We know we have been receiving letters from concerned public servants. I am sure all members have been. The member for Mulgrave has failed to adequately address those concerns and his mishandling of the issue has again highlighted his shortcomings as Treasurer.

On other issues, in terms of choice of fund, the ROLA Bill also amends the Superannuation (State Public Sector) Act 1990, the QSuper act, and the Local Government Act 2009, the LG Act, to provide Queensland state core public sector and local government employees with choice of fund. The LNP is a party that believes in freedom of choice. We believe these are important reforms that deserve the support of the parliament. While in government the LNP took steps to enhance choice. In 2013 the member for Clayfield as treasurer approved the introduction of portability for QSuper accumulation members. This allowed members to annually transfer the accrued balance of their QSuper account into a fund of their choice. This was a key step towards the introduction of choice in Queensland. We congratulate the government for continuing to push forward with these changes begun under the then treasurer, the member for Clayfield.

There was a considerable amount of debate throughout the committee process and highlighted in submissions in relation to QSuper and LGIASuper remaining default funds for Public Service and local government employees. We acknowledge this is an issue and we note the concerns on private industry super funds including the likes of Sunsuper and Energy Super. Sunsuper put its position forward quite patently in its submission it made in relation to the bill—

The Bill makes no changes to the default employer arrangements for QSuper or LGIA Super, while the public offer element will enable both of these funds to compete for other super fund's employer sponsored defaults. Therefore this Bill will create unfair competition that allows QSuper and LGIA Super to compete for default arrangements in the broad market whilst having their current default arrangements protected. This could lead to QSuper gaining significant market share from other Queensland funds and this could threaten the prosperity of a healthy financial services sector that supports a diversified Queensland economy.

The LNP has held a number of meetings with Sunsuper representatives who have again expressed these concerns and I do note the Treasurer's earlier comments and foreshadowed amendments to the bill. The LNP opposition also notes the Infrastructure, Planning and Natural

Resources Committee's comments in relation to aspects of the bill. It is important that we are aware of these concerns and monitor this issue. We are confident the default fund issue is something the Treasurer is well aware of and will continue to monitor, as he has indicated.

In terms of the Queensland Plan, this is another issue that was the centre of discussion and deliberation by the committee. I note the issues in relation to the changes to the Queensland Plan including the views put forward by the Queensland Plan Ambassadors Council which are explored in the committee's report into the ROLA Bill. The LNP opposition notes the comments put forward by the committee in relation to these changes—that is, that Queenslanders support a long-term plan and vision for the state like the one put forward by the Queensland Plan. The committee was concerned that the proposed reporting requirements under the Financial Accountability Act's section 10 are too broad. It stated—

The community objectives statement lacks detail by providing high-level aspirational objectives and this may weaken awareness of the plan and accountability in relation to its implementation.


The LNP opposition will not be opposing these changes but draws the House's attention to the comments of the committee. We also highlight the recommendation put forward by the committee in relation to the reporting requirements of local governments and possible amendments to the ROLA Bill. The ROLA Bill, in other changes, also amends the Duties Act 2001, the Land Tax Act 2010 and the Taxation Administration Act 2002. With respect to the changes to the Duties Act, we note and appreciate that these changes have been brought about by the Queensland Court of Appeal decision in the Commissioner of State Revenue v Di Sipio & Anor. This amendment to the Duties Act will ensure the original policy intent of the act is maintained.

The change to the Land Tax Act 2010 is necessary to give legislative effect to an administrative arrangement which has operated since October 2014. The bill also includes some technical amendments to the Taxation Administration Act 2001, including an amendment clarifying that costs ordered by the Queensland Civil and Administrative Tribunal are included in a person's tax law liability.

As I highlighted earlier, although we support the majority of the changes in the bill, we remain steadfastly opposed to the alteration to the Superannuation (State Public Sector) Act, as identified in clause 68 of the ROLA Bill. We are concerned that, once again, we are seeing this Treasurer raiding public servants' superannuation. This is a Treasurer who has already ripped \$4 billion out of the fund. Once again, he has his grubby hands on their money.

**Mr PITT:** I rise to a point of order. I take personal offence to that last remark. It has to be withdrawn.

**Mr EMERSON:** I withdraw.

 **Mr NICHOLLS** (Clayfield—LNP) (Leader of the Opposition) (1.09 am): Here we have a piece of legislation that the Treasurer claims as his own, which is, in the main, simply a repeat of legislation that was introduced by the previous government prior to the change of government in January 2015. It is good legislation that moves forward the process of allowing choice of fund, portability and the ability for the state super fund and others to compete in the private market—a long-held ambition of the previous LNP government.

We know that this lazy, tired, asleep-at-the-wheel Palaszczyk government—a government with no plan of its own, that came to government with no idea—has now, yet again, been caught out by repeating the process of putting into parliament legislation that the former LNP government had already placed in this House. The only new thing that this Treasurer has done in this legislation is attempt a raid on public servants' superannuation. He did not mention that in his introductory speech. It was nowhere to be found.

**Mr Pitt** interjected.

**Mr NICHOLLS:** He protests too much, because he knows that he has been caught out. It was nowhere to be found in the explanatory notes and it was nowhere to be found in his introductory speech. This Treasurer has yet to come up with an original idea. This Treasurer has yet to do the hard work to find the funds to balance the budget other than by raiding the superannuation fund, taking a contribution holiday and forcing government owned corporations to borrow more to pay 100 per cent dividends.

How is that policy going? In an article titled 'Qld Audit Office identifies risks to energy businesses from state debt reshuffle', Gene Tunny states—

... it is requiring the GOCs to pay a high rate of dividends based solely on their accounting profits, without regard to the actual cash they have available (noting that cash might be needed to fund CAPEX or repay debt), meaning the GOCs have had to borrow to pay dividends to the Government. As the QAO has suggested, this is not a sustainable long-run strategy.

This strategy of forcing GOCs to take on more debt, to borrow more to pay dividends, is not new. One of the most famous examples of someone who borrowed to pay dividends was Alan Bond. That was the thing that caused Bell corporation to go bust. That is the sort of accounting and financial trickery that Labor governments are always stooping to. Bondy was a great mate of Labor premiers in Western Australia. He could be the great mate of the Treasurer here. Instead of saying, 'Okay, we'll let you, the board, decide and we'll ask you, the board, to make decisions about how to invest our capital' what does this Treasurer do? He says, 'No, you can't borrow to invest in capital works. We want you to borrow to pay dividends to me.'

**Mr PITT:** I rise to a point of order. Whilst I am very happy to listen to the member for Clayfield drone, I seek clarification as to how this is relevant to the bill at hand.

**Mr DEPUTY SPEAKER (Mr Elmes):** Order! I am listening to what the Leader of the Opposition is saying but, I am having a little difficulty listening to him over your interjections, Treasurer.

**Mr PITT:** I rise to a point of order. Mr Deputy Speaker, I am simply asking for a ruling on relevance.

**Mr DEPUTY SPEAKER:** I will listen very carefully to what the Leader of the Opposition is saying. I will ask the Leader of the Opposition to stay relevant to the bill.

**Mr NICHOLLS:** Mr Deputy Speaker, indeed, I am very happy to stay relevant to the bill. For a Treasurer to assign to himself the power to say how much a superannuant can receive without any explanation, without saying to this House why it is necessary, and to vaguely describe it as something that has been done administratively in the past and produce no evidence of it and to not tell us how it works, can only be described as a risky, sneaky and reckless raid by someone who thinks that taxpayers' money is a bottomless pit. That is all one can say.

As for the other contents of the bill. It was all done. The work was sitting there for him, as it was with the work on the market-led proposals, as it was with the balanced budget with the operating surplus that had been delivered for two years, as it was with reducing the expenditure of government that was blowing out, as it was with fixing up the electricity bills by taking \$7 billion out of the future capital expenses of the GOCs that had been plugged into it by Andrew Fraser in his letter to the Australian Energy Regulator in 2010 in which he said, 'Please let us charge the consumers more so we can make money because our budget is going further into the red.' Does that sound familiar? Charge the consumer more. Lock in the prices for five years from 2010 to 2015.

This Treasurer has made unprecedented cash grabs into an art form. Before the last state election, not once did the Treasurer say, 'We will take a superannuation contributions holiday.' Not once before the last state election did he say, 'We're going to take \$4 billion out of the superannuation fund.'

**Mrs Frecklington** interjected.

**Mr Pitt** interjected.

**Madam DEPUTY SPEAKER (Ms Farmer):** Order! Member for Nanango and the Treasurer, no conversations across the chamber, please.

**Mr NICHOLLS:** Not once did the Treasurer say that he was going to take a leaf out of the Beattie and Mackenroth playbook and ramp up—

**Mr PITT:** I rise to a point of order. I have asked for a ruling on relevance a couple of times. I ask the member for Clayfield to point to the component of this bill that relates to his contribution because, at the moment, he is making a wideranging contribution. I would ask you to rule.

**Madam DEPUTY SPEAKER:** I have only just come into the chair and into the chamber. I am happy to give the member for Clayfield the opportunity to speak with reference to the long title of the bill.

**Mr NICHOLLS:** I am referring to part 8, titled 'Amendment of Superannuation (State Public Sector) Act' in relation to clause 68, titled 'Insertion of new s 28A', which is a power given to the Treasurer to alter the contributions payout for state superannuation funds that Treasury, in evidence to the committee, indicated could cost a public servant who had been employed for 30 years I think over \$210,000 over that period. I am not sure how much more specificity the Treasurer requires in relation to his own legislation. Perhaps it is because it is not his own legislation, perhaps it is because he is copying someone else's legislation that he requires such assistance.


