



# RECORD OF PROCEEDINGS

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## FIRST SESSION OF THE FIFTY-SIXTH PARLIAMENT

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## TUESDAY, 26 MARCH 2019

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The Legislative Assembly met at 9.30 am.

Mr Speaker (Hon. Curtis Pitt, Mulgrave) read prayers and took the chair.

**Mr SPEAKER:** Honourable members, I respectfully acknowledge that we are sitting today on the land of Aboriginal people and pay my respects to elders past and present. I thank them, as First Australians, for their careful custodianship of the land over countless generations. We are very fortunate in this country to have two of the world's oldest continuing living cultures in Aboriginal and Torres Strait Islander peoples whose lands, winds and waters we all now share.

### ASSENT TO BILLS



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

The Honourable C.W. Pitt MP

Speaker of the Legislative Assembly

Parliament House

George Street

BRISBANE QLD 4000

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

Date of Assent: 7 March 2019

A Bill for an Act to amend the Ambulance Service Act 1991, the Health Practitioner Regulation National Law Act 2009 and the Hospital and Health Boards Act 2011 for particular purposes

A Bill for an Act to respect, protect and promote human rights, and to amend this Act, the Anti-Discrimination Act 1991, the Corrective Services Act 2006, the Corrective Services Regulation 2017, the Disability Services Act 2006, the Family and Child Commission Act 2014, the Financial Accountability Act 2009, the Health Ombudsman Act 2013, the Industrial Relations Act 2016, the Industrial Relations (Tribunals) Rules 2011, the Information Privacy Act 2009, the Integrity Act 2009, the Ombudsman Act 2001, the Parliament of Queensland Act 2001, the Prostitution Regulation 2014, the Public Guardian Act 2014, the Public Sector Ethics Regulation 2010, the Public Service Act 2008, the Public Service Regulation 2018, the Queensland Civil and Administrative Tribunal Rules 2009, the Statutory Bodies Financial Arrangements Regulation 2007, the Statutory Instruments Act 1992 and the Youth Justice Act 1992 for particular purposes

A Bill for an Act to amend the Liquor Act 1992 for particular purposes

A Bill for an Act to amend the Fisheries Act 1994, the Public Interest Disclosure Act 2010 and the Transport Operations (Marine Safety) Act 1994 for particular purposes

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

Yours sincerely

Governor

7 March 2019

*Tabled paper:* Letter, dated 7 March 2019, from His Excellency the Governor to the Speaker advising of assent to certain bills on 7 March 2019 [\[376\]](#).

### PRIVILEGE

#### Comments by Minister for Police and Minister for Corrective Services, Clarification



**Hon. MT RYAN** (Morayfield—ALP) (Minister for Police and Minister for Corrective Services) (9.31 am): On 28 February I advised the House of services provided to young offenders held in police watch houses either on remand, awaiting court appearances or placement in a youth detention centre.

I provided advice to the House that my office had received from the youth justice department about educational and other services provided to these offenders. While the Queensland Police Service has confirmed that some services and materials were provided at that time, I have since been informed that teachers and teacher aides did not start the delivery of education programs until 21 March, following a joint risk assessment. I thank police and other agencies, including the Department of Education, for working together to ensure that young offenders held in watch houses receive supervision and educational assistance in a safe environment.

## SPEAKER'S STATEMENT

### New Zealand, Shootings



**Mr SPEAKER:** Queensland and New Zealand are both strong, tolerant and tight-knit multicultural societies where acts of hate have no place. The tragic events that occurred in Christchurch on Friday, 15 March have deeply affected the Queensland community. I wrote to the Rt Hon. Trevor Mallard, Speaker of the New Zealand House of Representatives, to express the Queensland parliament's deepest sympathies and continuing support concerning the horrific events that occurred in Christchurch. Speaker Mallard responded to our correspondence and has thanked the parliament for our expression of sympathy and support. I table both letters for the information of members.

*Tabled paper:* Letter, dated 15 March 2019, from the Speaker, Hon. Curtis Pitt, to the Speaker of the New Zealand House of Representatives, Rt Hon. Trevor Mallard, expressing the sorrow of the members of the Queensland parliament regarding the events in Christchurch on 15 March 2019 [377].

*Tabled paper:* Letter, dated 18 March 2019, from the Speaker of the New Zealand House of Representatives, Rt Hon. Trevor Mallard, to the Speaker, Hon. Curtis Pitt, thanking the members of the Queensland parliament for their expression of sympathy and support [378].

I want to place on record in particular my support for the Muslim communities in New Zealand and around the world that are feeling such enormous sorrow. As a gesture of our continuing support as a parliament, honourable members will be invited today and tomorrow by attendants inside the chamber to sign pages to be inserted into a condolence book, which I will present to the New Zealand High Commissioner to Australia, Hon. Dame Annette King, at a meeting next week when she visits the Queensland parliament. I urge all members to join this gesture of support to the New Zealand community, which has been shocked by this tragedy.

## REPORT

### Auditor-General



**Mr SPEAKER:** Honourable members, I have to report that I have received from the Auditor-General report No. 15 of 2018 titled *Follow-up of oversight of recurrent grants to non-state schools*. I table the report for the information of members.

*Tabled paper:* Auditor-General of Queensland: Report to Parliament No. 15: 2018-19—Follow-up of oversight of recurrent grants to non-state schools [379].

## PRIVILEGE

### Alleged Publication of False or Misleading Account of Proceedings before the House



**Mr SPEAKER:** Honourable members, on 28 February 2019, the member for Keppel wrote to me alleging that the members for Nanango, Mudgeeraba, Coomera, Surfers Paradise, Glass House, Toowoomba North, Pumicestone, Kawana, Gympie, Oodgeroo and Burnett deliberately published a false or misleading account of proceedings before the House. The matter relates to social media posts that were made in regard to a private member's motion moved by the member for Kawana on 27 February 2019 and subsequent amendments to that motion by the Minister for Education and Minister for Industrial Relations. The motion and amendment related to air conditioning in Queensland state schools.

In her letter to me, the member for Keppel contended that the social media posts were false and misleading because the Labor government did not vote against the LNP's plan to air-condition every state school classroom.


**Mr Powell** interjected.

**Mr SPEAKER:** Member for Glass House, you are warned under the standing orders. I sought further information from the 11 members involved, in accordance with standing order 269(5). The advice I received from 10 members is that the posts have been removed. The advice I received from the other member is that the post or retweet cannot be found. In summary, the relevant social media posts either have been deleted or no longer exist.

Accordingly, on the information before me, I considered that the matter does not warrant the further attention of the House under standing order 269(4). I have therefore decided that I will not be referring the matter to the Ethics Committee. I table the correspondence in relation to this matter.

*Tabled paper:* Correspondence regarding allegation by the member for Keppel, Mrs Brittany Lauga MP, that various members deliberately published false or misleading accounts of proceedings [398].

### Speaker's Ruling

 **Mr SPEAKER:** Honourable members, I am in possession of a security incident report and have received other information that indicates that during a public assembly on 15 March 2019 the member for Maiwar was in the crowd and then returned and was seen on level B above the porte cochere. He was seen clapping and waving to the crowd and had two children with him who both had Greens signs displayed. The member was also wearing a black T-shirt with protest slogans.

Section 50 of the Parliamentary Service Act enables the Speaker to make directions to regulate the behaviour and conduct of persons entering the parliamentary precinct. The directions can take the form of by-laws. Under Speaker's by-laws, banners, signs or other things that are or contain matter associated with a political cause or campaign are a proscribed item and cannot be brought into the precinct. They must be left in the custody of an authorised officer. As a matter of practicality, clothing like protest T-shirts have to be removed, covered by a jacket or turned inside out. The rationale for these directions and by-laws is to keep the precinct free of protest and preserve its dignity.

Public assembly outside the gates of the precinct has long been welcomed, evidenced by the establishment of the Speakers' Corner in the area between the gardens and the precinct. Pursuant to section 50(7), the by-laws do not apply to members of the Legislative Assembly in the conduct of their parliamentary business. The rationale for this exclusion is that the Legislative Assembly should deal with its members, not authorised officers.


On 30 May 2000 there was a public assembly regarding the deregulation of the milk industry outside the precinct of parliament. In view of that public assembly, three members of the Assembly carried a milk can onto the parliamentary precinct and emptied its contents outside the front entrance of Parliament House under the porte cochere. The former Members' Ethics and Parliamentary Privileges Committee in report No. 41 held that the three members committed a contempt by engaging in disorderly and disrespectful conduct in the precincts of the parliament while it was in session and behaving in a manner not befitting members of parliament. The report stated—

There is no doubt that it is a contempt of Parliament for members or strangers to involve themselves in disorderly conduct on the parliamentary precinct.

As the member for Maiwar's conduct cannot be dealt with under the by-laws, I have decided to refer this matter under standing order 268(2) to the Ethics Committee.

## SPEAKER'S STATEMENT

### School Group Tours

 **Mr SPEAKER:** Honourable members, I wish to advise that we will be visited in the House this morning by students and teachers from Wavell State High School in the electorate of Stafford and Arundel State High School in the electorate of Bonney.

## PETITIONS

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

### Longreach and Emerald, Agricultural Colleges

**Mr Knuth**, from 79 petitioners, requesting the House to reverse the government's decision to close agricultural colleges in Longreach and Emerald at the end of 2019 [381].

### Beachmere Road to Newman Road, Cycling Infrastructure

**Mrs Wilson**, from 185 petitioners, requesting the House to provide a bike path from the roundabout on Beachmere Road to Newman Road, Beachmere [382].

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

**Cane Toads, Pest Declaration**

From 360 petitioners, requesting the House to include the Bufo Marinus (cane toad) on the declared pest list [\[383\]](#).

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

**Baffle Creek Catchment, Zoning**

**Mr Bennett**, from 3,933 petitioners, requesting the House to remove the consideration of converting the zoning of the current Baffle Creek catchment to marine national park or green zone question from the Great Sandy Marine Park Zoning Review survey [\[384, 385\]](#).

**Wilson Beach Swimming Enclosure**

**Mr Costigan**, from 2,089 petitioners, requesting the House to stop the Whitsunday Regional Council from demolishing the Wilson Beach swimming enclosure and either repair or replace the current facility [\[386, 387\]](#).

**Drugs, Pill Testing**

**Dr Rowan**, from 2,043 petitioners, requesting the House to support a pill testing trial in Queensland [\[388, 389\]](#).

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

**University of Queensland Union Complex, Proposed Demolition**

**Mr Berkman**, from 404 petitioners, requesting the House to prevent the proposed demolition of structures known collectively as the University of Queensland Union Complex [\[390\]](#).

**Sunshine Coast, Public Transport**

**Ms Simpson**, from 397 petitioners, requesting the House to deliver a better public transport system for the Sunshine Coast [\[391\]](#).

**Local Government, Staff Management**

**Mr Sorensen**, from 505 petitioners requesting the House to introduce an amendment to the Local Government Act 2009 that prevents the engagement of private companies by local governments for staff management [\[392\]](#).

**Native Wildlife, Fishing Traps**

**Mr Andrew**, from 953 petitioners, requesting the House to review the effects on native wildlife from the improper use of opera house style fishing pots / traps [\[393\]](#).

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

**Land Valuation**

From 253 petitioners, requesting the House to have the responsibility, burden of proof of correct land valuation placed on the Valuer-General and not on the property / land owners [\[394\]](#).

**RSPCA Queensland**

From 387 petitioners, requesting the House to ensure the RSPCA Queensland cannot continue to report to themselves and the need to be recognised as a business and become accountable like any other business in Queensland [\[395\]](#).

Petitions received.

## TABLED PAPERS

### PAPERS TABLED DURING THE RECESS (SO 31)

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

1 March 2019—

[294](#) Response from the Minister for Fire and Emergency Services (Hon. Crawford), to an ePetition (3064-18), sponsored by the member for Oodgeroo, Dr Robinson, from 185 petitioners requesting the House to reinstate the basing of a 24/7 Queensland Fire and Emergency Services Officer on North Stradbroke Island

[295](#) State Development, Natural Resources and Agricultural Industry Development Committee: Report No. 14, 56th Parliament—Vegetation Management (Clearing for Relevant Purposes) Amendment Bill 2018, government response

[296](#) Education, Employment and Small Business Committee: Report No. 9, 56th Parliament—A fair day's pay for a fair day's work? Exposing the true cost of wage theft in Queensland: Erratum

4 March 2019—

[297](#) QSuper—Annual Report 2018



7 March 2019—

[298](#) Legal Affairs and Community Safety Committee: Report No. 30, 56th Parliament, March 2019—Justice Legislation (Links to Terrorist Activity) Amendment Bill 2018

8 March 2019—

[299](#) Report by the Minister for State Development, Manufacturing, Infrastructure and Planning (Hon. Dick), pursuant to section 76R(3) of the State Development and Public Works Organisation Act 1971, in relation to the step in notice by the Coordinator-General for the Hummock Hill Island Development

11 March 2019—

[300](#) Response from the Minister for Police and Minister for Corrective Services (Hon. Ryan), to a paper petition (3084-19), presented by the member for Townsville, Mr Stewart and an ePetition (3050-18), sponsored by the member for Townsville, Mr Stewart, from 1,163 and 188 petitioners respectively, requesting the House to intervene where possible into the pending closure of the Castle Hill PCYC facility to ensure the pool facility remains accessible to local aged residents to maintain health and fitness

13 March 2019—

[301](#) Response from the Minister for Local Government, Minister for Racing and Minister for Multicultural Affairs (Hon. Hinchliffe), to a paper petition (3083-19), presented by the Clerk under provisions of Standing Order 119(3), from 15 petitioners, requesting the House to formally recognise the 'Yellow Flag' as the heritage flag of the Vietnamese community Queensland

[302](#) Response from the Minister for Local Government, Minister for Racing and Minister for Multicultural Affairs (Hon. Hinchliffe), to an ePetition (3036-18), sponsored by the Clerk under the provisions of Standing Order 119(4), from 463 petitioners, requesting the House to enact laws to ensure all trees over 25 years of age are protected from lopping or felling or removal

[303](#) Transport and Public Works Committee: Report No. 15, 56th Parliament, February 2019—Queensland Civil and Administrative Tribunal and Other Legislation Amendment Bill 2019: Erratum

14 March 2019—

[304](#) Response from the Attorney-General and Minister for Justice (Hon. D'Ath), to an ePetition (2967-18), sponsored by the Clerk under the provisions of Standing Order 119(4), from 111 petitioners, requesting the House to present the findings and recommendations of the Inquiry into Drug Law Reform by the Parliament of Victoria's Law Reform, Road and Community Safety Committee for discussion and review of Queensland legislation drug law reform

[305](#) Response from the Attorney-General and Minister for Justice (Hon. D'Ath), to an ePetition (2992-18), sponsored by the Clerk under the provisions of Standing Order 119(4), from 851 petitioners, requesting the House to deny non-binary as an accepted third option to be displayed on birth certificates

[306](#) Response from the Attorney-General and Minister for Justice (Hon. D'Ath), to an ePetition (3028-18), sponsored by the Clerk under the provisions of Standing Order 119(4), from 470 petitioners, requesting the House to call a coronial inquest into Queensland Local Councils, in particular the deaths of staff at Ipswich City Council

[307](#) Response from the Minister for State Development, Manufacturing, Infrastructure and Planning (Hon. Dick), to a paper petition (3077-19), presented by the member for Jordon, Mrs Mullen, from 1,047 petitioners, requesting the House to prioritise the construction of an alternate access road in Flagstone

[308](#) 2017 Better Regulation Taskforce: Industry Review Report, August 2017

[309](#) 2017 Better Regulation Taskforce: Industry Review Report, August 2017, Queensland Government response and action plan, March 2019

[310](#) Response from the Minister for Education and Minister for Industrial Relations (Hon. Grace), to an ePetition (3065-18), sponsored by the member for Oodgeroo, Dr Robinson, from 496 petitioners requesting the House to restore the two demountable buildings from Ormiston State School to ensure classes are not disrupted in 2019 and construct permanent buildings to replace the demountable structures

[311](#) Response from the Minister for Housing and Public Works, Minister for Digital Technology and Minister for Sport (Hon. De Brenni), to a paper petition (3078-19), presented by the member for Pumicestone, Mrs Wilson, from 141 petitioners, requesting the House to not amend the Retirement Villages Act to include freehold tenure

[312](#) Response from the Minister for Transport and Main Roads (Hon. Bailey), to an ePetition (2963-18), sponsored by the Clerk under the provisions of Standing Order 119(4), from 240 petitioners, requesting the House to repair and maintain Head Road, also known as The Falls Tourist Drive, Scenic Rim

[313](#) Response from the Minister for Transport and Main Roads (Hon. Bailey), to an ePetition (2976-18), sponsored by the member for Bundaberg, Mr Batt, from 1,026 petitioners, requesting the House to return to the previous licensing format and include gender on Queensland drivers' licences

[314](#) Response from the Minister for Transport and Main Roads (Hon. Bailey), to an ePetition (3019-18), sponsored by the member for Clayfield, Mr Nicholls, from 286 petitioners, requesting the House to transfer the corner piece of land at the intersection of Gympie Road, Stafford Road and Brookfield Road to the Brisbane City Council for protection as greenspace/park

[315](#) Response from the Minister for Transport and Main Roads (Hon. Bailey), to an ePetition (3059-18), sponsored by the member for Oodgeroo, Dr Robinson, from 628 petitioners requesting the House to construct a northern breakwater at the William Street boat ramps, Cleveland

[316](#) Response from the Minister for Transport and Main Roads (Hon. Bailey), to a paper petition (3079-19), presented by the Clerk under provisions of Standing Order 119(3), from 4 petitioners, requesting the House to not install a turn left anytime sign and slipway on the western intersection of the future Lamington Road/Anzac Avenue intersection

- [317](#) Response from the Minister for Transport and Main Roads (Hon. Bailey), to a paper petition (3080-19), presented by the Clerk under provisions of Standing Order 119(3) and an ePetition (3030-18), sponsored by the member for Barron River, Hon. Crawford, from 239 and 287 petitioners respectively, requesting the House to install three pedestrian crossings/refuges at Kamerunga Road, Freshwater and Stratford
- [318](#) Response from the Minister for Transport and Main Roads (Hon. Bailey), to a paper petition (3081-19), presented by the member for Bundaberg, Mr Batt, and an ePetition (2968-18), sponsored by the Clerk under the provisions of Standing Order 119(4), from 18 and 453 petitioners respectively, requesting the House to upgrade the intersection at FE Walker Street and Ashfield Road, Bundaberg with traffic lights
- [319](#) Response from the Minister for Transport and Main Roads (Hon. Bailey), to a paper petition (3082-19), presented by the member for Bundaberg, Mr Batt, and an ePetition (2969-18), sponsored by the Clerk under the provisions of Standing Order 119(4), from 871 and 2,333 petitioners respectively, requesting the House to allow the visually impaired to obtain disability parking permits
- [320](#) Response from the Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts (Hon. Enoch), to an ePetition (3007-18), sponsored by the Clerk under the provisions of Standing Order 119(4), from 835 petitioners, requesting the House to cease further culling of the Brumbies on Curtis Island; protect all remaining Brumbies; undertake an investigation into the cull, and develop a management plan in consultation with the local community to manage the numbers in an appropriate and humane manner
- [321](#) Response from the Minister for State Development, Manufacturing, Infrastructure and Planning (Hon. Dick), to an ePetition (2977-18), sponsored by the member for Bancroft, Mr Whiting, from 3,831 petitioners, requesting the House to not support any development application to change the use of the North Lakes Golf Course
- [322](#) Response from the Minister for Innovation and Tourism Industry Development and Minister for the Commonwealth Games (Hon. Jones), to an ePetition (3053-18): Sponsored by the member for Southport, Mr Molhoek, from 7,600 petitioners, requesting the House to oppose the granting of a second casino licence on the Gold Coast
- [323](#) Response from the Minister for Innovation and Tourism Industry Development and Minister for the Commonwealth Games (Hon. Jones), to an ePetition (3040-18), sponsored by the Clerk under the provisions of Standing Order 119(4), from 3,382 petitioners, requesting the House to withdraw the expressions of interest for construction of tourist facilities in national parks
- [324](#) Response from the Minister for Police and Minister for Corrective Services (Hon. Ryan), to an ePetition (2966-18), sponsored by the Clerk under the provisions of Standing Order 119(4), from 133 petitioners, requesting the House to man the Burpengary Police Station 24 hours a day, seven days a week
- 18 March 2019—
- [325](#) Queensland Government: Right to Information Act 2009 and Information Privacy Act 2009—Annual Report 2017-18, March 2019
- [326](#) Response from the Minister for Agricultural Industry Development and Fisheries (Hon. Furner), to an ePetition (3060-18), sponsored by the member for Hill, Mr Knuth, from 1,483 petitioners, requesting the House to reverse the government's decision to close agricultural colleges in Longreach and Emerald at the end of 2019
- 19 March 2019—
- [327](#) Legal Affairs and Community Safety Committee: Report No. 31, 56th Parliament, March 2019—Anti-Discrimination (Right to Use Gender-Specific Language) Amendment Bill 2018
- [328](#) Legal Affairs and Community Safety Committee: Report No. 32, 56th Parliament, March 2019—Protecting Queenslanders from Violent and Child Sex Offenders Amendment Bill 2018
- 20 March 2019—
- [329](#) District Court of Queensland—Annual Report 2017-18
- [330](#) Supreme Court of Queensland—Annual Report 2017-18
- [331](#) Supreme Court of Queensland—Annual Report 2017-18: Erratum Page 5
- [332](#) Supreme Court of Queensland—Annual Report 2017-18: Erratum Page 13
- [333](#) Supreme Court of Queensland—Annual Report 2017-18: Erratum Page 18
- 21 March 2019—
- [334](#) Department of Transport and Main Roads: Master Plan—Priority Port of Gladstone, 2018
- 22 March 2019—
- [335](#) Family Responsibilities Commission—Annual Report 2017-18
- 25 March 2019—
- [336](#) Response from the Minister for Natural Resources, Mines and Energy (Hon. Dr Lynham), to an ePetition (2981-18) sponsored by the Clerk under the provisions of Standing Order 119(4) from 349 petitioners, requesting the House to have the Valuation Registration Board chaired by other than the Valuer-General and independent from the Department of Natural Resources, Mines and Energy
- [337](#) State Development, Natural Resources and Agricultural Industry Development Committee: Report No. 24, 56th Parliament—Subordinate legislation tabled between 17 October and 13 November 2018.

## TABLING OF DOCUMENTS (SO 32)

## STATUTORY INSTRUMENTS

The following statutory instruments were tabled by the Clerk—

Mineral and Energy Resources (Financial Provisioning) Act 2018:

- [338](#) Proclamation commencing remaining provisions, No. 15
- [339](#) Proclamation commencing remaining provisions, No. 15, explanatory notes

Mineral and Energy Resources (Financial Provisioning) Act 2018:

- [340](#) Mineral and Energy Resources (Financial Provisioning) Regulation 2019, No. 16
- [341](#) Mineral and Energy Resources (Financial Provisioning) Regulation 2019, No. 16, explanatory notes

Cross River Rail Delivery Authority Act 2016:

- [342](#) Cross River Rail Delivery Authority Regulation 2019, No. 17
- [343](#) Cross River Rail Delivery Authority Regulation 2019, No. 17, explanatory notes

Plumbing and Drainage Act 2002:

- [344](#) Plumbing and Drainage (Occupational Licence Fee) Amendment Regulation 2019, No. 18
- [345](#) Plumbing and Drainage (Occupational Licence Fee) Amendment Regulation 2019, No. 18, explanatory notes

Environmental Protection Act 1994, State Penalties Enforcement Act 1999:

- [346](#) Environmental Protection (Financial Provisioning) and Other Legislation Amendment Regulation 2019, No. 19
- [347](#) Environmental Protection (Financial Provisioning) and Other Legislation Amendment Regulation 2019, No. 19, explanatory notes

Aboriginal Land Act 1991:

- [348](#) Aboriginal Land (Minjerribah) Amendment Regulation 2019, No. 20
- [349](#) Aboriginal Land (Minjerribah) Amendment Regulation 2019, No. 20, explanatory notes

Architects Act 2002:

- [350](#) Architects (Registration Fees) Amendment Regulation 2019, No. 21
- [351](#) Architects (Registration Fees) Amendment Regulation 2019, No. 21, explanatory notes

National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Act 2018:

- [352](#) National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Regulation 2019, No. 22
- [353](#) National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Regulation 2019, No. 22, explanatory notes

Work Health and Safety and Other Legislation Amendment Act 2017:

- [354](#) Proclamation commencing remaining provisions, No. 23
- [355](#) Proclamation commencing remaining provisions, No. 23, explanatory notes

Electrical Safety Act 2002:

- [356](#) Electrical Safety (Delegation by Regulator) Amendment Regulation 2019, No. 24
- [357](#) Electrical Safety (Delegation by Regulator) Amendment Regulation 2019, No. 24, explanatory notes

Biosecurity Act 2014:

- [358](#) Biosecurity (Citrus Canker) Amendment Regulation 2019, No. 25
- [359](#) Biosecurity (Citrus Canker) Amendment Regulation 2019, No. 25, explanatory notes