Why does the Treasurer need the power to change the superannuation payouts? Because he has raided the superannuation fund. After this Treasurer and his Under Treasurer changed the goalposts in relation to the state superannuation fund, the State Actuary has said that the fund could

be at risk of becoming insolvent because the rates of return are getting less. We know that the rates of return are getting less across the world. As yields drop, the returns drop. That means that there is less available to pay out to superannuants. This risky decision to treat superannuation as a bottomless pit means that the Treasurer now has to take steps to say, 'If we don't have enough money in the fund, I'm going to change how much is going to be paid out to the recipients.'

Here was the fund with variously a surplus on a financial measure or an accounting measure between \$2 million and \$10 million, here is a Treasurer who has changed the goalposts about what is an acceptable reserve by giving instruction through his Under Treasurer to the State Actuary, and now here is a Treasurer who is saying because we have gone from this amount to this amount and because there is a risk that if we take it out it is going to go into default, I am going to change how much the people who have been working and expecting to receive those funds are going to be entitled to receive, and he has done it without telling anyone that he is doing it.

There are only two interpretations to put on this: one is—and I am reluctant to put this interpretation on it—that he did know what was going on and did not disclose it to the House in his introductory speech or his explanatory notes; the other one is he did not know what was going on and so was unable to do so. In either event he is condemned for not being across his brief or for being tricky, mean and risky with other people's money. We know that this Treasurer never saw someone else's money that he could not raid to fix up his own black hole of debt and deficit. We know he has form because he never said any of this to the people of Queensland before the last election. He said he was going to create a trust and pay the dividends from the GOCs into the trust to pay down debt. We are still waiting for the trust to arrive.

There is much in this bill to support: that part of the bill that we introduced. There is one part that we cannot support and that is the part that gives a power to this risky Treasurer to make changes to people's superannuation payouts.

 **Mr PEARCE** (Mirani—ALP) (1.22 am): Madam Deputy Speaker, before I make any comments to the bill I would like to explain to the Leader of the Opposition that I was asked to sit down and give you the opportunity to jump because you were sooking.

**Madam DEPUTY SPEAKER** (Ms Farmer): A couple of things, but mainly could you please direct your comments through the chair. I have asked you to do that previously.

**Mr PEARCE**: I did refer to you, Madam Deputy Speaker.

**Madam DEPUTY SPEAKER**: I think that word is probably unparliamentary and I would ask you to withdraw it, please.

**Mr PEARCE**: I withdraw. As chair of the Infrastructure, Planning and Natural Resources Committee I want to make a few comments with regard to the legislation before the House. In the first instance, the committee considered a number of amendments proposed to superannuation legislation, particularly that relating to allowing choice of fund for Queensland government and local government employees, default fund status for QSuper and LGIASuper and opening these funds to public offer. The committee noted that stakeholders supported the amendment that would allow these employees to choose their superannuation fund. The committee, however, noted that some stakeholders held concerns that amendments that would nominate QSuper and LGIASuper as the default funds for Queensland government employees and local government employees, while also opening up their membership to the general public, would result in an unfair competitive advantage for these funds.

The committee also understands that the bill would not constrain employers, such as the Queensland government and local governments, from reviewing and changing their nominated default funds at a later time. I think the Leader of the Opposition has been a little bit unfair in his comments with regard to the Treasurer, but I guess when you are in a situation like the opposition are in you have to do your best to muddy the waters and cause as much frustration as you can for everybody else, including those people who are members of those funds who would like to have an understanding of the legislation and how it works and not simply have to put up with the muddying of the waters, as I said, and a misrepresentation of the facts.

QSuper and LGIASuper are currently prescribed by law as the superannuation fund for Queensland core public sector and local government employees respectively. The introduction of choice of fund in this bill effectively removes this compulsory membership requirement but will also continue to prescribe QSuper and LGIASuper as the default funds for those state and local government employees who do not choose an alternative fund. The core state public sector is effectively one single employer with high levels of staff mobility through secondments and interchange. Selecting a single

default fund with a proven track record provides a level of continuity for employees, in particular those whose careers progress through various government departments, and presents minimum payroll disruption for employers. This is all common sense. It is good for the agencies and it is also good for the employees because they do not have to worry about the security of funds and having to go and move their money to another fund. It is about security and it is about ensuring that there are very little problems for anybody involved in the process.

The choice of QSuper as the default fund is also supported by the major unions representing public sector employees. That is another great thing the unions do—they get in there and make sure that their people are looked after. It is good to see that they have supported these changes. The continuation of LGIASuper as the default fund for local government employees is supported by the Local Government Association of Queensland, which represents local government councils, and is not opposed by the unions.


As Queensland public sector and local government employees will be able to choose their own superannuation fund, other superannuation funds will be able to actively compete for an employee's membership therefore increasing competition at state and national levels. This is why the bill removes restrictions that limits who can be members of these schemes which will commence at the same time as choice of fund commences. The arrangements proposed in the bill are not dissimilar to those in other states. For example, in New South Wales the default fund for public sector employees, First State Super, is also open to the general public. Also, the government can review QSuper's and LGIASuper's status as the default funds in the future, placing the funds on notice to constantly provide excellent service, products and returns to state and local government employees.

There were a number of questions put to the committee. I do not have time to go through and talk about all of them, but I just might mention a couple. One was: why is the government introducing choice of fund? The ability to choose their own superannuation fund is now available to the majority of Australian workers. The introduction of choice of fund here gives Queensland's state and local government employees that same ability. Choice is a reflection of modern, mobile employment arrangements and remaining with their existing superannuation provider can be attractive to new employees.

Another question was: does the Queensland government own QSuper and LGIASuper? That was a bit of a contentious issue. The answer is no, QSuper and LGIASuper are not government owned, their employees are not public servants and there is no return paid to government. Government does not pay money to these funds outside the normal fees to administer the various defined benefit schemes still in operation.

Another question was: when will choice of fund commence? The answer to that is, as has been previously announced, choice of fund will commence by 30 June 2017 which gives sufficient time for employers and their payroll providers to make the necessary changes to their processes. Another question was whether it was appropriate for a public sector scheme to be open to the general public. The answer is that a public sector scheme is defined simply as a scheme established by an act of parliament. There are many examples of public sector schemes that are open to the public, for example, First State Super in New South Wales and VicSuper in Victoria.

I have had some discussions with the Treasurer about some of the things that were said by members on the other side of the House. I know that the Treasurer will attend to those matters when he makes his final contribution to the House. I take this opportunity to thank the committee for the great work that they did, as always. I thank the secretariat for their great work. I support the legislation.

 **Dr ROBINSON** (Cleveland—LNP) (1.30 am): I rise to speak to the Revenue and Other Legislation Amendment Bill 2016. This bill covers a number of different areas and, in particular, I will address some of the superannuation aspects and changes to the Queensland Plan. The stated objectives of the bill are to amend the Superannuation (State Public Sector) Act allowing choice, make changes to the provisions allowing the Treasurer to adjust the defined benefits fund's accrued multiple and allow minor changes to the Queensland Plan Act. I draw attention to the opening preamble to the explanatory notes to this revenue legislation bill, which state—

The Bill amends Queensland's revenue legislation to protect the State's revenue, give legislative effect to taxpayer beneficial administrative arrangements, maintain the currency of the legislation, and ensure its continued proper operation and administration ...

Quite clearly, this bill will have to do some heavy lifting to protect the state's revenue. In the first budget that the Treasurer brought down, \$4 billion in debt was moved onto government owned corporations, which has left them cash strapped. He took \$3.4 billion from the long service leave funding pool and

stopped making contributions to the defined benefit fund of \$2 billion. The Treasurer is now raiding the public servants' superannuation to the tune of \$4 billion, despite advice from the State Actuary urging against that.

The changes to superannuation, which I am deeply concerned about, will impact on many senior public servants, including those within my electorate. According to the proposal in clause 68 of the bill, a senior public servant with more than 30 years experience stands to lose up to \$210,000. That is according to Treasury's own example submitted in correspondence to the Infrastructure, Planning and Natural Resources Committee. I personally know some senior public servants who are deeply concerned about this bill. Uncertainty will forever surround those government employees who are on the defined benefit fund whenever they receive an increase in their salary. The Treasurer will have the power to change the multiple at which their final salary is determined. Where those public servants have allowances rolled into their salary, they will no longer have that considered as part of their superannuation entitlements.

Those changes take away the ability and certainty that senior public servants have had in place for many years to plan for the future post their working life. For many of those senior public servants, plans have been held in place for their retirement for 20, 30 and as many as 40 years. To come in at this late stage of their careers and have to reassess everything is an onerous burden that they do not deserve, especially after the commitment and dedication they have shown over many years to the people of Queensland. This bill gets around any enterprise bargaining negotiations that allowed for those employees' allowances to be considered as part of their total salary package. Clearly it is unfair. The changes to superannuation will have far-reaching effects within my community and I am very concerned about that.


Another key amendment is the change that will allow a choice of fund for the state's public servants and local government employees. It will allow them to choose where they wish to place their superannuation contributions. Those changes also open up two super schemes, QSuper and LGIASuper, to the general public. The LNP opposition has concerns about those changes, as aptly described by the Leader of the Opposition and the shadow Treasurer.

I move to the amendments to the Queensland Plan contained within this bill. The bill attempts to remove an important layer of reporting obligation by state and local governments. As the Queensland Plan has had a buy-in from all sectors of the community, any amendments should not dilute the hard work and involvement of so many Queenslanders. In Cleveland, a significant number of student leaders and other groups came together at different sessions as part of the Queensland Plan. They came together to discuss the 30-year vision for the region and the state. Locally, it was not limited to only students. In Queensland we were fortunate for there to be a high level of community involvement with the Queensland Plan. Community representatives from all walks of life came to discuss the future and they envisaged the future of Redlands City, how it should be and how it will look. It prompted a debate within the community as people passionately discussed their ideas and perspectives. It made people look ahead and think intergenerationally.

The committee agreed that—

... the plan remain a living document and process in our public discussions and to be implemented. For it to be viable as a long-term process, however, the Queensland Plan needs to remain visible and relevant and a point of focus, not only for government but also to industry, business, and the community.

The committee made a recommendation, which I support, that a local government's annual report for each financial year must include a statement about its actions in relation to matters in its corporate plan that relate to the Queensland Plan. Accountability and visibility of a local government's plans ensure a responsibility to its local community. This reflects the objectives of the plan.

 **Mr PEGG** (Stretton—ALP) (1.36 am): I will try my best to emulate and even exceed the enthusiasm displayed by the member for Cleveland. However, given that he had to follow the member for Indooroopilly and the member for Clayfield, I am not really surprised by the lack of enthusiasm and lack of conviction in his contribution. The member for Indooroopilly made a contribution at the start of tonight's debate in which he claimed to be the friend of public servants. He claimed to be protecting the public servants of Queensland and their superannuation from the Treasurer. I can tell the House that it takes a lot of front, even by the standards of the member for Indooroopilly, to claim that he is a friend in any way of the public servants of Queensland just hours after he voted against the Industrial Relations Bill, let alone on his track record as a member of the LNP Newman government. I have to say that the best protection that the public servants and the people of Queensland will ever have is if the member for Indooroopilly never becomes the Treasurer of this state. That is the best protection they can ever have.

This bill makes amendments to the City of Brisbane Act, the Duties Act, the Land Tax Act, the Local Government Act, the Queensland Plan Act, the Right to Information Act, the Superannuation (State Public Sector) Act, the Taxation Administration Act 2001, the Taxation Administration Regulation and the acts mentioned in schedule 1, for particular purposes. The bill's main policy objectives are to amend revenue legislation, amend superannuation legislation and amend the Queensland Plan Act 2014. These are important legislative amendments as they contribute to this government's commitment to providing a stable, financial framework for Queensland.

**Madam DEPUTY SPEAKER** (Ms Farmer): Order! The member for Lockyer and the member for Indooroopilly, I am sure you are enjoying your conversation, but please cease. Let us all listen to the member for Stretton.

**Mr PEGG:** It is very interesting, because members of the opposition have claimed to be the authors of choice of superannuation in Queensland. They said, 'We introduced the bill. We were in government for nearly three years. We just did not have time to pass it, despite our massive majority.' It must have slipped their minds while they were sacking public servants, sacking nurses and cutting health and education in this state. It must have just slipped their minds, but this evening they are happy to come in here to try to take the credit for all the Treasurer's hard work in this space, as they so often do.

I find it very interesting that those opposite are more than happy to try to change their position and values depending on what is happening at the time. The purpose of the amendments to Queensland's revenue legislation is to protect the state's revenue, give legislative effect to taxpayer beneficial administrative arrangements, maintain the currency of the legislation and ensure its continued proper operation and administration.

The three major acts that are amended to achieve these objectives for Queensland's revenue legislation are the Duties Act, the Land Tax Act and the Taxation Administration Act. The Duties Act is amended to reinstate the previous interpretation and practice relating to a particular requirement for the transfer duty home concessions. Specifically, the acquirer will dispose of the land if it is acquired subject to a lease granted before the transfer date. This is to ensure that the intended policy of the home concessions—supporting home ownership rather than investment—is maintained. It is my view that home ownership is a cornerstone of a fair society and under LNP governments we have seen rates of home ownership decline.

The policy objective of amending the Land Tax Act is to give legislative effect to an administrative arrangement which removes a condition of the land tax discount for subdividers, requiring the parcels of land to have been subdivided from the one larger parcel. It imposes land tax for each financial year on the taxable value of all taxable land owned by a person. Minor amendments are also made to the land tax exemption where a person transitions from their old home to a new home to clarify that the new home must be an established home.

The Taxation Administration Act is amended to clarify the operation of provisions which specify the time at which a document is taken to be given to or received by the Commissioner of State Revenue. It also supports electronic lodgement of documents and electronic payments. This bill will also make minor amendments to the Duties Act, the Land Tax Act and the Taxation Administration Act to remove redundant provisions, clarify provisions and correct drafting errors.

As I spoke about earlier, another important amendment is to ensure Queensland superannuation arrangements are kept up to date. Currently, Queensland's core state and local government employees are required by state legislation to make contributions to QSuper and the Local Government Superannuation Scheme respectively. To reflect the more mobile employment options in today's society, the government seeks to amend the Superannuation (State Public Sector) Act and the Local Government Act 2009 to provide these employees with a choice of fund. It will also amend the QSuper act and the Local Government Act to enable these superannuation companies to open their membership to the general public. This will put Queensland in line with other states as all other jurisdictions, except for South Australia, offer their public sector workforces a choice of fund.

The amendments to the Queensland Plan Act are to minimise the administrative burden by streamlining the approach to government planning and reporting. The changes simplify the act by replacing the requirement to develop and implement a government response with a requirement for the Premier to consider the Queensland Plan in developing the statement of government objectives for the community under the Financial Accountability Act 2009.

This bill makes important changes to the legislative framework of Queensland's revenue and superannuation schemes. Furthermore, the cost will not be significant as it will fall within existing frameworks of administration and is expected to be met from existing budget allocations. Therefore, these amendments are important to continue the government's hard work on delivering good economic policies for the people of Queensland. I support these amendments to ensure its continued effective operation and administration. I commend the bill to the House.

**Mrs FRECKLINGTON** (Nanango—LNP) (Deputy Leader of the Opposition) (1.43 am): The speaker I follow was planning to be very exciting when he started—

**Mr Minnikin:** He sort of faded, didn't he?

**Mrs FRECKLINGTON:** He did. He faded. I think he forgot that he was being so critical of one of our speakers. It is interesting. I will touch on one thing that the previous speaker just spoke about. That is in relation to the choice of fund and his criticisms. If he knew about this topic, researched it and maybe spoke to the Treasurer he would know that it actually was the LNP treasurer who approved the introduction of portability for QSuper accumulation members. This allowed members to annually transfer the accrued balance of their QSuper account into a fund of their choice. That was a key step forward in terms of the introduction of choice in Queensland. It would be good if speakers in this House did not just come in here and make things up on the run.

It is incredible that we are standing here in the House at 1.44 in the morning debating a bill that was introduced into this House on 16 June. That was during budget week. As has been alluded to, it was introduced two days after the budget was introduced. This is a bill that was introduced into this House on 16 June. The date today is 1 December.

Members would have to ask: how many sitting weeks have we had since then? The committee reported on the bill on 19 August. From 19 August until today we have had five sitting weeks—not five sitting days; but five sitting weeks. We would have to ask the question: what has this Treasurer been doing? If, as members on the other side of the House have been talking about, there is nothing to see in this bill—that is, it is just administrative—then why has this incompetent, lazy Palaszczuk government been sitting on this bill from 19 August to 1 December? They will sneak it in at 1.45 in the morning.

We all know that there are reasons for doing this in the dark of the night. We did not do it during the last five sitting weeks. The Leader of Opposition Business has had it sitting on his agenda. Each week we come here and are very excited to be debating the ROLA Bill, we are all geed up and ready to go, and where is it on the list? It gets bumped off. We would have to ask why it is bumped off. Maybe it is because this Treasurer has an issue with the bill and is not able to get it through.

This bill was reported on by Amy Remeikis in the *Brisbane Times* on 23 August. We miss Amy Remeikis in this House. She has gone to the big house—the federal parliament.

**Government members** interjected.

**Mrs FRECKLINGTON:** They are still awake. On 23 August the lovely Amy Remeikis wrote—

Mr Pitt did not speak on the amendment when introducing the bill. On Tuesday, while attempting to hose down the controversy, he said it was "absolutely absurd to suggest you would go through every clause at the introduction stage of the bill".

We wonder why. We turn to page 2 of Amy Remeikis's article. It is because we have an ally on this side of House in relation to this issue. That ally would be the Together union's Mr Scott. He said that he was planning to lobby for the amendment to be dropped. These are his words—

"We are very opposed to this element of the bill ...

"We are not worried about its impact, because we think it is very minor. We are worried about the concept that it would introduce.

I wonder where Mr Scott is now at 1.48 in the morning when the Treasurer is having this bill brought into the House. The five previous weeks we have been sitting waiting anxiously to debate the bill. I know the member for Condamine is waiting anxiously to speak to this bill. He has been waiting to speak on this for the last five sitting weeks. He is so keen. He has his lectern ready and is waiting to go. He has been waiting to have his voice heard in relation to this bill. There is absolutely no reason for this bill not being on the agenda before tonight. We know that the guts of this bill is all about raids. It is in Labor's DNA to just raid. It is in Labor's DNA to try to find money where it simply is not.

Let us not forget the \$80 billion worth of debt that we had when we came into government. It was left by those opposite, many of whom were cabinet ministers at the time. The Leader of Government Business was a cabinet minister. The now Treasurer was a cabinet minister. The Minister for Health

was a cabinet minister. I name them because they happen to be sitting here in the chamber. They were cabinet ministers and they left the state of Queensland with \$80 billion worth of debt. What are they doing now? What have they found to raid now?