Rural and Regional Adjustment Act 1994:

- [360](#) Rural and Regional Adjustment (Extension of Funding for North and Far North Queensland Flood Disaster) Amendment Regulation 2019, No. 26
- [361](#) Rural and Regional Adjustment (Extension of Funding for North and Far North Queensland Flood Disaster) Amendment Regulation 2019, No. 26, explanatory notes

Work Health and Safety Act 2011:

- [362](#) Work Health and Safety (Amusement Devices—Public Safety) Amendment Regulation 2019, No. 27
- [363](#) Work Health and Safety (Amusement Devices—Public Safety) Amendment Regulation 2019, No. 27, explanatory notes

Transport and Other Legislation Amendment Act 2017:

- [364](#) Proclamation commencing remaining provisions, No. 28
- [365](#) Proclamation commencing remaining provisions, No. 28, explanatory notes

Photo Identification Card Act 2008, State Penalties Enforcement Act 1999, Transport Operations (Passenger Transport) Act 1994, Transport Operations (Road Use Management) Act 1995, Transport Planning and Coordination Act 1994:

[366](#) Photo Identification Card Regulation 2019, No. 29

[367](#) Photo Identification Card Regulation 2019, No. 29, explanatory notes

Queensland Building and Construction Commission Act 1991, State Penalties Enforcement Act 1999:

[368](#) Queensland Building and Construction Commission (Minimum Financial Requirements) and Other Legislation Amendment Regulation 2019, No. 30

[369](#) Queensland Building and Construction Commission (Minimum Financial Requirements) and Other Legislation Amendment Regulation 2019, No. 30, explanatory notes

Nature Conservation Act 1992:

[370](#) Nature Conservation (Protected Areas Management) (D'Aguilar National Park) Amendment Regulation 2019, No. 31

[371](#) Nature Conservation (Protected Areas Management) (D'Aguilar National Park) Amendment Regulation 2019, No. 31, explanatory notes

Queensland Heritage Act 1992:

[372](#) Queensland Heritage Amendment Regulation 2019, No. 32

[373](#) Queensland Heritage Amendment Regulation 2019, No. 32, explanatory notes

Waste Reduction and Recycling Act 2011:

[374](#) Waste Reduction and Recycling (Waste Levy) Amendment Regulation 2019, No. 33

[375](#) Waste Reduction and Recycling (Waste Levy) Amendment Regulation 2019, No. 33, explanatory notes

#### MEMBERS' PAPERS

The following members' papers were tabled by the Clerk—

Member for Nanango (Mrs Frecklington)—


[396](#) Nonconforming petition regarding Mundubbera Durong Road and Chinchilla Wondai Road

Member for Toowoomba North (Mr Watts)—

[397](#) Nonconforming petition regarding a review of the 950 bus service from Crows Nest to Toowoomba via Highfields

## MINISTERIAL STATEMENTS


### New Zealand, Shootings

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for Trade) (9.40 am): On behalf of the state of Queensland, we offer our condolences to the people of Christchurch. Their sorrow, loss and pain are unimaginable. Queenslanders have, as others have around the world, gathered united—united at mosques, united in prayers, united standing side by side with fellow Queenslanders no matter their race or religion.

Friends are not behind you when you are in trouble, they are standing right next to you and we are standing right next to the people of Christchurch, like they were standing a hundred deep at the doors of the Islamic School at Karawatha last Sunday. They could not see who was on stage, they could not hear and they did not care. The important thing was being there to show their support. We will not give in to the hatred that was behind this atrocity. Terrorism has no place in our lives. Our society is inclusive: it is outward looking, it is multicultural and it is multifaith. This is a time we come together. This is Queensland and we stand together—always. Later tonight I will host an event here at parliament. I encourage all honourable members to attend. We are calling it 'Everyone Belongs' and it will include the signing of a book of condolence for Christchurch.

I welcome reports this morning that the Prime Minister is proposing laws that would make it an offence for social media companies to fail to remove terrorism footage as soon as it is reported or if they know that the offending footage is being hosted on their platforms. These companies have the technology to take down this material so it is totally unacceptable that they would not. We have to stop extremism in its tracks. We have to stop it from spreading in our society. We have to call it out. Together we will make a stand.

### Cyclone Trevor

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for Trade) (9.43 am): Our extremely active summer season kept up its momentum last week when Cyclone Trevor crossed Cape York Peninsula from east to west. Trevor was the fourth cyclone of the summer, following Owen, Penny and,

of course, Cyclone Oma which formed out of the monsoon that flooded Townsville and the north-west. As Trevor approached, our emergency management authorities were well prepared again—as they have been all season—on the cape and at headquarters in Brisbane. Thankfully there were no reports of injury, although communities from Lockhart River to Coen and across to Weipa and Aurukun had to sit through hours of frightening winds, resulting in fallen trees, some roof damage and loss of power.

Now the Northern Territory is cleaning up after some of its coastal communities were struck. There is hope for a silver lining from Trevor's clouds with the cyclone's remains currently producing heavy rain which we need in the dry centre and south-west of our state. This morning a severe weather warning was current for parts of the north-west, central west, Channel Country and Maranoa and Warrego forecast districts. The best scenario is for this rain to avoid the previously flooded north-west region and bring relief at long last to drought declared shires.

### Floods, Recovery Assistance



**Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for Trade) (9.44 am): It is now more than one month on from the historic flood event in the state's north and north-west. My government is entrenched in recovery efforts and is continuing to engage local councils, small businesses and the broader community. I have been out and about with my ministers visiting the most impacted areas of the state to make sure they are getting the help they need on the long road to recovery. Most recently, the Deputy Premier was in the north-west with Major General Stuart Smith and McKinlay Shire Mayor Belinda Murphy. We have driven the damaged roads, inspected the flooded schools and seen firsthand the impact on the cattle properties in the north-west.

At the same time, State Recovery Coordinator Major-General Stuart Smith has also been visiting hardest hit areas, coordinating the Queensland government's far-reaching recovery efforts. Every step of the way he has been backed by Australia's only permanent, dedicated disaster recovery agency, the Queensland Reconstruction Authority, which has worked alongside Queensland Fire and Emergency Services to assess the damage to over 8,000 properties.

To date I would like to update the House that more than \$28.6 million has been paid out in personal hardship grants benefitting more than 115,000 people. More than \$20 million has been paid in recovery grants to more than 300 primary producers and more than \$480,000 in small business recovery grants to more than 70 recipients. Housing staff have assisted almost 1,800 people affected by flooding and everyone who has asked for emergency housing assistance has a safe, dry place to stay.

The Richmond to Hughenden section of the Mount Isa rail line is now open and QR and 400 employees continue to undertake vital restoration work on other sections severely damaged. Around \$10 million has been raised through the North Queensland Floods Appeal with generous donations given by the public to the Australian Red Cross, UnitingCare, Salvation Army, St Vincent de Paul and Givit. These charities will continue to raise funds to assist members of the community who have been impacted by this significant weather event. Queensland parliament will hold its own special flood appeal reception on Thursday to raise even more funds for impacted communities. I can advise the House that it is a sold-out event.


### Land 400 Phase 3



**Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for Trade) (9.46 am): Since 2015, my government has created almost 185,000 new jobs for Queenslanders. In the last month, 95 per cent of the jobs created were full-time jobs; and because we have stuck to our plan on jobs, the trend unemployment rate today of 5.7 per cent is significantly lower than the 6.6 per cent rate we inherited from the LNP and Campbell Newman. My government is 100 per cent committed to growing Queensland jobs.

Specifically, Queensland stands at the dawn of a new era of advanced manufacturing jobs, especially in the defence industries. We are ready to fight for the Army's largest ever project—the \$15 billion Land 400 Phase 3 which will ensure manufacturing jobs, if secured, until 2032. We are supporting Rheinmetall's bid for phase 3, just like we did for the \$5.2 billion phase 2. Rheinmetall expects the Milvehoe and its impact across Queensland's supply chain will contribute more than \$1 billion to the Queensland economy. The battle lines are drawn. We are going to throw everything we can behind this bid and I am calling on Scott Morrison and Bill Shorten, the Leader of the Opposition, to do exactly the same and back Team Queensland.

### Women's Rugby League, Maroons

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for Trade) (9.47 am): Today I am pleased and proud to announce that the Queensland Rugby League has made a commendable decision about equality for our state women's team. Today I will officially launch the naming of the Queensland Women's Rugby League team as the Maroons. Our men's teams over the years have been known as the mighty Maroons; now the women's team will formally share the same name, as they should. This is common sense.

The women's State of Origin match will be played in Sydney on 21 June this year. The QRL is also launching women's Maroons' memberships and I am honoured that they have asked me to be their first member. I am quite sure the deputy will be No. 2 and I am quite sure that the minister for tourism will be number No. 3.

**Mr Hart** interjected.

**Ms PALASZCZUK:** Well, member for Burleigh, we know it is never going to be you.


**Mr SPEAKER:** The Premier will direct her comments through the chair.

**An opposition member** interjected.

**Mr SPEAKER:** Order, members!

**Ms PALASZCZUK:** I am sure that the Premier of New South Wales and I will come up with a worthy bet closer to the match.

### Floods, Recovery Assistance; SPER ICT Program

 **Hon. JA TRAD** (South Brisbane—ALP) (Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships) (9.49 am): I join with the Premier in expressing my deepest condolences and sorrow to the victims, the families, the broader Muslim community and our trans-Tasman cousins in New Zealand. This was an horrific, racist attack on peaceful men, women and children, and I feel for all of the fear and anxiety that the Muslim community is currently experiencing. May they rest in peace, allah yir hum oon.

The recovery from the devastating floods in North and North-West Queensland will be a long and difficult process, but the Palaszczuk government will be right beside Queenslanders every step of the way. The Insurance Council of Australia has reported that more than 25,500 claims were lodged by policyholders from the North Queensland monsoonal event, with a value of approximately \$1.04 billion as at 18 March 2019. Last week, as the Premier said, I travelled to Julia Creek and Normanton to see firsthand how the recovery is progressing. I was joined by the State Disaster Recovery Coordinator, Major General Stuart Smith. I commend the work he is currently undertaking as he is a fine disaster recovery coordinator. I met with graziers and community members to hear from them about their experiences and what they needed. Some of the issues raised with me included access to finance and their treatment at the hands of banks. I have already taken the opportunity to raise these concerns with industry. We have a hard road ahead of us in the recovery process, but now it has been made even harder because the Morrison LNP government made it all the more shocking—

**An honourable member** interjected.

**Ms TRAD:** Our road to recovery is a hard one, but now we have been dealt another blow by the Morrison LNP federal government.

**Honourable members** interjected.

**Mr SPEAKER:** Order!

**Ms Simpson** interjected.

**Mr SPEAKER:** Member for Maroochydore, I have called the House to order. You are warned under the standing orders.

**Ms TRAD:** Just this month the Commonwealth unilaterally implemented changes to the formula for distributing GST that will punish Queensland at a time when we need support to recover from natural disasters. Queensland is set to lose \$268 million in GST next financial year under a Commonwealth government plan to exclude natural disaster payments from calculation. Under the Commonwealth Grants Commission's 2019 update to GST, Queensland would be the only state to receive less GST revenue in 2019-20 than in 2018-19, despite the GST pool growing by more than \$2 billion. Under the new plan, natural disaster payments by the state to local councils that manage the rebuilding of



essential local infrastructure will no longer be classified as necessary expenditure. Queensland is already doing the heavy lifting when it comes to supporting our communities to recover. When we need them the most, the Commonwealth has left us high and dry.

Earlier this month I wrote to the federal Treasurer to request an urgent meeting to discuss the issue, to put on record our concerns. Unfortunately, on 14 March the federal Treasurer formalised his decision, despite knowing that it would punish Queensland and make our recovery from this natural disaster all the harder. I table correspondence between the federal Treasurer and me.

*Tabled paper:* Letter, undated, from the Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships, Hon. Jackie Trad, to the Treasurer of Australia, Hon. Josh Frydenberg, regarding his letter dated 20 February 2019, inviting comments on the Commonwealth Grants Commission's report on GST Revenue Sharing Relatives (2019 Update) [399].

*Tabled paper:* Letter, dated 14 March 2019, from the Treasurer of Australia, Hon. Josh Frydenberg, to the Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships, Hon. Jackie Trad, relating to Queensland's submission regarding the Commonwealth Grants Commission's report on GST Revenue Sharing Relatives (2019 Update) [400].

This is unacceptable, indefensible and unfair. Once again, Queensland is not getting its fair share from this federal government.

**Mrs Stuckey:** Sore loser.

**Ms TRAD:** That interjection about me being a sore loser is a reflection on how the LNP treat Queenslanders. They are saying—

**Mr SPEAKER:** Order! Deputy Premier, I did not hear that interjection. If that were indeed an interjection, I ask the member to withdraw it in terms of being unparliamentary language. Was there a member who said those words?

**Mrs STUCKEY:** I withdraw whatever I said.

**Government members** interjected.

**Mr SPEAKER:** Order! Members to my right! Thank you member for Currumbin; I appreciate you withdrawing. I ask that the remainder of the Deputy Premier's statement be heard in silence.

**Ms TRAD:** Queenslanders are losing out from the Morrison LNP government and it is time that those opposite stood up to their federal colleagues.


Work has been underway on an ICT program to help SPER manage fines and enforcement activities. I have raised concerns with Treasury on multiple occasions about the progress of the SPER ICT program. Mid last year I commissioned a review of the project when I became aware of delivery issues. Additionally, I commissioned ongoing independent assurance of the program. Through this assurance work, I was advised that further delivery issues have arisen during the user acceptability testing, including the program not meeting its scheduled testing completion date. It is now anticipated that the SPER ICT program will not be ready for operation in June this year. This is completely unacceptable.

**Mr Hart** interjected.

**Mr SPEAKER:** The member for Burleigh is warned under the standing orders. I gave clear instructions.

**Ms TRAD:** This is completely unacceptable. The SPER ICT program has been referred to the Auditor-General for investigation due to these ongoing delivery delays. SPER and Queensland Treasury will fully cooperate with the Auditor-General to complete the investigation as soon as possible. Queensland Treasury is now working with key stakeholders about the issue arising from the delay and commercial discussions are underway with key contractors regarding the program. I will keep the House updated on the progress.

### Infrastructure, Federal Funding

 **Hon. CR DICK** (Woodridge—ALP) (Minister for State Development, Manufacturing, Infrastructure and Planning) (9.55 am): Today Scott Morrison is in Queensland with his cabinet, which means that today is the day for Scott Morrison and the LNP to deliver to Queensland our fair share. Queensland is Australia's third largest state in terms of population, second largest state in terms of land area and first choice for interstate migration. Despite this, when it comes to infrastructure, we get nothing from the Morrison coalition government. Look no further than the federal government's infrastructure priority list to see how Queenslanders continue to be duded by the Morrison LNP government.

Only two Queensland projects representing \$680 million in Commonwealth funding are on the federal government's infrastructure priority list, including the Beerburum to Nambour railway upgrade project. When it comes to that project, half of the \$390 million so far committed by the federal government will not be available to Queensland for at least four years. They have duded us again by refusing 80-20 funding for that project. They are short-changing Queensland by almost a quarter of a billion dollars—\$230 million—if they were properly funding it at an 80-20 ratio. Meanwhile, on the infrastructure priority list we get only two projects but there are four for Victoria and five for New South Wales. In fact, a single project in New South Wales—the Sydney Metro being funded by the federal government at \$1.7 billion—is attracting almost three times the federal funding of Queensland's two projects. We have not received a single dollar for Cross River Rail, but when Scott Morrison was the treasurer—

**Opposition members** interjected.

**Mr SPEAKER:** Order!

**Mr DICK:** \$5 billion.

**Mr SPEAKER:** Minister, please resume your seat. Whilst I gave no such assurances to the minister that he would be heard in silence, I do expect that interjections are kept to a minimum. The House will come to order.

**Mr DICK:** Thank you, Mr Speaker. Let us look at Scott Morrison's record. When treasurer, he pledged \$5 million for an airport link in Victoria for which there was no business case and, at the time of the announcement, no preferred alignment. He did not even know where the railway was going to go but put \$5 billion into it—and members opposite complain that I am saying the federal government is dudding Queensland! It took 18 months for the federal government to cough up some money for the South Rockhampton flood levee and, thanks to the member for Rockhampton, they finally put their money into that project.

**Opposition members** interjected.

**Mr SPEAKER:** Order!

**Mr DICK:** In respect of other regional projects—

**Mr SPEAKER:** Order! Members, I have tried to give you as much guidance as possible this morning. I appreciate the minister is being quite forceful in his delivery; however, I do not believe that he is being provocative about those opposite.

**Mr DICK:** I return to the federal government. There has been no priority given by Infrastructure Australia to the Townsville Ring Road, which is a kick in the guts for the Townsville community that has struggled with so much in recent times.

The LNP government in Canberra, Scott Morrison's government, has shown no commitment to the people of this state. When the Prime Minister comes to Queensland he is not 'ScoMo'; he is 'ScoNo'—no money for infrastructure, no money for services and no money for Queensland. He is so caught up in chaos, in leadership arguments, in settling scores and in starting culture wars to think about the infrastructure needs for our state. I call on all members of this House to back the Premier's call. It is time for Scott Morrison to deliver to Queensland our fair share.

**Mr SPEAKER:** Member for Gladstone and member for Southern Downs, you are both warned under the standing orders. It is only the beginning of the back-to-back sitting weeks. We will see how we go.

## Innovation



**Hon. KJ JONES** (Cooper—ALP) (Minister for Innovation and Tourism Industry Development and Minister for the Commonwealth Games) (10.00 am): Today I am proud to announce that seven international companies and three from interstate will relocate to Queensland to be part of our thriving innovation sector. The world's best and brightest entrepreneurs are flocking to Queensland. These businesses want to expand their footprint and create jobs here in Queensland. They come from France, Thailand, China, the United Kingdom, Gibraltar, New South Wales and the ACT.

Companies like French aeronautical start-up Sunbirds, a world leader in solar powered drone technology, will relocate to Brisbane. Their work has significant benefits for Queensland's agricultural industry where there is a need for cost-effective monitoring of large parcels of land. UK based software start-up HotelFlex, which will be based on the Gold Coast, has developed a next generation booking system to make it easier to do business for hotel operators.



This is all thanks to the Palaszczuk government's commitment to the Advancing Queensland agenda to create jobs for Queenslanders now and into the future. While the now Leader of the Opposition and Campbell Newman cut millions of dollars out of the science and technology budget—and as we just heard from my colleague the federal government is no better, going so far as to completely remove the innovation portfolio and cut funding to research and development—our government continues to be committed to investing in innovation to create jobs for the future in Queensland.


**Opposition members** interjected.

**Ms JONES:** Come on, get a little bit happy. We have two weeks of this.

**Mr SPEAKER:** Order! Minister for tourism, have you finished your contribution?

**Ms JONES:** Yes.

### Prince Charles Hospital, Adult Cystic Fibrosis Centre


 **Hon. SJ MILES** (Murrumba—ALP) (Minister for Health and Minister for Ambulance Services) (10.01 am): The Prince Charles Hospital Adult Cystic Fibrosis Centre has received a major funding boost from the Palaszczuk government. This will mean greatly improved facilities for the 300 patients living with cystic fibrosis who are currently cared for by the Prince Charles Hospital—our state's largest centre for adult CF care.

The \$2.9 million funding injection will support a major building project to upgrade the CF unit's patient facilities to meet the unique clinical needs of each patient. The project includes a building expansion and internal reconfiguration to accommodate eight new patient bathrooms with disability access for those who need it. This means each patient staying at the centre will have their own individual ensuite.

This will greatly reduce the risk of cross-contamination and increase infection control measures to world-class standards. Patients with CF are susceptible to bacterial infections and there is also the risk of cross-infection occurring between patients. In a hospital setting, the opportunity for patient-to-patient contact naturally increases, particularly if the individual is in hospital for a prolonged period of time. While the CF unit has strict practices and protocols around infection control, the new bathrooms will make it even easier for staff to maintain these standards. Some patients with CF require admission multiple times a year. Many of these admissions last 14 days or more. It is crucial that this space is as comfortable as possible to support people during their treatment.

The redevelopment will also include an upgrade to the air-conditioning system and the installation of a new nurse call system using the latest technology. The redevelopment will ensure patients receive the best and safest care possible during their hospital stay. This funding shows the Palaszczuk government's commitment to improving the health outcomes of adults living with cystic fibrosis in Queensland.

### Correctional Facilities

 **Hon. MT RYAN** (Morayfield—ALP) (Minister for Police and Minister for Corrective Services) (10.04 am): This is an historic day for Queensland Corrective Services. After careful consideration the government has decided that Queensland's two privately run prisons should transition back to public operation. It will mean Arthur Gorrie Correctional Centre and Southern Queensland Correctional Centre will come under public control. This is good policy and it is the right thing to do.

This change will lead to increased staff levels at both prisons, aiding staff safety. It is our government's view that community safety is too important to be contracted out. We do not contract out police services. We do not contract out our emergency service agencies. Nor should we contract out the management of the most complex, dangerous and challenging individuals within our society.

**Opposition members** interjected.


**Mr SPEAKER:** Minister, please resume your seat. Members to my left, I do not believe the member on his feet is being controversial. I believe it is a factual statement. I ask you to hear the statement.

**Mr RYAN:** Last year the tender process for the two privately run prisons was put on hold as a consequence of the Taskforce Flaxton inquiry which was investigating the corrective services system. At the completion of its investigations the task force observed that Queensland's hybrid system, with a mix of private and public operations of prisons, was not best practice. Prisons in public hands will strengthen Queensland's corrective services corruption resistance and improve overall integrity.

The government has taken that into account along with other considerations about the nature of privately run prisons. Having all prisons under public control will enable greater operational consistency in the interests of staff safety. It will also lead to better and more consistent delivery of rehabilitation programs to prisoners. Rehabilitation is critical to promoting community safety as it reduces the likelihood of offenders committing further crimes.

Under the public operated model there will be more staff in those prisons. This will lead to greater safety for those staff members. It will cost more—an extra \$111 million over four years. This government believes the investment is worthwhile. It is a better outcome for our staff and it is a better outcome for the community.

### Ooonoonba State School

 **Hon. G GRACE** (McConnel—ALP) (Minister for Education and Minister for Industrial Relations) (10.06 am): I acknowledge that today is Purple Day for epilepsy. Many of us are wearing purple in honour of that day.


I am pleased to advise that the repair of Ooonoonba State School in Townsville following the devastating flooding earlier this year is on track to be completed earlier than originally anticipated. Ooonoonba was the worst hit of our state schools in the flooding emergency. The majority of its buildings were inundated with floodwaters causing significant damage to floors and walls as well as learning resources. It was clear that it would take considerable time to clean and make repairs to the school. To minimise the impact on students, my department acted quickly to implement temporary accommodation arrangements. Ooonoonba students in prep to year 2 were warmly welcomed and accommodated at the nearby Wulguru State School, while students in years 3 to 6 were moved to William Ross State High School. I thank both schools for their support.

As soon as the floodwaters had receded, my department, in partnership with the Department of Housing and Public Works' Building and Asset Services, undertook a rapid damage assessment and immediately started work on the clean-up. To date significant work has been completed. This includes: repair of the main transformer and switchboard, allowing for the restoration of electricity; removal and replacement of floor coverings to all inundated buildings; replacement of information and communication technology; replacement of damaged fences; washing and repainting of all internal walls; and replacement of all toilet suites. To date, some 39 local businesses employing 185 local tradespeople have been involved in the school's restoration. Additionally, I am advised that six officers from the Department of Housing and Public Works' Building and Asset Services have been onsite coordinating the works and doing a great job.

The rectification work is on track to be completed before the end of the current school term. To celebrate this milestone, the school community will come together at the school on 5 April, the last day of the term. I am sure that Minister O'Rourke will be happy to be on site as the local member, and other members in Townsville may also pay a visit or two. This well-deserved and much anticipated celebration will be a testament to the resilience of the people of Townsville and the wonderful community spirit surrounding Ooonoonba State School. Students will officially return to the campus on the first day of term 2—Tuesday, 22 April.

I again pay tribute to the entire Ooonoonba State School community, officers from my department and the Department of Housing and Public Works, the Australian Defence Force and many others who have helped to reopen Ooonoonba State School. I cannot wait to visit and personally thank all involved.

### Sexual Violence Prevention Roundtable

 **Hon. DE FARMER** (Bulimba—ALP) (Minister for Child Safety, Youth and Women and Minister for the Prevention of Domestic and Family Violence) (10.09 am): The statistics around sexual violence are simply not acceptable. Sadly, it is women and girls who are affected most. We know that one in five women and one in 20 men over the age of 15, and one in six girls under the age of 15, have experienced sexual assault. If you are a woman with an intellectual disability, there is a 90 per cent chance that you will have been sexually assaulted.


We are absolutely determined in the Palaszczuk Labor government to do everything we can to prevent sexual violence and to provide the support that victims and survivors need to be able to deal with their experiences. That is why I am so pleased to have convened the first meeting last week of the Palaszczuk Labor government's Sexual Violence Prevention Roundtable. This meeting gathered together the significant wisdom of people working with Aboriginal and Torres Strait Islander women, women with disabilities and migrant women who have suffered sexual assault, and people from women's legal services, health, housing and a range of other sectors who make a vital contribution in this space.