**Government members** interjected.

**Madam DEPUTY SPEAKER** (Ms Farmer): Order! I know we are having a lot of fun with this, but the interjections are getting quite loud, particularly from the Treasurer. Could we keep it a little measured, please, so we can hear the member for Nanango?

**Mrs FRECKLINGTON:** Thank you very much for your protection, Madam Deputy Speaker. Getting back to the bill, as I said, we all know that it is in Labor's DNA to raid, to spend other people's money. That is called 'Labornomics'. We know in this Treasurer's first budget he shifted \$4 billion debt to the government owned corporations and increased their dividend payout to 100 per cent to fund his election commitments. This is something that the Treasurer did not go and talk to the general public about during the election. That was certainly not something that members in this House knew that he planned to do.


He also raided \$3.4 billion from the long service leave funding pool. What a short-sighted raid for the long-term benefit of all Queenslanders. It did not stop there. He stopped making contributions to the fund. He does not even seem to understand that you cannot stop making contributions to the fund because what happens when people decide to leave the fund and they actually want to get their money out? That was just the first budget. Let us move to the second budget.

**Ms Fentiman** interjected.

**Mrs FRECKLINGTON:** I would love to take that the interjection. This is the interjection I heard for the benefit of Hansard: 'The people who can add up have said it's fine.' The State Actuary said that it was fine to take—help me out; was it \$2 billion? They said it was fine to take \$2 billion, so the people who can add up took \$4 billion! Last night I stood in this House and I said Christmas is coming and sometimes there are gifts. Sometimes the gifts just keep on coming, and now the Minister for Child Safety has just said that the Treasurer cannot add up. My goodness me, the gifts just keep coming. It is incredible.

Like I say, this is all about raids. Honestly, when we are talking about the Actuary's advice, it was interesting because we know—and it is on record—that the Treasurer ignored the Actuary's advice and ended up, like I say, taking twice the amount. I was getting to that point. The Treasurer took twice the amount that he was recommended to take. We must remember that the Treasurer then wrote to the State Actuary and moved the goalposts on the State Actuary—changed the rules, moved the guidelines—to enable the Actuary to come up with a number big enough to satisfy this Treasurer's thirst for other people's money. Like the shadow Treasurer said, we will be opposing section 68 of this bill, as many people have requested that we do, not limited to the Together union's Alex Scott.


*(Time expired)*

 **Mr CRAWFORD** (Barron River—ALP) (1.53 am): I plan to make a very brief contribution to this bill this morning. I want to talk about one part particularly. I am an ex-state government employee, so the situation around superannuation is obviously very dear to my heart. The proposed amendments in this bill, I believe, give employees of the state public sector the ability to choose the superannuation fund that they want their contributions paid to. This is an option that has been available to the majority of the workers to date across Queensland and Australia. To date, core public sector employees in Queensland are required to be a member of QSuper and LGIASuper. The current situation has served public sector employees well. Going into the future, I believe that it is appropriate that we allow our employees to have the ability to choose alternative funds.

Many employees commence their job having already spent a good portion of their careers with other employers and consequently are already members of other super funds. They may have a particular insurance already in place with other funds that they want to retain. However, for employees who do not have membership with another fund, it is important that they have a reputable superannuation fund as the default option.

Given the size and nature of state government employment in Queensland, typified by interdepartmental transfers and machinery-of-government changes, it is appropriate to select only one default fund. I think that this is a consistent approach across jurisdictions. With this in mind, I think that it is appropriate that QSuper and LGIASuper be retained as the default funds for state and local

government employees respectively. Both funds have a long association with government and government employment practices. However, I note that both selections shall be subject to review in the future to ensure that they remain at all times the best options for public sector employees. I support the bill.

 **Mr WEIR** (Condamine—LNP) (1.56 am): I rise to make a short contribution to the debate on the Revenue and Other Legislation Amendment Bill before the House. The bill would see changes that would allow Public Service and local government employees to choose their own superannuation fund, an amendment that this side of the House supports. While the default fund will remain to be QSuper for the Public Service sector and LGIASuper for local government, employees will have the option to choose an alternative fund if they so wish. We have already heard of the work that the former treasurer, Tim Nicholls, has done in this area.

The proposed changes would also allow QSuper and LGIASuper to open its membership to the general public. As I said, the former LNP treasurer, Tim Nicholls, had already done a lot of work in this area and had approved changes that allowed members to transfer part or all of their accumulated balance to a fund of their choice. These changes would improve competitiveness with the industry and are supported by both QSuper and LGIASuper. Whilst some submitters felt that QSuper and LGIASuper would have an advantage as the default fund, they would need to be competitive, as the government could at any time in the future choose another superannuation fund as their default fund.

Another amendment to the bill will give the Treasurer the power to adjust an employee's defined benefit multiple in situations where there has been an increase in salary that is not associated with their remuneration. It should be noted that the Together union is not in support of this amendment. Given this Treasurer's record with the public servants' superannuation scheme, one can understand their unease. We all remember all too well the Treasurer's raid upon this scheme in the last budget when \$4 billion was raided to help prop up a failing budget bottom line. We were told at the time that this was in line with advice from the State Actuary. As we found out during the estimates hearings, this was not entirely correct.


The State Actuary said under questioning by the shadow Treasurer, Scott Emerson, that Treasurer Curtis Pitt had intended to raid \$6 billion from the fund. The State Actuary had recommended not removing any more than \$2 billion. We all know that the Treasurer then went and helped himself to \$4 billion. Is it any wonder that the Together union has some concerns with the Treasurer and these amendments.

I note that the proposed amendments to the planning and reporting requirements under the Queensland Plan 2014 were not supported by the committee as proposed in the bill. The committee recommended that a local government's annual report include a statement about the local government's actions in relation to the Queensland Plan.

The Queensland Plan is an important document that was developed under the previous LNP government with a 30-year vision for the state. Some 78,000 Queenslanders contributed to the formation of this vision for the future of our state. This is in stark contrast to this Palaszczuk government, which shows time and time again that it has no plan for the future. This government has spent its entire term undoing LNP legislation, initiating inquiries and introducing job-destroying policies. There are no clearer examples of this than the shutting down of sandmining on Stradbroke Island and the job losses that are happening on the island as we speak.

The town of Oakey is still reeling over the decision to exclude New Hope's Acland stage 3 from accessing an associated water licence with the granting of a mining licence despite the Land Court hearing being concluded and a decision being imminent. This government would do well to take note of the Queensland Plan.

Tonight we saw more legislation come into this House which will impact on regional Queensland. The Easter Sunday public holiday on its own will have an impact on regional Queensland. Do not go down to the newsagent on Easter Sunday to get your paper because the shop will be shut. Do not call into the local service station; it will be shut. Do not call into the hotel for a meal; it will be shut. It is time this government spent less time chasing ideological green policies and put a bit more effort into job creation, supporting small business and restoring Queensland's AAA rating.

 **Hon. CW PITT** (Mulgrave—ALP) (Treasurer, Minister for Aboriginal and Torres Strait Islander Partnerships and Minister for Sport) (2.00 am), in reply: I thank all members for their contribution. I wish to touch on a few points which have been raised in tonight's debate. LNP members have used their opportunity to speak to this bill to drum up the same sort of negativity and fear that we have seen from

them over the last few years but particularly as it relates to Public Service superannuation. We know they have form when it comes to trying to scare public sector workers. We heard a few references tonight to the Together union. I find it fascinating that they are now citing the Together union. First they said that we changed the provisions in the bill and are omitting amendments because we were lobbied by the Together union. Then suddenly the statement of reservations on this bill mirrors the Together union's position. They cannot quite make up their mind as to whether this is a case of something we should be ashamed of because we listened to some responses. Now they are saying the same thing and they want to own it.

In a similar way, this bill is no secret. It is not something that had its genesis under our government. Super choice has been talked about for some time. We are very aware that this is something that would have been on the cards for any Queensland government. We are quite surprised there is any suggestion that this government is trying to own the bill as though it was a product of our government. As the government of the day we are making sure that we are doing the very best to ensure that both QSuper and LGIA Super are going to be sustainable for the longer term.

What we saw here was the same tired and very lazy opposition. We know that the opposition leader when treasurer laid claim to this legislation and the success of our first two budgets, neither of which they supported in any of their words. By convention they supported them on the basis that they are supporting supply, but, when we take a very close look at the words they used tonight and the interrogation they took forward over both of those post budget estimates, we know that they do not support the measures we have undertaken.

I think the challenge needs to be laid down yet again to the opposition. If they do not like what we have done, if they do not like the method that we have undertaken to have balance sheet reform in this state, they need to take a very good look at the regearing exercise of our GOCs to make sure they are geared appropriately in terms of their commercial gearing. If they do not like those things, where are they going to get the \$8 billion that they are creating a black hole from? They do not like our funding; that is very clear.

**Ms Fentiman** interjected.

**Mr PITT:** I take that interjection from the member for Waterford. This is a case of those opposite having one plan and one plan only for Queensland and that is a mass sale of assets. That is something they did not get away with last time, and Queenslanders will not let them get away with because as a state it is something that we have a very strong and firm opinion of.

Let us run through a few of these things. On the revenue side they opposed the \$4 billion defined benefit scheme repatriation. They opposed the \$2 billion contribution holiday. They opposed the \$800 million in associated interest savings this year alone. They opposed the \$750 million in GOC cash management initiative. They opposed the \$90 million we forecast to generate from our three per cent foreign property surcharge. They refused to tell Queenslanders what they would cut in the budget through replacing their own indexation policy with CPI increases. That is \$345 million in revenue that they would need to find if that were not factored in through those measures.

They opposed the \$680 million in savings from the merger of Ergon and Energex, which I touched on today, with Energy Queensland, which are the savings that are to occur over five years. They oppose our \$100 million regional Back to Work package, which we know is making a considerable and real difference to people in regional Queensland. They have an alternative plan; it is a cheap knock-off. They have not come up with a policy yet that has not been some attempt at plagiarism of our policies but, sadly, it is an inferior product. Ours is delivering for Queenslanders right now in regional Queensland. As the then treasurer, the Leader of the Opposition said that there were only three options to fund infrastructure—higher taxes, fees and charges, more mass sackings and cuts to front-line services or asset sales. Perhaps it is all three of those options that he is still considering.

If this bill were the LNP's bill which they were ready to introduce when they left office, the clauses would be essentially the same. Can they prove they were not going to be introducing the same clause 68, which seems to be such a bone of contention for them? They are laying claim to be the authors of this legislation and they cannot have it both ways. This is either their legislation including the clause that they now want to see changed or, alternatively, they really did not have anything at all. I think it is the former. That is why I think there is an enormous degree of hypocrisy in what we have heard from those opposite tonight.

Let me be clear: there is no change to the treatment of salary growth consistent with normal salary or promotional increases. Again, this is a case of looking to scare public servants into thinking there is going to be a significant change or threat to their entitlements. There is no change to the

employees' accrued defined benefit to the point in time that the artificial salary increase occurred. The changes did not affect any member's accrued benefits or the treatment of current approved allowances. They are totally unrelated to the surplus repatriation.

Apart from anything else, as I have stated in my second reading speech, Commonwealth legislation does not allow it and the amendment itself makes it very clear that the accrued benefit cannot be reduced. We cannot be any clearer than that. This is yet another case of scaremongering by the LNP. They obviously do not like public servants. They do not like government workers. That is something that is now firmly entrenched in the minds of the people of Queensland. Sadly, it is a reputation well deserved.

An employee's defined benefit entitlement is the value as an accrued multiple times the employee's salary. The salary used is permanent salary and does not include overtime payments or other amounts that are paid irregularly. However, sometimes an employee's permanent salary is increased artificially—for instance, because irregularly paid amounts such as loading are included. This creates an immediate increase in the employee's defined benefit entitlement. While there is an immediate increase for those employees with a defined benefit account, those other employees with an accumulation account receive no such increase. That is not fair. It is simply wrong to suggest that the amendment is about reducing employees' entitlements. It is not. It is about making sure that co-workers who sit next to each other are treated in the same and equitable way.

To date, windfall gains in defined benefits caused by artificial increases in salary have been dealt with via a lengthy administrative process. That is one of the key points about the clause in contention tonight. This is something that has been happening administratively. It would have happened when the previous treasurer and now opposition leader was treasurer. It is something that would have been happening all along. As I say, this is something that is now being deemed to be important enough to be resolved and have certainty around by including it in this legislation. That is what we have done, taking the advice of Queensland Treasury and the government superannuation officer.

We know to date the administrative process that has been in place. This amendment simply puts that process into an open and legislative arrangement. Any employee affected by this—there will not be many—can be assured that their accrued benefit will be the same as it was before the artificial increase in salary. Once the adjustment has been affected, their benefit will continue to grow on the higher salary.

I note the member for Cleveland noted his deep concern about senior public servants' superannuation. I wonder how much deep concern there was when the superannuation entitlements of all the hardworking public servants would have been impacted in 2012, when in the first budget handed down by the now opposition leader we saw 14,000 public servants given their marching orders. Many of those sackings hurt their defined benefit payouts and reduced their future earning potential. It is very hard to have future earning potential when you do not have a job in the public sector.

Very clearly, they have reduced their future earning potential by sacking those public servants and they have reduced their ultimate defined benefit payout. If they want to cry crocodile tears in here about what this means and its impact, let us take a leap back to 2012 when they savaged 14,000 people, hurting them and their families and at the same time impacting the Queensland economy. As we have seen, that flowthrough has been devastating, particularly to some parts of regional Queensland.

The bill before the House will improve the ability of individuals to choose their own super funds. The fact is that the majority of Australian workers have the ability to choose their own superannuation fund, and it is fair and reasonable that this be extended to government workers. The introduction of choice of fund will give Queensland state and local government employees that same ability. This choice not only increases consumer choice but increases competition in the market and incentivises super funds to work harder to keep their customers. The introduction of choice of fund is a reflection of more modern and mobile employment arrangements. As the House knows, the labour market is evolving, with many employees having more jobs across their careers than ever before. Really, this is about super options reflecting that reality.

For instance, many new employees may wish to remain with their existing superannuation provider when they move to a new job. This approach will bring Queensland into line with other Australian jurisdictions. We know the Australian government and all other state governments, except South Australia, give their employees the option of choice of super fund.

This is a government that listens. Throughout this process, we have consulted widely on the bill. Feedback has been raised around the Treasurer being the decision-maker for the adjustment of multiples. As I said in my second reading speech—and it is a shame those opposite did not clearly listen to what I said—we addressed the concern that the Together union had raised. We listened to what they said. We also took on board what was raised by the opposition in its statement of reservation. We made it clear that we would be addressing that, yet they managed to have four or five speakers continue to say that this was going to be a significant problem. It is a shame they could not update their speeches with the contribution that I made when explaining the bill and any changes we would have been making. These proposed changes will further protect the process by making the government's superannuation officer the final decision-maker instead of the Treasurer. Any change in the multiple will include consultation with the QSuper board who have fiduciary responsibilities to protect members' interests.

In summing-up, I wish to place on record my thanks to the Infrastructure, Planning and Natural Resources Committee and the staff of the committee for their work on this bill. I also wish to put on record my thanks to the Treasury staff who have worked tirelessly on this matter, apparently under two governments. They will be very, very happy to see this go through and of course the reforms contained within. The Revenue and Other Legislation Amendment Bill 2016 contains sensible reforms to the public sector superannuation arrangements in this state. I commend the bill to the House.

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

Motion agreed to.

Bill read a second time.

### Consideration in Detail

Clauses 1 to 62, as read, agreed to.

Insertion of new clause—



**Mr PITT** (2.14 am): I move the following amendment—

#### 1 After clause 62 (Replacement of pt 3, divs 3 and 4)

Page 42, after line 33—

*insert—*

#### **62A Amendment of s 15J (Functions)**

Section 15J—

*insert—*

(2) Also, the officer's functions include—

- (a) arranging an independent review of the QSuper default fund arrangements and LGIASuper default fund arrangements, after the day on which both of them have been in operation for at least 5 years; and
- (b) reporting the outcomes of the review to the Minister.

(3) In this section—

**LGIASuper default fund arrangements** means the arrangements applying under the *Local Government Act 2009*, section 219.

**QSuper default fund arrangements** means the arrangements applying under part 3AA.

I table the explanatory notes to my amendments.

*Tabled paper:* Revenue and Other Legislation Amendment Bill 2016, explanatory notes to Hon. Curtis Pitt's amendments [\[2203\]](#).

Amendment No. 1 inserts new clause 62A into the bill. The new clause 62A amends section 15J of the Superannuation (State Public Sector) Act 1990 by inserting a new subsection (2) into that provision. The new subsection will make arranging a review of the default fund arrangements applying to QSuper and LGIASuper a function of the government's superannuation officer.

Amendment agreed to.

Clauses 63 to 67, as read, agreed to.

Clause 68—



**Mr PITT** (2.14 am): I move the following amendments—

**2 Clause 68 (Insertion of new s 28A)**

Page 45, line 12, 'Treasurer'—

*omit, insert—*

government superannuation officer appointed under section 151

**3 Clause 68 (Insertion of new s 28A)**

Page 45, lines 15 to 29—

*omit, insert—*

- (2) The government superannuation officer may decide—
- (a) that a relevant accrued multiple for the member, as at the annual review date, be an amount recommended by an actuary that—
- (i) excludes the effect of the unremunerative increase; and
- (ii) does not otherwise affect the member's benefits in the standard defined benefit category at the annual review date; or

*Note—*

See also the *Superannuation Industry (Supervision) Regulations 1994* (Cwth), regulation 13.16.

- (b) not to take any action under this section in relation to the unremunerative increase.
- (3) Before making a decision under subsection (2), the government superannuation officer must consult with the board and the chief executive.
- (3A) The government superannuation officer's decision under subsection (2) applies despite anything in the deed.

**4 Clause 68 (Insertion of new s 28A)**

Page 46, after line 2—

*insert—*

- (4A) For part 3A, the government superannuation officer's functions include the functions under this section.

These amendments relate to the decision-maker for the adjustment of multiples under new section 28A.

**Mr EMERSON:** We will be opposing these amendments. They do not deal with the issues of concern that were raised. The reality is that this still is an issue of this government raiding super. The Treasurer has failed to justify and explain the need for the changes that are being made in this bill with these amendments. These changes do not fix this concern or these problems. The reality is that, once again, we are seeing this government raiding the public servants' superannuation. That is what this bill is all about. Even with these amendments, that would still be the case.

**Mr PITT:** For clarification for the member for Indoороopilly, I will just say that the member for Nanango, the deputy opposition leader, said during her contribution, 'I wonder what Mr Alex Scott is doing right now.' The health minister quite correctly said, 'He's probably in bed,' which is a very sensible place to be at this time of the morning. If those opposite really believed the statement of reservation that they put in and they really believed that this issue was of significant concern, they should have checked with the people who raised the concern in the first place. They would have found that the Together union are extremely happy with what we have done.