The roundtable members will work alongside me in the development of a new sexual violence prevention framework for Queensland. To make sure this framework is as effective as it possibly can be and that it achieves what it needs to achieve, we need to hear from people right across Queensland. Sometimes the people who can tell us most about what we need to be doing, what services need to link up better and what actually helps are those people who have been affected by sexual violence in some way. Today I am urging those people, and in fact all Queenslanders, to make sure that they have their say, whether it is through our public forums, our online consultation or a written submission, as well as through our consultation with Aboriginal and Torres Strait Islanders or people with disabilities.

I can inform the House that our online survey is now open and our first local forum will be held this Friday on the Gold Coast. It is open to the public, so anyone who wants to attend and have their say can do that. We will follow up with a closed forum for victims and survivors of sexual violence. As well as our general online survey, our Youth eHub will be open for young people aged 13 to 25 to share their thoughts and ideas in a safe online space.

Tackling sexual violence in all its forms is critical. The untold damage it does to the lives of those affected by it cannot be understated. Our strategy is about listening and then acting, and I look forward to the development of the sexual violence framework and its release this year. I want those affected by sexual violence to know that we hear you, we believe you and we will support you. We say #endsexualviolence.

### Bruce Highway Upgrade Program

 **Hon. MC BAILEY** (Miller—ALP) (Minister for Transport and Main Roads) (10.12 am): The Palaszczuk government is delivering a record \$45.8 billion over the next four years in infrastructure for Queenslanders. This includes record investments for the Bruce Highway. From Cairns to Brisbane, the Bruce Highway connects Queenslanders and visitors, and drives our economy.

We are delivering the \$1 billion Cooroy to Curra section D, building the Gympie bypass between Woondum and Curra; the \$481 million Cairns southern access corridor stage 3, between Edmonton and Gordonvale; and the \$187 million Maroochydore Road interchange. On Sunday, the first of 49, 65-tonne girders were lifted into place on the Sunshine Coast for Australia's first diverging diamond interchange. These girders are part of an \$812 million Bruce Highway upgrade from Caloundra Road to the Sunshine Motorway. This upgrade will improve travel times for the 63,000, and growing, daily vehicles that use it each day, while also preserving more than 700-plus hectares of land as dedicated national park and creating 680 jobs on the Sunshine Coast.


Earlier this month, I joined the Premier to inspect progress on the interchange and open the new exit 190. Locals asked us to save exit 190 as part of the upgrade, and we have made sure that they continue to have access to the retail precinct and to the Palmview and Glenview communities nearby.

Further north in Sarina we have started construction on the \$14.36 million upgrade of the Bruce Highway roundabout. In Rockhampton we are getting stuck into the next section of the \$157 million northern access upgrade, building two new northbound bridges for the growing region, which I visited a few weeks ago with the member for Rockhampton. These upgrades mean jobs. The Sarina works have been awarded to a local Mackay business. For stage 1 of the Mackay ring-road, over 1,000 employees have been inducted on site—80 per cent of them local. While in Rockhampton, our northern access upgrades will support more than 420 jobs.

The Palaszczuk government is also investing \$10 million over two years to the Bruce Highway Trust for a 15-year vision and rolling five-year action plans. We will also be providing \$200 million each year upon completion of the existing Bruce Highway Upgrade Program. The Palaszczuk government is delivering record infrastructure investments in the Bruce Highway to respond to growth and safety and build for the future.

## ETHICS COMMITTEE

### Report


 **Mr KELLY** (Greenslopes—ALP) (10.15 am): I table Ethics Committee report No. 183 titled *Report on a right of reply No. 35*. I advise the House that the Ethics Committee has attached an extract of the minutes relevant to the committee's consideration of report No. 183 to the report to comply with the intent of standing order 211B as recommended by the House and the CLA. I commend the report and the committee's recommendation to the House.

*Tabled paper:* Ethics Committee: Report No. 183, 56th Parliament—Report on a Right of Reply No. 35 [380].

## QUESTIONS WITHOUT NOTICE

**Mr SPEAKER:** Honourable members, question time will conclude today at 11.15 am.

### Union Rally, Management of Prisons

 **Mrs FRECKLINGTON** (10.15 am): My first question is to the Premier. I refer to the United Voice protest attended by Palaszczuk government Minister de Brenni, Chief Whip Brown and Deputy Whip Boyd that included placards claiming Minister Ryan had blood on his hands and should be charged with manslaughter over his management of Queensland prisons. Can the Premier rule out that this union protest influenced the government's decision to change the management of Queensland's prisons?

**Ms PALASZCZUK:** I thank the Leader of the Opposition for the question. Those opposite would have heard Minister Ryan make a ministerial statement to this House in relation to the government responding to the Flaxton report. Let me say from the outset that we endorse the Flaxton report, and the government has made the decision to move from private prisons to state controlled prisons. Why have we done that?

**Opposition members** interjected.

**Ms PALASZCZUK:** No, no. We have done that clearly as a result of the Flaxton report where they talked about the number of assaults that were being committed against our hardworking men and women. Safety is the No. 1 issue for me. Safety of our corrective services officers is a No. 1 concern. That is why the government has adopted the Flaxton task force report and we have acted.

### Cabinet Decision, Management of Prisons

**Mrs FRECKLINGTON:** My second question is also to the Premier. In light of Minister de Brenni's attendance at the United Voice rally against private prisons, will the Premier advise whether she required the minister to excuse himself from the cabinet decision around management of state prisons?

**Ms PALASZCZUK:** I am not going to discuss cabinet deliberations here.

**Opposition members** interjected.

**Ms PALASZCZUK:** No, because of cabinet confidentiality. What I can say very clearly is that I met with Minister de Brenni, he apologised and the matter has been closed.

### Energy Industry

**Mr BUTCHER:** My question is to the Premier and Minister for Trade. Will the Premier update the House on Queensland's role as Australia's energy powerhouse?

**Ms PALASZCZUK:** I thank the member for Gladstone for that question. We know that we have the youngest fleet of coal-fired power stations in the nation—eight, in fact. We are opening up more gas reserves and we have over \$20 billion worth of renewable energy on our books to build the renewable energy future and achieve our 50 per cent renewable energy target.

What we do know is that no investor has approached me in relation to building a new coal-fired power station in Queensland. Very clearly, there is no appetite for a new coal-fired power station in Queensland. However, we know that is not the case in the LNP. What we know very clearly is that there seems to be some divisions emerging in the LNP. Let us go through them. We have those saying yes to a new coal-fired power station—George Christensen, Ken O'Dowd, Michelle Landry, and Senator Matt Canavan. What did the Prime Minister do? The Prime Minister came out and said no to a new coal-fired power station. Then we have Senator Barry O'Sullivan. What did he say? He said yes he wanted a new coal-fired power station. Then on 11 March what did the member for Brisbane, Trevor Evans, say? Did he want it? No, he does not want a coal-fired power station.

**Opposition members** interjected.

**Mr SPEAKER:** Premier, resume your seat. Members to my left, I am hearing significant numbers of members referring to members not by their proper titles. The next time that occurs the member will be warned under the standing orders. Member for Capalaba, I called the House to order. You are warned under the standing orders.

**Ms PALASZCZUK:** Then we had Senator Matt Canavan who came out in support and so did Barnaby Joyce. Barnaby Joyce is back. He wants a new coal-fired power station. Then Peter Dutton came out and said, no, he does not want a coal-fired power station. There is complete division in the

LNP when it comes to a coal-fired power station. We do know that there could be members in this House who want to transition to a future beyond coal. Who might that be? Is it the member for Maiwar, the Greens member?

**Mrs Frecklington** interjected.

**Ms PALASZCZUK:** Sorry, what was that?

**Mr SPEAKER:** Premier, resume your seat. Premier and Leader of the Opposition, I will not have members quarrelling across the chamber. Members will put their comments through the chair. Member for Kawana, you need to dial it back.

**Ms PALASZCZUK:** The Leader of the Opposition was making a few comments there. Who said that we needed to transition to a future beyond coal? It is the Leader of the Opposition and the LNP. There it is in their economic plan.

### **Minister for Housing and Public Works, Minister for Digital Technology and Minister for Sport, Union Rally**

**Mr MANDER:** My question without notice is to the Premier. I refer the Premier to the extraordinary event of one of her cabinet ministers attending a union rally to protest a government policy—a clear breach of the convention of collective responsibility and solidarity. Can the Premier explain why Minister de Brenni is more interested in appeasing his union masters than doing his job?

**Mr SPEAKER:** Is there a point of order, Leader of the House?

**Mrs D'ATH:** Mr Speaker, there are definitely inferences in that question and I ask that you rule it out of order.

**Mr SPEAKER:** I will allow the question. I am happy if you would like to have the question repeated, Premier.

**Mr MANDER:** My question without notice is to the Premier. I refer the Premier to the extraordinary event of one of her cabinet ministers attending a union rally to protest a government policy—a clear breach of the convention of collective responsibility and solidarity. Can the Premier explain why Minister de Brenni is more interested in appeasing his union masters than doing his job?

**Ms PALASZCZUK:** I thank the Deputy Leader of the Opposition or should I say 'Leader of the Opposition' because that is what Channel 10 was running the other night on the news; that he had had a promotion. Let me say very clearly on this side of the House that our No. 1 concern is the safety of workers. Firstly, it is about getting Queenslanders into a job and, secondly, it is the safety of workers. We want workers to go to work and come home safely.

Several unions have raised concerns about workers' safety and they raised it with Flaxton, with the CCC. That is where they referred their complaints. The CCC handed down the report when it came to Taskforce Flaxton and talked about the concerns of the number of assaults that were happening on our corrective services staff. The government made a decision that we do not accept the privatisation or the outsourcing of our prisons any longer when workers' safety is compromised.

As the minister for corrections said very clearly today, we have made that decision to ensure that the safety of our workers is paramount; that our prisons operate in the most efficient manner but that workers' safety is not compromised. They are looking after some of the most hardened criminals in this state, and I will not continue to see—nor should those opposite—continual assaults happening on our hard workers. We will now work on the transition plan and seek to transition those workers through training as they transition over into the Queensland government workforce where there is a better ratio between staff and prisoners and where the environment is safe for workers to be able to do their job. I say to those opposite: if they care about workers' safety they will back in my government's decision. It is the right decision and it is one that we do not shy away from. I am proud that our government has made that decision.

### **Federal Budget, Funding Priorities**

**Mr O'ROURKE:** My question without notice is to the Premier and Minister for Trade. Will the Premier update the House on Queensland's funding priorities ahead of the federal budget?

**Ms PALASZCZUK:** I thank the member for Rockhampton, because next week we will see the Morrison government hand down a budget—

**An opposition member:** A surplus budget!

**Ms PALASZCZUK:** And we deliver surplus budgets. What is your point? Successive surplus budgets, and the Treasurer will deliver a surplus budget this year too.

What I want to see is Queensland get a fair share. We want to see a fair share for Queensland. The Prime Minister is currently in Queensland. I want to see the chequebook handed out to Queensland. Victoria has been given \$7.2 billion worth of infrastructure by the federal government. New South Wales has been given \$9.8 billion of infrastructure. Western Australia got the big GST special deal of \$4.7 billion plus \$1 billion for roads. Queensland should not have to be putting out the begging bowl to demand our fair share.

I know that the member for Rockhampton knows all about the Rookwood Weir. We put our funding into the Rookwood Weir. The federal government has not signed the operating agreement. We want to build it and they have not done that. What about Cross River Rail? Those opposite may laugh about it, but they should ring up their mates and tell them to do it. Do something! We have not received one cent from Scott Morrison for Cross River Rail—not one cent. At least Bill Shorten has committed \$800 million towards it. We are after money for the Townsville ring-road as part of our commitment of 80-20 when it comes to funding of the Bruce Highway. We would like to see some up-front funding for our natural disasters. I think it is only fair and reasonable that we get some up-front funding because Queensland has been—

**An opposition member** interjected.

**Ms PALASZCZUK:** Yes, I am. Yes, we are. We are having a great day on this side. We are having a great day on this side because we will continue to stand up for Queensland and fight because we deserve it. We will fight for ongoing certainty—\$88 million is owing for kindergartens; \$8.7 million is still owing for dental; over \$300 million is still owing for health; and \$245 million is owing for TAFE and training. What do those opposite do over there? They do not stand up for Queensland. They bury their heads in the sand.