**An opposition member** interjected.

**Mr PITT:** The statement of reservation very clearly outlines the concerns of the Together union and I will say that we have responded to those concerns. It is very clear that we have consulted and we have listened. We even took notice of the opposition's statement of reservation. We have responded to that to ensure that the Treasurer of the day is not the decision-maker in this regard. That is what we have done with the appointment of a government superannuation officer—someone who is an independent officer of the Treasury, who is not going to be the former government superannuation officer because that person had been the CEO of QSuper.

**Mr SPEAKER:** I propose that any further divisions be of one minute's duration.

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

**AYES, 45:**

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

**KAP, 2**—Katter, Knuth.

**INDEPENDENT, 2**—Gordon, Pyne.

**NOES, 41:**

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

Pair: Russo, McArdle.

Resolved in the affirmative.

Division: Question put—That clause 68, as amended, be agreed to.

**AYES, 45:**

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

**KAP, 2**—Katter, Knuth.

**INDEPENDENT, 2**—Gordon, Pyne.

**NOES, 41:**

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

Pair: Russo, McArdle.

Resolved in the affirmative.

Clause 68, as amended, agreed to.

Clauses 69 and 70, as read, agreed to.

Clause 71—



**Mr PITT (2.25 am):** I move the following amendments—

**5 Clause 71 (Replacement of pt 6 (Transitional provisions))**

Page 47, line 5, after 'Transitional'—

*insert—*

**and declaratory**

**6 Clause 71 (Replacement of pt 6 (Transitional provisions))**

Page 48, after line 2—

*insert—*

**34A Membership by particular employees of existing GOCs**

- (1) This section applies to an employee of an existing GOC if, immediately before the commencement—
  - (a) the employee was not the subject of a notice under former section 13; or
  - (b) the employee's membership in the scheme was discretionary, under a notice under former section 13, and the employee's employer had nominated a fund other than the scheme to be the default fund for the employee.
- (2) The employee can not become a member of the scheme under a default arrangement.
- (3) Subsection (2) does not prevent the employee from continuing to be, or becoming a member of the scheme, other than under a default arrangement.

(4) In this section—

**default arrangement**, in relation to membership of the scheme, means membership of the scheme by way of—

- (a) a declaration, under section 14B(1)(c), that the employee's membership in the scheme is compulsory; or
- (b) a declaration, under section 15A, that the employee is a core government employee for this Act; or
- (c) the scheme being the employee's default fund.

**default fund**, for an employee, has the meaning given by section 15E.

**existing GOC** means a GOC in existence immediately before the commencement.

**former section 13** means section 13 as in force before the commencement.


Amendments agreed to.

Clause 71, as amended, agreed to.

Clauses 72 to 79, as read, agreed to.

Schedule 1, as read, agreed to.

### Third Reading

 **Hon. CW PITT** (Mulgrave—ALP) (Treasurer, Minister for Aboriginal and Torres Strait Islander Partnerships and Minister for Sport) (2.26 am): I move—


That the bill, as amended, be now read a third time.

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

Motion agreed to.

Bill read a third time.

### Long Title

 **Hon. CW PITT** (Mulgrave—ALP) (Treasurer, Minister for Aboriginal and Torres Strait Islander Partnerships and Minister for Sport) (2.26 am): I move—

That the long title of the bill be agreed to.

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


Motion agreed to.

## ADJOURNMENT

**Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Leader of the House) (2.27 am): I move—

That the House do now adjourn.

### Banana Industry

 **Mr CRIPPS** (Hinchinbrook—LNP) (2.28 am): I have waited almost 12 months to speak about this issue but could not do so until now because of the sensitive negotiations being undertaken in relation to the most serious biosecurity threat the Queensland banana industry has ever faced. That is, of course, the battle against Panama disease tropical race 4 and, in particular, efforts to prevent TR4 spreading from the one property where it was originally identified in March 2015.


By late 2015, the Australian Banana Growers Council had written to the Queensland and Commonwealth governments with a proposal to minimise the biosecurity risk posed to the banana industry by that affected property by purchasing it and destroying the banana plants on site and ceasing all production indefinitely. The ABGC volunteered the industry to raise a third of the funds themselves, through a levy on banana growers. The proposal involved the Queensland and Commonwealth governments also funding a third each.

At the time, that one infected property was the only known location of the disease in North Queensland. That remains the case to this day. It represented the single greatest risk, or vector, for the spread of TR4 to other properties and for the disease becoming endemic—a scenario that would be absolutely devastating for the industry. That level of risk would endure for as long as the farm continued to operate, even under the protocols put in place by Biosecurity Queensland.

I recognise that from March 2015 the Queensland government responded to the TR4 outbreak with a biosecurity notice on the property, the implementation of production protocols and a wider surveillance program across North Queensland. I am not criticising those efforts or activities. I am also not denying that the ABGC proposal involved a level of risk. What I am worked up about is the appalling short-sightedness and lack of understanding demonstrated by the Palaszczuk government, and in particular the former agriculture minister, the member for Bundaberg, when it rejected the ABGC's proposal to make any contribution towards the buyout of the TR4 property. Thank goodness the former agriculture minister has now had to resign in disgrace.

I wrote to the former agriculture minister in December 2015 to support the ABGC proposal. I argued: if we did not vigorously pursue a strategy of slowing down the spread of TR4, what was the point of the existing Biosecurity Queensland response involving surveillance and testing? What was the point of engaging scientific experts to try and identify a long-term strategy to mitigate the impact of TR4 on this industry? I argued that we needed to do everything we could to give our scientists time to develop mitigation strategies for TR4, so the North Queensland banana production area did not suffer the same fate as other jurisdictions in which the disease had become endemic and that, for that reason, we should be proceeding with the proposed intervention immediately. I was genuinely shocked when the Palaszczuk Labor government refused to contribute.

### Daisy Hill

 **Hon. MC de BRENNI** (Springwood—ALP) (Minister for Housing and Public Works) (2.31 am): On the weekend the Minister for Tourism and the Premier launched the brilliant I Know Just the Place campaign, highlighting some of our brilliant tourism destinations. Once again, the Palaszczuk Labor government is kicking goals for the people of Queensland. It is a great campaign and will do fantastic things for tourism in this state. I was prompted to jump onto the campaign website and look up the place I know and love to take visitors along to. I searched 'koalas' under 'Meet the Wildlife' and it was great to see my favourite place there.

I know a place—a place nestled in between Redland City and the great City of Logan, a short drive from where we are today. Built by a Labor government as a dedicated koala education facility, the Daisy Hill Koala Centre was opened to the public in 1995. It was extensively refurbished by a Labor government in 2009 and now features a large outdoor koala enclosure and many new interactive displays.


The Daisy Hill forest and its surrounding green spaces are iconic attractions in our community. The forest is enjoyed by thousands from our community and visitors each week. It is an attraction for walkers, conservationists, horseriders and mountain bikers. I have been working with the Daisy Hill, Shailer Park, Kimberley Park and Cornubia communities to set a long-term plan for the forest—a plan that makes sure people can get the maximum level of enjoyment out of the forest far into the future. That is why I was very pleased that my good friends the Minister for Environment and the Treasurer have released the Daisy Hill directions paper.

The directions paper outlines the key opportunities and priority directions for the koala bushland and Daisy Hill Koala Centre. The draft has been developed following an extensive review of the site and assessment of the policy and planning framework and recreation and tourism opportunities and considers a wide range of stakeholder and community perspectives including: enhancing coordinated management; improving the conservation values; encouraging recreation in nature; increasing the economic benefits from nature based recreation and tourism; adding value through Indigenous culture; creating a Commonwealth Games legacy; and revitalising the Daisy Hill Koala Centre itself.

Based on community engagement, I am pleased to inform the community that another funding down payment has been allocated to progress priority actions including: \$50,000 to undertake a trail audit, assessing environmental impacts, trail usage and potential demand for facilities in the future; and \$50,000 to improve wayfinding, with better signs at access points and along trails.

Work is to commence on these actions immediately, to make an immediate difference to environmental impact, visitor safety and enjoyment. Once finalised, the directions paper will provide a five-year framework to guide management across the koala bushland. I invite feedback from members of the entire Springwood community and all visitors to the Daisy Hill Koala Centre and its surrounding bushland. Details and opportunities for feedback and ideas are available on my website.

### Accommodation Creek Bridge

 **Hon. L SPRINGBORG** (Southern Downs—LNP) (2.34 am): I rise in this place to again raise a very serious safety issue affecting a major highway in my electorate. This issue has been concerning many residents of the Southern Downs, particularly the Granite Belt, over a long period. Whilst we have had some promises around business cases and particular studies, nothing appears to have happened to ameliorate those concerns.


I refer to a section of National Highway on the New England Highway, around 20 kilometres south of Stanthorpe going towards Wallangarra and the Accommodation Creek Bridge. A National Highway is normally a very busy highway. This one certainly is. The bridge curves as it crosses the creek. Dangerous situations often arise when vehicles pass each other on the bridge. This is of particular concern when heavy vehicles such as B-double trucks and buses pass each other on that bridge, to the point where it is now not uncommon for those involved in the heavy vehicle transport industry and the passenger transport industry to coordinate their approach to that bridge by using two-way radio communication. This is only a way of trying to mitigate an obvious risk; it is not the solution to the problem. Over the years we have seen a number of very serious incidents and also fatalities, as this photograph demonstrates. I table the photograph for the benefit of members of this House.

*Tabled paper:* Photograph, undated, of a bridge over Accommodation Creek [\[2204\]](#).

I am not arguing that the state government has primary responsibility to fund this highway. We know that, under the current arrangements, if there are to be improvements the responsibility is 80 per cent for the Commonwealth government and 20 per cent for the state government. All I want is for the state department to prioritise this road by way of business case or safety audit in order to have it put on some form of forward plan so that this really serious issue can be addressed at some stage down the track. Unless the state is prepared to do the work to put it on the list, we will not be able to put the appropriate level of pressure on the Commonwealth government to ensure this project is given the level of priority it deserves.