*(Time expired)*

### **Minister for Housing and Public Works, Minister for Digital Technology and Minister for Sport, Union Rally**

**Mr HART:** My question without notice is to the Minister for Housing and Public Works. I refer the minister to his ministerial responsibility for procurement and the tender process of the contract to operate the Arthur Gorrie Correctional Centre. Can the minister tell the House what probity and integrity advice he sought from the Integrity Commissioner before he attended the United Voice protest against Minister Ryan and Queensland's privately operated prisons?

**Mr de BRENNI:** I thank the member for the question. Matters in relation to the procurement arrangements and the tender processes for matters within any other minister's portfolio are entirely a matter for that minister. Both the Premier and the minister have addressed these issues this morning. Yes, I attended that particular rally to observe the issues that were being spoken about.

**Opposition members** interjected.

**Mr SPEAKER:** Order! Members, the House was called to order. I will start naming members without warning under the standing orders if you will not heed the chair.

**Mr de BRENNI:** I apologised to the Premier for my attendance there. I have spoken with the minister and I can say this: the minister has my full support and I have had that conversation with the minister.

**Opposition members** interjected.

**Mr Minnikin** interjected.

**Mr SPEAKER:** Order! Member for Chatsworth, you are warned under the standing orders. Members, I appreciate there needs to be some robust times during question time, but I am having difficulty hearing the minister. The minister is not making inflammatory statements. I am listening carefully to his answer. I encourage you to do the same.

**Mr de BRENNI:** I will just conclude by saying it is not surprising that those on that side of the House grasp—

**Mr BLEIJIE:** I rise to a point of order, Mr Speaker.

**Mr HART:** I rise to a point of order, Mr Speaker.

**Mr SPEAKER:** What is your point of order and which point of order will I hear first?

**Mr BLEIJIE:** My point of order is with respect to the standing order on relevance. The minister has just said he is concluding his answer. The question was about the Integrity Commissioner's advice.

**Mr SPEAKER:** Member for Kawana, you cannot pre-empt what the member is going to say.

**Mr BLEIJIE:** Well, Mr Speaker—

**Government members** interjected.

**Mr SPEAKER:** No. Order, members to my right! You cannot pre-empt what the member is going to say. I appreciate you reminding me of the relevant standing order. I ask you to resume your seat and we will hear the remainder of the minister's answer.

**Mr de BRENNI:** As I said, I will conclude my remarks by saying it is not surprising that those on that side of the House grasp on to and back in the privatised model every time. Queenslanders have consistently rejected that.

**Mr BLEIJIE:** I rise to a point of order, Mr Speaker.

**Mr SPEAKER:** Minister, have you resumed your seat? Have you finished your conclusion remarks? Yes, the minister has resumed his seat. What is your point of order?

**Mr BLEIJIE:** Mr Speaker, with respect to my previous point of order on relevance, the question was about the Integrity Commissioner's advice which the minister did not mention once. Not once did he mention in any respect the question that was specifically asked about the Integrity Commissioner's advice on procurement.

**Mr SPEAKER:** Thank you, member for Kawana. I have already ruled regarding anticipation of a member's comments and what they may say. I believe that is a dangerous precedent for any member in this House to get into. I have listened to the minister's answer, and as I can recall he addressed at least two components of the question asked in his opening remarks. I believe he has been relevant to the question. The minister has resumed his seat.

### **Floods, Recovery Assistance**

**Mr STEWART:** My question is to the Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships. Can the Deputy Premier advise the House how the recovery from the North Queensland floods is progressing and whether there are any developments that will impact on the government's ability to lead the recovery effort?

**Ms TRAD:** I would like to thank the member for Townsville for his question. I know that he is playing a critical leadership role in terms of the recovery of North Queensland after the monsoonal event earlier this year. I want to also commend the member for Thuringowa and my cabinet colleague, the member for Mundingburra, who are also right there in the community helping to lead in the recovery efforts after the monsoonal flooding event in Townsville and North-West Queensland.

As I reported earlier to the House, this was a significant event, an unprecedented event. What we have seen through the early insurance figures that have come through to us is that more than a billion dollars worth of claims have been registered. More than 80 per cent of those are for residents, for mums and dads who are trying to get their houses rebuilt and get back on track after such a devastating event. As I also said, it is the Palaszczuk Labor government who will be standing shoulder to shoulder with the people of Townsville and North-West Queensland all of the way until they have a full recovery.

We are not immune to natural disasters. We are not unfamiliar, unfortunately, with natural disasters. We have spent a significant amount of money—more than \$14 billion—over the past decade rebuilding roads, bridges and essential infrastructure to make sure that communities fully recover after significant events like the cyclones, floods and bushfires of late.

Unfortunately, we cannot say the same in terms of the federal Morrison LNP government. I outlined for the House this morning the fact that the LNP at a federal level had changed the rules around GST treatment for recovery and payment for essential infrastructure—the essential public infrastructure that councils are delivering that the state is funding. The federal government are so out of touch with Queenslanders' experience that they essentially say that this is not necessary infrastructure, and this is fundamentally unfair. It is fundamentally unfair and we will be making sure that every single regional

community understands the tricky GST treatment that Scott Morrison and Josh Frydenberg have done. We will also tell them that those opposite do not have the spine to stand up to Canberra, do not have the spine to stand up when Queenslanders need them the most. They are so obsessed with their own political power—

**Mr SPEAKER:** Deputy Premier, the use of that phrasing has been deemed to be unparliamentary and I ask you to withdraw.

**Ms TRAD:** I withdraw. Those opposite are so obsessed with their own political positioning—One Nation preferences in the bush, Greens preferences in the city. We have Scott Morrison today, after the One Nation video looking at multimillion dollar donations from the NRA, and he still will not rule out preferencing One Nation.

*(Time expired)*

### **Minister for Housing and Public Works, Minister for Digital Technology and Minister for Sport, Probity Advice**

**Mr WATTS:** My question is to the Minister for Police and Minister for Corrective Services. Will the minister table the probity advice he sought on how to manage Minister de Brenni's apparent conflict of interest during the tender process for the Arthur Gorrie Correctional Centre and the Southern Queensland Correctional Centre and the cabinet decision to terminate the tender process?

**Government members** interjected.

**Mr SPEAKER:** Members to my right are reminded that I will hear these questions in silence.

**Mr RYAN:** This process has been very transparent and accountable. I am on the public record. In fact, the member was at estimates last year when I announced that, based on CCC advice, we were suspending the tender process. You were there.

**Mr SPEAKER:** Order! Pause the clock. Under standing order 247, I ask members to put their comments through the chair. It will assist the nature of the debate that we are having during question time.

**Mr RYAN:** Mr Speaker, we have been very open about this process.

**An opposition member** interjected.

**Mr SPEAKER:** Pause the clock. Deputy Leader of the Opposition, you are warned under the standing orders.

**Mr RYAN:** At estimates last year when the member for Toowoomba North—

**Mr Watts:** Probity advice.

**Mr RYAN:** Just wait!

**Mr SPEAKER:** Order! Member for Toowoomba North, you have asked the question. I expect that you would like to hear the answer. You are warned under the standing orders.

**Mr RYAN:** At estimates last year based on advice from the CCC, which the member for Toowoomba North heard because he was there and I referred to it, I announced that the tender process would be suspended pending the outcome of Taskforce Flaxton. Taskforce Flaxton has made numerous comments and raised numerous issues about the hybrid model of having both private and public prisons in a correctional system. The government has made a decision based on safety of workers and also that commentary in Flaxton around ensuring that our corrective services system is as corruption resistant as possible.

I would like to refer to a number of things that the CCC said in Taskforce Flaxton. Firstly, they said that privately operated prisons create challenges for the state to ensure appropriate programs and services are delivered to offenders. They also go on—

**Opposition members** interjected.

**Mr RYAN:** We are seeing the trend of those opposite attacking the CCC continue. In government they sacked the PCCC. Only a few weeks ago there was a most disgraceful comment from the Leader of the Opposition attacking the CCC around the decision regarding the Police Commissioner's wife's complaint.

**Mr BLEIJIE:** Mr Speaker, I rise to a point of order.

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



**Mr BLEIJIE:** It is relevance. The question was about probity advice. The minister may wish to talk about the CCC, but the question was about what probity advice he received about the minister who protested against his own minister. That was the question.

**Mr SPEAKER:** I remind members that when rising to points of order the question need not be repeated. The House has heard the question. Secondly, I ask the minister to be relevant to the question. However, I note that he still has 55 seconds remaining on the clock to round out his answer.

**Mr RYAN:** We see those opposite continuing to attack the CCC, and we see that attack continue today. Let's hear what else the CCC had to say in Taskforce Flaxton. They said that a materialised approach 'disconnects the state from direct responsibility' when it comes to private prisons. They also said—

**Mr Hart** interjected.

**Mr SPEAKER:** Member for Burleigh.

**Mr RYAN:**—that a hybrid model of public-private prisons makes it difficult to develop a positive corruption-resistant culture in the corrective services system. We make the decision based on advice from the CCC around corruption resistance in corrective services but we also make the decision around staff safety. A public model is inherently safer because there are more staff in the correctional centre. We make no apologies at all for making a decision that prioritises staff safety and ensures corruption resistance in corrective services.

*(Time expired)*

### Defence Industries

**Mr HEALY:** My question is of the Minister for State Development, Manufacturing, Infrastructure and Planning. Could the minister please update the House on opportunities to grow Queensland's defence industry? Is he aware of any alternative approaches?

**Mr DICK:** I thank the member for Cairns for his question. I am pleased to inform the House that Rheinmetall Defence Australia has submitted its bid for the Commonwealth's Land 400 Phase 3 contract, as the Premier has reported to the House today, and the Queensland Palaszczuk Labor government is right behind them. Land 400 Phase 3 will deliver 383 infantry fighting vehicles and 17 manoeuvre support vehicles for the Australian Army and is estimated to be worth up to \$15 billion. Should Rheinmetall Defence Australia be successful, those 400 vehicles will be built right here in Queensland. The benefits will flow right across Queensland through small and medium sized enterprises including, we hope, companies in Cairns.

The Commonwealth is expected to short-list two companies in the next six months. It is our commitment and our goal to ensure that Rheinmetall is on that short list because if Rheinmetall is on that short list Queensland is on that short list. The important thing to note is the only reason Queensland will be on that short list is because of the strong support the Palaszczuk Labor government has given to Rheinmetall Defence Australia.

The truth is that until recently RDA were based in Melbourne and they came to Queensland because of our investment attraction programs, investment attraction programs that were cut by Campbell Newman when he was the Premier. An amount of \$15.6 million was cut from investment attraction programs when he was the Premier. Of course, who supported him every step of the way in that? The Leader of the Opposition! The Leader of the Opposition supported every single thing Campbell Newman did because she is Campbell Newman's protege—that is the truth—proudly sitting around the CBRC table agreeing with every single decision they made. We know there is historical revision going on. We know the Leader of the Opposition—

**Mr Janetzki** interjected.

**Mr SPEAKER:** Member for Toowoomba South.

**Mr DICK:**—wants to wipe it away. She is trying to avoid the hard decisions including hard decisions like preferencing One Nation. Let's face it, the LNP was craven and weak at the 2017 election, and what happened? Honourable members do not have to ask me; they can ask Ian Walker, Scott Emerson, Tracy Davis and Glen Elmes. Who will be next? It will be the members for Clayfield, Currumbin, Chatsworth and Caloundra. The truth is that after everything we have seen in Christchurch, the vile and despicable hate speech on the internet and on Facebook, we all need to stand up and say,

'We will not deal with One Nation. We will not tolerate racism and xenophobia and we will not tolerate political leaders who support that.' It is about time the Leader of the Opposition said, 'We're going to put One Nation last.'

*(Time expired)*

### **Biosecurity, Animal Activists**

**Mr PERRETT:** My question without notice is to the Minister for Agricultural Industry Development and Fisheries. Queensland farmers are being attacked by animal extremists in an orchestrated, illegal campaign that undermines our biosecurity reputation. Why has the minister failed to act and protect these family businesses who put food on our table and provide local jobs across Queensland?

**Mr FURNER:** I thank the member for his question. No-one can be in any doubt that the attack on the food lot business at Millmerran on the weekend was an insidious attack—

**Opposition members** interjected.

**Mr SPEAKER:** Order!

**Mr FURNER:** No-one can be under any illusion that the attack on the food lot business at Millmerran—

**Opposition members** interjected.

**Mr SPEAKER:** Order!

**Opposition members** interjected.

**Mr SPEAKER:** Members! Pause the clock. Members, I have talked previously about members correcting other members. There is an appropriate way to do that. I ask that either you do it after the fact or you rise to a point of order if it is a matter of offence of the standing orders. Interjections are not to be tolerated.

**Mr FURNER:** This is a matter that has been on the agenda for some time. I have raised this in forums with the federal minister. It is a matter of concern in respect of biosecurity across—

**Mr Hunt** interjected.

**Mr SPEAKER:** Member for Nicklin, you are warned under the standing orders.

**Mr FURNER:** It was only several weeks ago that I raised this matter with the federal minister, Mr Littleproud, as a matter to go on the agenda for the Agmin conference held in Adelaide recently. I have also written to the minister as a major concern. I table that correspondence for the record of the House.

*Tabled paper:* Letter, dated 7 February 2019, from the Minister for Agricultural Industry Development and Fisheries, Hon. Mark Furner, to the federal Minister for Agriculture and Water Resources and Minister Assisting the Prime Minister for Drought Preparation and Response, Hon. David Littleproud, regarding trespass laws following Aussie Farms publishing a map online that details the locations of hundreds of farms and abattoirs [\[401\]](#).

This issue—these insidious attacks on these businesses—crosses the boundaries of this state. They generally come under the head of Aussie Farms—

**Mr Lister** interjected.

**Mr SPEAKER:** Pause the clock. Member for Southern Downs, you are already under a warning. You will leave the chamber for one hour.

*Whereupon the honourable member for Southern Downs withdrew from the chamber at 10.48 am.*

**Mr SPEAKER:** The next member who interjects who is under a warning will follow suit.

**Mr FURNER:** In terms of advertisements on websites that Aussie Farms, for example, has propagated the internet with that target these sorts of businesses, I have raised this with the federal minister once again to look at how that information can be pulled down under federal arrangements in accordance with their responsibility as the federal government. However, I will not be lectured by this shadow minister from Gympie who during the last sitting week in this House sought to water down laws in the Fisheries Act to give criminals a five-day get-out-of-jail-free ticket. Those opposite are soft on crime when it comes to that. Those opposite have demonstrated their inability—

**Opposition members** interjected.

**Mr SPEAKER:** Order! Members, the level of interjection is far too high. The House will come to order!

**Mr FURNER:** When it comes to crime or matters associated with protecting our farmers I will not be lectured to by those opposite, and neither will the Palaszczuk government. They do deals with One Nation. They will do deals with anyone to get into power. They have demonstrated their incompetence and their inability to—

**Mr Mickelberg** interjected.

**Mr SPEAKER:** Pause the clock. Member for Buderim, I ask you firstly to withdraw the unparliamentary language you used.

**Mr MICKELBERG:** I withdraw.

**Mr SPEAKER:** Secondly, I ask you to leave the chamber for one hour under standing order 253A.

*Whereupon the honourable member for Buderim withdrew from the chamber at 10.50 am.*

**Mr SPEAKER:** I remind all members that I will tolerate a certain level of interjection but not to the point where it descends into name-calling or the House becomes disorderly. Do you have anything further to add, Minister?

**Mr FURNER:** Yes, I do. There is only one party in this House that stands up for farmers and that is the Labor Party. We always have and we always will back the bush.

**Opposition members** interjected.

**Mr SPEAKER:** Members to my left, without providing a blanket warning, I have just given the House instructions and you were essentially yelling at the member on his feet. You may not agree with points of view, but there are processes and avenues to ask questions and put your point forward in this chamber, and that is certainly not one of them.

### Gun Control

**Mr MELLISH:** My question is of the Minister for Police and Minister for Corrective Services. Will the minister update the House on the government's intentions in relation to gun laws?

**Mr RYAN:** I thank the member for the question. I acknowledge that he is part of a strong team that is strong on guns. As I have said before in this House, you cannot be tough on crime if you are soft on guns. We all know that those opposite are soft on guns. In fact, they are gutless when it comes to gun control. At the last election they took a policy to the people of Queensland to wind back handgun laws. That was their election commitment. We also saw the then shadow minister for police, currently the deputy opposition leader, talk about how he wanted to interfere in weapons licensing matters in order to streamline access to guns. We all know what that means. We also saw one of their own team vote against tougher laws in relation to lever-action shotguns. Most despicably, we have seen them continue to do deals with One Nation. This is outrageous conduct. I am sure that members in this House have seen reports today, and I want to refer to some of them. I find these reports most concerning and quite despicable. This is what the ABC reported about One Nation—

'I love that': Dickson, Ashby praise gun massacre spin tactic

Mr Ashby and Mr Dickson meet with a series of NRA officials to discuss funding, gun laws, communication strategy and political advice.

In one meeting—

the NRA official—

offered them advice on what to say to gun control advocates when mass shootings occur.

The NRA official said—

'How dare you stand on the graves of those children to put forward your political agenda?' Just shame them to the whole idea.

Mr Dickson, a former member of the LNP, said—

I love that.

The NRA official said—

It's like, 'If you, if your policy, isn't good enough to stand on itself, how dare you use their deaths to push that forward?!'

Mr Ashby, a former member of the LNP who worked for an LNP member of parliament said—

That's very good, very strong.

The investigation also shows Mr Ashby and Mr Dickson telling NRA officials that 'relaxing Australia's gun laws is a priority for One Nation'. Mr Dickson was a minister in Campbell Newman's government. Mr Speaker, it is all well and good for them to have weasel words around deals with One Nation: what they need to do is rule out the deals. Those comments are most despicable—

*(Time expired)*

### **Queensland Fire and Emergency Services, Structure**

**Mr MILLAR:** My question without notice is to the Minister for Fire and Emergency Services. The Rural Fire Brigades Association has publicly slammed the minister for his attempted Brisbane takeover with unjustified structural changes that will strip autonomy from local brigades. Will the minister assure this House that he consulted with the 42,000 QFES volunteers before making the unwanted changes to our rural fire brigades and SES groups?

**Mr CRAWFORD:** I thank the member for the question. In November 2018 QFES started in the direction of continuous improvement. There was a workshop held in Brisbane attended by 140 QFES leaders. Around the state there were 25 meetings held with members of the RFS, SES and emergency management staff on the north coast, south-western region, central Brisbane, far north, north coast, south-eastern again, far north again, central Brisbane, northern and south-western again involving 390 people. Since then the Commissioner has sent an email to every single staff member and volunteer—over 20,000 people—explaining what is happening with the reporting structure of the RFS. Since then there has been further information put on the QFES gateway, the website that all of our staff and volunteers use. There have been further meetings held around the state in Bundaberg, Maryborough, Caloundra, Gladstone—

**Mr Millar** interjected.

**Mr SPEAKER:** Member for Gregory, you are warned under the standing orders.

**Mr CRAWFORD:** We have seen a huge amount of consultation in relation to this matter. Let me explain what the member is referring to. Currently, all 33,000 members of our Rural Fire Service—all of our volunteers—report to the local Rural Fire Service staff members in their region, but those rural staff members report to one single assistant commissioner in Brisbane. What the Commissioner proposes, and I support, is that those Rural Fire Service staff members in the regions report to the assistant commissioners in the regions. Those opposite like to come into this place and say that they are backing the bush and they are the ones who stand up for regional Queensland. All 33,000 Rural Fire Service volunteers in this state are represented—

**Mr Millar** interjected.

**Mr SPEAKER:** Member for Gregory!

**Mr CRAWFORD:**—at the executive leadership team by one person. A good example is if you are an auxiliary captain out there in regional Queensland you can go and speak to your local assistant commissioner in Townsville, Cairns or Toowoomba, but if you are a first officer from the Rural Fire Service you do not get that opportunity. You have to communicate with Brisbane. Brisbane should not be making decisions for the Rural Fire Service: that should happen in the regions. We are putting it back to the regions. Your information is incorrect. Your information is false. Back regional Queensland. Back the Commissioner's decision to put decision-making back into regional Queensland.

**Mr Millar** interjected.

**Mr SPEAKER:** Member for Gregory, I have repeatedly asked you to cease your interjections. You were warned moments ago. You can also leave the chamber for one hour.

*Whereupon the honourable member for Gregory withdrew from the chamber at 10.58 am.*

**Mr SPEAKER:** Before we come back for question time tomorrow I ask all members to read the standing orders and have a close look at the appropriate ways to be heard on the floor of this chamber.

### **Great Keppel Island, Infrastructure**

**Mrs LAUGA:** My question is of the Minister for Innovation and Tourism Industry Development and Minister for the Commonwealth Games. Will the minister please update the House on the government's commitment to invest in power and water infrastructure on Great Keppel Island?

**Opposition members** interjected.

**Ms JONES:** I will take that interjection. I cannot help it if people want better representation on the Gold Coast. I think that is a reflection on yourselves. I thank the member for Keppel for the question.

**Mr SPEAKER:** The minister's comments will come through the chair.

**An Opposition member** interjected.

**Ms JONES:** 'Through the chair'—ooh! Mr Speaker, it is so exciting to be on my feet talking about Great Keppel Island. As you know, the member for Keppel has been a strong advocate for the rejuvenation of this tourism icon in our state. We are forging ahead, and today I can advise the House that we are commencing the next phase of market sounding with potential contractors to help with the design work for this rejuvenated resort. It will be an absolute gateway to Central Queensland. I see the member for Rockhampton nodding. It will impact not only the member for Keppel's electorate but also all of Central Queensland.

We on this side of the House are getting on with the job of delivering a brand-new resort on Great Keppel Island that will create up to 1,500 jobs right here in Queensland. That is why we welcome the announcement from the federal Labor opposition to match our \$25 million with federal funding. Already this morning we have heard from the Premier how short-changed Queensland has been when it comes to infrastructure funding. We know that New South Wales has had in excess of \$9 billion from the Morrison government and Victoria has had \$7 billion. There has been almost nothing here in Queensland and nothing for Great Keppel Island. It is about time Michelle Landry did her job, although it might be too late for her.

We know that we are not only being sold out when it comes to infrastructure funding; we are also being sold out when it comes to cosying up to One Nation and doing a deal with a party that wants to water down gun laws in our country. We know that the LNP in Queensland is willing to do a deal with anyone if it thinks it is advantageous, with no regard for its supposed values. The member for Gympie asked a question about extremists. Why are those opposite preferencing the Greens in West End?

**Mr SPEAKER:** Minister, please put that down.

**Ms JONES:** We know that when the honourable Leader of the Opposition is out in the bush she puts on an orange shirt, because she is doing a deal with One Nation. In Warwick it is One Nation; in West End it is the Greens. The LNP in Queensland stands for nothing.

Our gun laws are too precious to play politics with. What we need is a strong stance from the Prime Minister of this country. While he is in Queensland he should rule out a deal with One Nation and the watering down of gun laws in our country.

**Mr Dick:** So should the Leader of the Opposition.

**Ms JONES:** And so should the Leader of the Opposition. She wants to do a deal with One Nation in the bush and a deal with the Greens in the city. It is shameless, and our gun laws should not be watered down.

*(Time expired)*

### Electricity Prices

**Mr ANDREW:** My question is to the Minister for Natural Resources, Mines and Energy. Considering that people in the bush and rural communities stockpile food and use power for businesses, does the minister believe that Energy Queensland is delivering regional customers value for money while offering no compensation until unplanned outages exceed 48 hours?

**Mr SPEAKER:** Member for Mirani, I ask that you rephrase your question. It appears to me that you may be seeking an opinion by asking what the minister believes.

**Mr ANDREW:** Will the 48-hour outages give regional Queensland best value for money?

**Dr LYNHAM:** I thank the member for his question. We have a compensation policy with Energy Queensland where power supplies are interrupted by any means. That includes natural disasters. Other states do not include natural disasters as an interruption to power supply; it has to be the fault of the provider in order for residents to get compensated. In Queensland we compensate people who lose their power not only because of a fault, say, with the electricity network but also in the case where a storm or a thunderstorm impacts on the electricity network. Customers do receive compensation. I am happy to have an offline conversation with the member following question time about his question.


While I am on my feet, I want to talk about how well regional Queensland is doing under the Palaszczuk Labor government when it comes to power prices. We already had a 1.3 per cent decrease last year, but the draft determination of the QCA shows that residents in regional Queensland can expect a further \$58 reduction in their power prices. Small businesses in regional Queensland can expect another \$180 off their power prices.

Let me contrast that with the LNP, with 43 per cent price increases over the term of their tenure. Let us also talk about the complete charade about introducing competition in regional Queensland. That will increase the power prices of every family in regional Queensland by \$400 per family. It is an absolute charade.

Interruption.

## PRIVILEGE

### Alleged Deliberate Misleading of the House by a Minister

 **Mr HART** (Burleigh—LNP) (11.04 am): Mr Speaker, I rise on a matter of privilege suddenly arising. The minister is misleading the House. I will be writing to you about that.

**Honourable members** interjected.

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


**Ms Jones** interjected.

**Mr SPEAKER:** Minister for tourism, you are warned under the standing orders.

## QUESTIONS WITHOUT NOTICE

### Electricity Prices

Resumed.