But by the grace of God, there have not been more serious circumstances on that part of the road. I do not think anyone in this place or outside this place would agree that it is safe to have such a pronounced curve on a piece of highway going over a creek.

### Beaudesert Road-Mount Lindesay Highway Interchange

 **Hon. LM ENOCH** (Algeria—ALP) (Minister for Innovation, Science and the Digital Economy and Minister for Small Business) (2.37 am): I want to share with the House a great outcome for the people of my electorate of Algeria. Before the last election I campaigned for a comprehensive solution to the spaghetti mess that is the Beaudesert Road-Mount Lindesay Highway interchange. The former LNP member for Algeria spent the entire three years of his time in parliament, as part of a government with a record majority, focused only on a quick fix for this interchange and could not even deliver on that.


From my own community consultation it became clear that only a comprehensive solution could deliver improved safety for local motorists, reduce traffic congestion and prolong the lifespan of the intersection. I am proud to say that in under two years Labor has delivered the comprehensive solution required to achieve those three aims. The Transurban Logan Enhancement Project, announced last week by the Treasurer, Curtis Pitt, under the innovative market-led proposal program, is a win for our local community. I share in that win with the members for Woodridge, Logan, Waterford, Springwood and Stretton.

I met with Transurban officials prior to the submission of the final proposal to government to ensure that local community feedback was incorporated into the final designs of the project. The extensive feedback provided to Transurban by the local community has helped to deliver a final project which exceeds the proposed outcomes put forward by in the initial plan. Not only will the project address the range of issues with the interchange; it will also generate approximately \$1 billion in economic benefits over 30 years and support around 1,300 jobs over the 2½-year construction phase.

Under the proposal, heavy vehicles will pay an additional toll on the completion of construction to fund the project. Local motorists travelling on existing routes on the motorways will not pay any additional tolls outside of the annual consumer price index rate increase, in line with current arrangements. The project has the backing of major stakeholders including RACQ and the heavy vehicle industry. The fantastic outcomes delivered by the project show the positive benefits of collaboration between the community, government and industry.

All of those people to whom I had spoken prior to the election who were very much focused on a comprehensive solution are incredibly happy and pleased that they will have a solution that will extend the longevity of this particular stretch of road and keep them safe and, obviously, decrease the amount of time they spend on the road.

### Sunshine Coast University Hospital

 **Mr BLEIJIE** (Kawana—LNP) (2.40 am): I refer to the health minister's comments in parliament on 29 November, his statements in the *Sunshine Coast Daily* on 11 November 2016 and continued commentary regarding 15 training places at the Sunshine Coast University Hospital. I also acknowledge statements made yesterday by the shadow minister for health when he rose in this House to correct the record of the selective and misleading comments made by the health minister on this subject. From the documents tabled in the House, it is clear that the federal government—

**Mr DICK:** I rise to a point of order. I take personal offence at those comments and ask him to withdraw.

**Mr BLEIJIE:** I withdraw. From the documents tabled in the House yesterday, it is clear that the federal government has been waiting on explicit commitments from the state government which are yet to be provided by the Minister for Health. Clearly, the Minister for Health is more interested in grandstanding on this subject than achieving a resolution. I find the minister's remarks in the House yesterday astounding—

**Mr DICK:** I rise to a point of order. I find the words personally offensive and I ask him to withdraw.

**Mr SPEAKER:** Member for Kawana, will you withdraw?

**Mr BLEIJIE:** I withdraw and I will keep withdrawing. I find astounding the minister's remarks in the House yesterday when he suggested that I had not been vocal in support of the Sunshine Coast University Hospital, considering that, with the community, I led a 2,000-strong protest against the Labor delay in 2009. I might remind the minister that if it were not for the LNP there would not be a hospital. It was the Labor government that delayed this project for years and it was the LNP that brought forward the construction, saving the taxpayer \$200 million. I remember the protest marches. I was there front and centre, protesting with the community against the Labor delays. I know that the health minister has taken a vacation of a few years in the middle of the past seven years, but I have been there with the community from day dot.

After some 12 months at the helm, after being handed a \$2 billion project on budget and on time from the LNP, the health minister announced another delay to the opening date, of six months, but he did not blame himself. Again, he blamed everyone else. This hospital should have been open by now. It was due to open in November 2016. Why is it only now that the minister has worked out that there is a problem with additional training places? Has he not seen the documentation with a university hospital? Had he not acknowledged that you need university places to have a university hospital? The health minister was due to be cutting the ribbon for this hospital this month, yet he has only now realised that he does not have medical places for the university hospital. Of course, it is everybody else's fault. It is always someone else's fault. Whether it be SPER overpayments, debts or whatever, it is always someone else's fault, not the fault of the member for Woodridge.

There is doubt that, once again, the minister is using the Sunshine Coast University Hospital as a political football—just as he did with his \$1 billion black hole nonsense, just as he did when he was forced into announcing a five-month delay because of his own incompetence. As usual, the minister has been caught out not providing the full story in order to mask his failures. Medical students are the innocent parties in all of this—


**Mr DICK:** I rise to a point of order. Those words, again, are personally offensive and I ask the member to withdraw.

**Mr BLEIJIE:** I withdraw. Medical students are the innocent parties in this political blame game by the Minister for Health and they are missing out on important programs that will ultimately benefit Queensland patients in the long run. I say to both the state and federal governments: stop the grandstanding, stop the politicking and get on and deliver these additional 15 training places. I know that my federal colleagues are working hard. Where has the minister been? He could have picked up the phone over the past 18 months. I have been the member. He asks me why I have not fixed the issue. It is hard to fix an issue when you do not know about it. Apparently, the health minister has known about this issue for 18 months but has not had the courtesy to call me and ask, 'Jarrod, what are you going to do about it?' He should have picked up the phone—

**Mr Dick** interjected.

**Mr BLEIJIE:** Now he laughs. He should have fixed it, because he knew that it was his problem.

### Ipswich West Electorate, Events

 **Mr MADDEN** (Ipswich West—ALP) (2.44 am): On 22 November I was delighted to have the Premier, Anastacia Palaszczuk, visit my electorate of Ipswich West. Her first stop was Rosewood State School, where my late great-aunt, Dorinda Madden—Aunty Tot—taught for most of her teaching career. The Premier was welcomed by the principal, Mrs Sandy Christensen; the lead principal, Ms Sue Phillips; and the regional director, Mr Mark Campling.


We had a wonderful time visiting the school's preparatory class. We then moved on to the library, where we presented certificates and letters of congratulations to the Rosewood year 6 class: Cody Ashworth, Darby Beel, Jessica Bradford, Kodyn Brown-Paret, Akala Carter Green, Caitlin Dodd, Lauren Doyle, Baylee Evans, Jake Fraser, Logan Gibbons, Jacob Gibson, Ella Hilton, Charlotte Hinrichsen, Alexander Job, Ryley Kaatz, Serenity Lafaele, Charlotte Mann, Jessika Moran, RJ Muller, Indianna O'Sullivan, Alisha Perry, Shyan Pocock, Zara Schunemann, Kearna Semple, Dane Spann, Tristan Vogler, Chloe Bradley, Jessica Casey, Jaxsen Eugarde, Lyric Lafaele, Georgia McLucas, Luke Broadrick, Abraham Goschnick, Wyce McPhee and Joseph Milligan.

After our visit to Rosewood State School the Premier took a walk through downtown Rosewood, where she chatted with locals and caught up with Inspector Keith McDonald, Senior Sergeant Paul Andrew and Senior Constable Andrew Conway. We stopped for coffee at the Fernvale bakery, where Suzie Mellor and her son, Jeremy, looked after us.

After visiting Rosewood the Premier moved on to the Tivoli Drive-in, a Skilling Queenslanders for Work success story, where Pastor Fred Muys gave us a guided tour. The property was purchased in 2003 by Rivers of Life Christian Church, which is now known as Glory City Church West, after being closed in the late 1990s. Since 2005 the church has received a number of Skilling Queenslanders for Work grants. It has transformed the drive-in into a church community that has assisted around 180 unemployed people to find employment. A grant has allowed the church to provide literacy and numeracy programs, assisting more than 720 disadvantaged people.

Another grant allowed the construction of a new community centre, providing employment and qualifications for 36 construction trainees over a 12-month period. On 27 October, along with Mayor Pisasale and Councillor Wayne Wendt, I officiated at its opening. When fully operational in early 2017, the community centre will accommodate welfare and food services, assisting more than 1,100 needy Ipswich families. It will also be a base for a program to assist the unemployed. In 2011, the church resumed the screening of affordable family features. The kiosk has been renovated, providing employment for 50 people. In closing, I would like to thank the Premier for finding the time to visit my electorate of Ipswich West.

### Unsworth, Master T

 **Ms DAVIS** (Aspley—LNP) (2.47 am): Tyrone Unsworth was a year 7 student who attended Aspley State High School. Tragically, last week Tyrone took his own life. Tyrone was a young man with a big smile. He was a friend to many and he will be sadly missed. I would like to extend my deepest and heartfelt sympathy to his family and friends and the Aspley school community. It a difficult time for them all.

Those who knew Tyrone and those of us who did not are deeply challenged by the reality that a young man such as Tyrone would find himself in such a dark place that he felt the only option to deal with the pain of being bullied was to end his life. We should always see children and young people as precious and we should celebrate their individuality. All children and young people need to feel safe both inside and outside the schoolyard and at home. We all have a responsibility to ensure that and, as parents, as friends and as communities, we must all step up to protect our children so that they feel safe, supported and loved.


Bullying is a serious problem. Whether that be emotional or relational, verbal, physical or cyber, we should be standing shoulder to shoulder and saying no to bullying inside and outside of our schools. Children have a right to feel safe and respected. Children have a right to live their lives free from bullying and harassment. Bullying diminishes the right of children to have a positive education experience.

Young people who are bullied can experience significant social isolation, loss of self-esteem, feelings of shame and anxiety, and concentration and learning difficulties. Tragically, violence, harassment and bullying can lead to suicide. Sadly, Tyrone took that drastic and irreversible decision.

It is my view that we must give weight to helping our children build resilience. Alongside that, we should be encouraging empathy, tolerance and acceptance. I am not proposing that there is one easy solution to this insidious problem, but it is clear that, whilst there has been much effort to tackle bullying, we still have a long way to go and we should encourage more student input in the design of bullying strategies for their schools. Students are saying that in order to report bullying it must be dealt with confidentially and discreetly, because many are concerned about retribution. They want someone trustworthy to tell, they want someone who will listen compassionately, they want the matter dealt with immediately and they want the bully held to account.

Schools across Queensland are grappling with incidents of bullying every day. As a community we need to support our schools by reinforcing the message that bullying and harassment must never be tolerated. We need to confront the hurtful things children say and do to each other and work together to change that behaviour, because the safety and wellbeing of our children should always be a priority.


### Federal Member for Dickson

 **Hon. JA TRAD** (South Brisbane—ALP) (Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment) (2.50 am): Recent comments by immigration minister Peter Dutton regarding Lebanese migration to Australia have sparked much anger and debate, and justifiably so. As a second-generation Australian-Lebanese and a senior member of the Queensland government, I feel compelled to stand in this place and register my outrage and absolute disgust at Mr Dutton's comments. When the immigration minister of our nation—which can rightly claim to be one of the most successful multicultural nations in the world—publicly opines that the humanitarian intake of refugees and migrants from war-torn Lebanon in the 1970s was a mistake, it is self-evident that we have reached a new low in Australian politics.

While there has been quite a bit of nonsensical clarification of Mr Dutton's comments by his colleagues—the most bizarre of which came from the foreign affairs minister, Julie Bishop—nothing can change the fact that Mr Dutton degraded an entire cohort of Australian migrants based on their country of origin and their religion by labelling their entry, and by extension their presence in this country, a mistake. He took the criminal actions of less than 0.01 per cent within the Australian-Lebanese Muslim community and assigned blame, guilt and association to the entire population and he trashed the legacy of one of his own—Malcolm Fraser—while trashing a 50-year tradition of bipartisanship on migration policy in this country. And for what? Let us be brutally honest. It had nothing to do with advancing a constructive policy debate or counterterrorism but had everything to do with politics and whistling out to One Nation. Just like those LNP members who sit in this place who are so ready to use the trauma and devastation of broken families and abused children to advance their political interests, Mr Dutton and the LNP federally will use fear and racism to advance theirs.

I have stood in this place and I have spoken of my family's migration story to this nation. It is so similar to that of so many other migrants' experiences. I know that Australian-Lebanese migrants—Muslim, Maronite and Melkite—are hardworking people who love their families and embrace and respect the opportunities they have been given in this country, and I know that the vast majority of Australians embrace and respect them as valued members of our nation who make an enormous contribution to our nation. Our country is enriched by migration and multiculturalism. I am proud to be part of a political party that is better than the likes of Peter Dutton and the LNP. I am proud to be part of the Australian-Lebanese community and every day I thank my parents for all their sacrifices and hard work that have allowed and enabled me to have the opportunities I have had in my life, including serving my community and serving our state.

### Dalziel, Ms C

 **Mrs STUCKEY** (Currumbin—LNP) (2.53 am): This morning I rise in the House to pay tribute to a remarkable young woman, Cassandra Dalziel, who passed away tragically at the young age of 31. In a few days time it will be 10 years since I heard the devastating news that Cassie, as those who knew her well called her, had taken her own life, on 5 December 2006. When I received a call from Gold Coast Airport boss Paul Donovan the morning Cassie was found, I felt a sense of disbelief and then grief—a grief and a sadness that I feel to this day. I had known Cassie for eight years as a bubbly and


competent local newspaper journalist who embraced the Tweed-southern Gold Coast community. A few years prior, Cassie had asked me for a reference because she wanted to apply for a new job. As it turned out, it was with Merri Rose and she worked for Merri until just before the 2004 election.

After the election Cassie came to the electorate office to help show me and my new staff how some of the equipment worked. She enjoyed her job at the airport in a marketing and communications role, had completed a degree at university, had bought her own house and was in a happy personal relationship. Despite this sense of order, Cassie did not make a will. Cassie drew people to her. She was smart, was a quick learner and had a heap of friends. I know this because I celebrated her 30th birthday with her and many others at a Coolangatta restaurant.

On 30 October 2006 a police charge sheet claims that Merri Rose made demands and threats of detriment to the then premier of Queensland, Peter Beattie, in an attempt to gain employment in the public sector. Ms Rose was charged on 10 November and Cassie was dead 25 days later. As broken-hearted friends and colleagues shared their grief and their reflections, I was told that Cassie was terrified of being called to testify at Merri's trial, so terrified that she said, 'If I'm called as a witness at Merri's trial I will kill myself.' Her death leaves behind a number of unanswered questions that are for others to ponder, not I.

Cassie the person may have left this life, but her spirit has literally haunted me on numerous occasions since her passing. Many honourable members have shared their personal stories in this House and as a naturally very private person it is not something I feel at all comfortable doing. I do not consider myself to be a psychic or anything like that. However, I am hopeful that this tribute tonight will release Cassie's spirit and I dearly hope that she can now rest peacefully. So goodbye my dearest Cassie, goodbye.

### **Sandgate Electorate, Educational Institutions; Justice Kiefel, Appointment as Chief Justice of the High Court of Australia**

 **Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Minister for Transport and the Commonwealth Games) (2.56 am): At a time when many of us have been congratulating school students on their successes throughout the school year, it is nothing short of an inspiration to see the achievements of so many young people. Over the past several weeks I have personally written to hundreds of secondary school students in my electorate who have received cultural, academic and sporting awards. I believe this is a very formative period in their lives and I wanted them to know that our community is extremely proud of their efforts.

I want to say a special congratulations to Patricia Tayah of Bracken Ridge State High School, Angel Maliakkal of St John Fisher College, Jesse Moss of Sandgate District State High School and Jack Graham of St Patrick's College for being awarded dux of their respective schools. These students strive for success and have achieved outstanding results.

I also want to congratulate the secondary school principals across my electorate for their continuing commitment to the educational outcomes of their students: Mr Roger Atkins of Bracken Ridge State High; Ms Maree Messer of St John Fisher College; Mr Chris Mayes of St Patrick's College; and Mr Phil Campbell of Sandgate District State High School. Here I must pause and make mention of outgoing principal Janette Gentle for her longstanding service at Sandgate District State High. On behalf of our community, I wish to extend thanks to these educational leaders and their staff for turning our young people's dreams into a reality.

There are many members in our community who excel in ways that are unique to them and I recently had the pleasure of attending a celebration evening for students at Jabiru Community College—the other high school in our electorate. JCC represents an alternative schooling option at Bracken Ridge which provides high-quality informal and formal learning and educational outcomes with people who have complex learning and social support needs. The commitment these students have to personal development reiterates the fact that you do not have to be an A-grade student or one who takes out gold on the sporting field to be successful. I would like to acknowledge the continuing passion of Jabiru Community College's co-principals, Frances Missen and David Powell, ensuring our youth can reach their full potential. Their commitment and dedication to our young people are appreciated by our community.

The motto of Sandgate District State High School is 'Industria Floremus', which translates to 'hard work brings success'. I believe this reflects the inspirational story of Australia's recently appointed first female Chief Justice, Susan Kiefel, a former student of Sandgate High. She, like so many at the time, especially women, left school at the age of 15, having achieved a Junior Certificate, to start her

working life as a legal secretary. Justice Kiefel was not a dropout, as she has been labelled in media reports on her appointment. I believe that her story is one of great success and of individual initiative. It does not matter who you are or where you have come from; hard work really does bring about great success. Congratulations to all those students from local schools who, like Justice Kiefel, have done and will do their best. On behalf of our community I wish them all the very best success for whatever the future holds.

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 2.59 am (Thursday).

## **ATTENDANCE**

Bailey, Barton, Bates, Bennett, Bleijie, Boothman, Boyd, Brown, Butcher, Byrne, Costigan, Cramp, Crandon, Crawford, Cripps, D'Ath, Davis, de Brenni, Dick, Dickson, Donaldson, Elmes, Emerson, Enoch, Farmer, Fentiman, Frecklington, Furner, Gilbert, Gordon, Grace, Harper, Hart, Hinchliffe, Howard, Janetzki, Jones, Katter, Kelly, King, Knuth, Krause, Langbroek, Last, Lauga, Leahy, Linard, Lynham, Madden, Mander, McEachan, Miles, Millar, Miller, Minnikin, Molhoek, Nicholls, O'Rourke, Palaszczuk, Pearce, Pease, Pegg, Perrett, Pitt, Powell, Power, Pyne, Rickuss, Robinson, Rowan, Ryan, Saunders, Seeney, Simpson, Smith, Sorensen, Springborg, Stevens, Stewart, Stuckey, Trad, Walker, Watts, Weir, Wellington, Whiting, Williams