 **Dr LYNHAM:** Mr Speaker, it appears I have to dig myself out of a hole: the Queensland Productivity Commission said that it would increase prices by \$400 per regional family on the basis of their policy.

Regional Queensland is doing extremely well under the Palaszczuk Labor government. We also make sure that the prices paid in regional Queensland are equivalent to the prices paid in South-East Queensland by supporting prices. In some cases, prices are supported by \$400 per household. Some places in remote and regional Queensland are supported by up to nearly \$10,000 per household so they can have power prices equivalent to the power prices paid here in Brisbane. There is no doubt that regional Queenslanders are doing well under the Palaszczuk Labor government when it comes to energy prices. They are doing far better than they ever did under Campbell Newman and the LNP.

### Community Legal Centres, Funding

**Mr KING:** My question is of the Attorney-General and Minister for Justice. Can the Attorney-General please update the House on the current status of funding for Queensland's community legal centres?

**Mrs D'ATH:** I thank the member for Kurwongbah for his question. I know that he is passionate, as is everyone on this side of the House, about fair access to justice and the great and important work our community legal centres do right across Queensland, along with Legal Aid and the Aboriginal and Torres Strait Islander Legal Service. It appears that it is Groundhog Day, as we have to stand here and talk about what the federal government will do when it comes to future funding for our CLCs.

**Opposition members** interjected.

**Mrs D'ATH:** I hear the comments from those opposite when it comes to CLCs. As minister I have been asked questions and received correspondence from time to time about CLCs. Not once have I heard those opposite ask their federal colleagues—Scott Morrison when he was treasurer or as Prime Minister, George Brandis when he was attorney-general or Christian Porter as the current Attorney-General—to make sure they continue funding and give certainty to CLCs in Queensland. If those on the other side want to see more CLCs funded in Queensland, they should knock on the door of their federal colleagues. Queensland is putting in more than 50 per cent of our share of funding for CLCs every year.

**Ms Bates** interjected.

**Mr SPEAKER:** Member for Mudgeeraba, you are warned under the standing orders.

**Mrs D'ATH:** We have seen the federal government play games with this before. The Liberals have shuffled the money around, saying that we in Queensland should be grateful there is more money for CLCs. They failed to tell the public that they took it off Legal Aid to give it to the CLCs. They are not telling them right now that they are reconsidering how ATSILS is funded in the future. Will they continue to fund the Aboriginal and Torres Strait Islander Legal Service directly? We know that their interest is not to do that, that they want to pass the buck again. Despite standing up and talking about closing the gap and their commitment to our first nations people, they are seriously considering whether they should continue to fund ATSILS directly.

We have called on Christian Porter—I have written to the Commonwealth Attorney-General—to guarantee that next week's budget will contain future funding for CLCs and legal assistance funding. We have had no response. I have written to every attorney-general around this nation and asked all of the states and territories to back Queensland in this call. If that funding is not there next week and is not in the forward estimates, CLCs are guaranteed to face a funding cliff—putting staff off, turning clients away and having good lawyers walk away from the services because they still need to pay their own bills, feed their kids and pay their mortgage or rent. We have seen it before. It is time those on the other side of the House called on their federal colleagues to make sure, once and for all, that our CLCs are properly funded.

*(Time expired)*

### **Central Queensland Hospital and Health Service, Maternity Services**

**Mr BOYCE:** My question is to the Minister for Health and Minister for Ambulance Services. I refer to correspondence from the Central Queensland Hospital and Health Service on 7 March 2019 regarding Theodore Hospital's issuing of imminent birthing packs. Given the minister has previously denied that Queensland Health issued DIY birthing kits, when did the minister first become aware that these kits were being issued because of regional maternity cuts?

**Dr MILES:** I thank the member for Callide for his question. Was he intending to table that correspondence, because I am not aware of any correspondence that refers to home-birthing kits? If that could be tabled, I am happy to have a look at it.

**Honourable members** interjected.

**Dr MILES:** Without the member being able to table that correspondence, I can confirm that the advice consistently to me from Queensland Health has been that there is not a practice to issue those kits. As I say, if the member has evidence to the contrary, he should rise in this place and table it. If he does not, I will rely on the advice that is provided to me by our hospital and health services that those kits are not issued by our HHSs. What I have said is that there may be some privately practising GPs who undertake that practice, but they are not the responsibility of Queensland Health or our HHSs. I am sick of those opposite coming in here and criticising the hard work of our HHSs, making stuff up—seemingly—referring to documents that they cannot even table in this place and expecting us to respond to them.

**Mr Dick:** Who wrote the question?

**Dr MILES:** I think we know who wrote that question. She was setting him up. I will repeat the advice to me that that practice is a figment of the imagination of those opposite and is not a practice within Queensland Health. If those opposite can present evidence to support their claims, I will investigate it. I will look into it, as is my responsibility. Until then, I will take the advice of our doctors and our midwives. We employed midwives. They sacked midwives. We will take their advice over the member for Callide's imagination and over the member for Mudgeeraba's dreamt up stories. We will take the advice of our HHSs over those opposite until they provide evidence to the contrary.

### **Floods and Drought, Recovery Assistance**

**Mr HARPER:** My question is to the Minister for Education and Minister for Industrial Relations. Could the minister advise how the Palaszczuk government is assisting families in flood-affected areas and—

**Mrs Frecklington** interjected.

**Mr SPEAKER:** Member, please resume your seat. Leader of the Opposition, you are warned under the standing orders. I have asked that questions be heard in silence. It is a courtesy that has been afforded to the opposition by members of the government by and large today. Member for Thuringowa, please start your question again.

**Mr HARPER:** Thank you, Mr Speaker. My question is to the Minister for Education and Minister for Industrial Relations. Could the minister advise how the Palaszczuk government is assisting families in flood-affected areas and advise how the federal government could better support families affected by floods or drought?

**Mr SPEAKER:** Minister, you have two minutes to respond.

**Ms GRACE:** I thank the member for the question because I know that he knows firsthand the devastating effects on families in the Townsville area due to not only floods but also drought. It was great to hear the Premier talk about rain finally falling in those areas that have been drought affected. We immediately put in place an education flood assistance package. We have paid out more than \$1.4 million to families to support the replacement of school resources for almost 10,000 students in the area. We have also paid about \$200,000 to 250 schools for staff members to replace their resources.

During the last sittings I had a very good meeting with the Isolated Children's Parents' Association. It was talking to us about the difficulty of meeting boarding school fees and tuition. It was asking me to have a look at the living away from home allowance, which we gave a commitment to do. Even if we were to increase that, the out-of-pocket expenses at this point in time for those families truly devastated by the floods and the drought would be far too much. I rang and spoke to ISQ and the Queensland Catholic Education Commission and I rang Dan Tehan, the education minister, and asked that he bring forward some assistance through the \$1.2 billion Choice and Affordability slush fund to help these families directly by paying for their tuition and boarding school fees.

We have now automatically forgiven those fees for families attending state boarding schools. For those families affected we will not be charging them, plus we have put in place counselling support for them as well. I am pleased to say that the minister has—and we do not have a lot of detail—advised that it is looking at this through a \$4 million fund it has available. My understanding is that ISQ and the Catholic Education Commission wrote to him as well. We welcome it. I look forward to more detail on this. It is great to see the federal government finally putting its hand in its pocket, but it took it long enough.

**Mr SPEAKER:** Honourable members, the time for question time has expired.

## SPEAKER'S STATEMENT

### School Group Tours; Visitor to Public Gallery



**Mr SPEAKER:** I wish to advise members that, in addition to the schools mentioned earlier, we were visited by students from Acacia Ridge State School and St Stephen's Catholic Primary School in the electorate of Algeester. With members' indulgence, it is according to the standing orders that the Speaker is the highest authority in the parliament. However, that may well have been cast into doubt today. With members' indulgence, I want to acknowledge my wife, Kerry, in the gallery today.

## MOTION

### Business Program



**Hon. YM D'ATH** (Redcliffe—ALP) (Leader of the House) (11.16 am), without notice: I move—

1. That the following government business will be considered this sitting week, with the nominated maximum periods of time as specified:
  - (a) the Guardianship and Administration and Other Legislation Amendment Bill, a maximum of 3 hours to complete all stages;
  - (b) the Land, Explosives and Other Legislation Amendment Bill, a maximum of 45 minutes to complete all stages;
  - (c) the Nature Conservation (Special Wildlife Reserves) and Other Legislation Amendment Bill, a maximum of 5 hours to complete all stages; and
  - (d) the Justice Legislation (Links to Terrorist Activity) Amendment Bill, a maximum of three and a half hours to complete all stages.



2. The following time limits for the Bills listed in (1) apply:
  - (a) question on third reading to be put by 2 minutes before the expiry of the maximum hours; and
  - (b) question on Long title to be put by 1 minute before the expiry of the maximum hours.
3. If the nominated stage of each bill has not been completed by the allocated time specified in (2), or by 5.55pm on Thursday, 28 March 2019, Mr Speaker:
  - (a) shall call on the minister to reply to the second reading debate;
  - (b) shall put all remaining questions necessary to either pass that stage or pass the bill or motion without further debate;
  - (c) may interrupt non-specified business or debate on a bill or motion to complete the requirements of the motion; and
  - (d) will complete all stages required by this motion notwithstanding anything contained in Standing and Sessional Orders.

In moving this motion, the House will be considering four bills this week. The House has already started consideration of two out of the four bills within the motion and time has been allocated accordingly for the remainder of these bills and two additional bills to be debated. As everyone in this House knows, we have this debate each week and discuss what should be the motion and the business before the House. Generally it ends up more of a debate around the sitting hours and those opposite continuously complaining about those sitting hours. I hate to pre-empt the debate that may be coming but I can rely on every single previous debate on the business motion in the past, but I refer to the member for Kawana's view on what he calls family-friendly hours and what I refer to as sensible parliamentary sitting hours. Last night those opposite, including the member for Kawana, once again reiterated for the Business Committee the LNP's opposition to the new sitting hours model.

I want to take the parliament back to 15 February 2018 and what actually happened on that day. Some might remember that when we were debating the government's motion on new sitting hours there was an amendment moved. There was an amendment moved by the member for Kawana. In moving this amendment, the member for Kawana said—


These amendments are reasonable.

Members may not recall that debate, but let me refresh their memories. In doing so, the member for Kawana, in referring to his own amendments as reasonable, in fact tabled amendments that would see the sitting hours of this parliament be one hour to 1½ hours less than what we currently sit each week. That was the proposed amendment being put forward by the opposition that it said was reasonable at the time. However, the member for Kawana comes in here each week and comes to the Business Committee meeting and claims that those opposite would rather the sitting hours as they were under the previous parliament. They would rather be debating bills until two o'clock or three o'clock in the morning so that all their members can be heard and that under the new sitting hours their members are unfairly missing out.

I will put a few facts around that. Through the work that the Parliamentary Library has done of all the bills identified as having been completed other than the appropriation bills in the last parliament, I am advised that, on average, the second reading debate took approximately three hours; on average, consideration in detail took 16 minutes; and the average number of speakers to bills across the whole of the last parliament, excluding the appropriation bills, was 15 members. What do we see under our new sitting hours? The average length of second reading debates is approximately three hours and 45 minutes. The second reading debate is longer. The average length of consideration in detail is 36 minutes, which is more than double the length of consideration in detail in the previous parliament. The average number of speakers to bills in this parliament is 26 members instead of the average number of 15 speakers to bills under the previous sitting hours.

When those opposite get up and say, 'Our members are missing out,' I say that the only reason those members are missing out on speaking to bills in this parliament under the new sitting hours is the way the member for Kawana manages opposition business. That is a direct result of the decision of the Leader of the Opposition and her leadership to appoint the member for Kawana as the manager of opposition business. He does nothing but obstruct every possible step of the way as opposed to working with all members, including the crossbench, to get the work of this parliament done as the people of Queensland expect. People have a right to expect members to come in here and properly debate and consider legislation and get work done within sensible hours so that they can come in and observe the parliament and the work of the parliament. I support the motion.

**Mr DEPUTY SPEAKER** (Mr Stewart): Order! Before I call the member for Kawana, I remind the House that the following members are warned under the standing orders: the members for Glass House, Maroochydore, Burleigh, Gladstone, Capalaba, Chatsworth, Everton, Toowoomba North, Nicklin, Cooper, Mudgeeraba, and Nanango. I will maintain the standard that Mr Speaker set this morning.

 **Mr BLEIJIE** (Kawana—LNP) (11.21 am): Mr Deputy Speaker, I do not know how my name came to be missed from that list today, but that is good. The Leader of the House gave us a history lesson of who said what in this place.

**An honourable member** interjected.

**Mr BLEIJIE**: I take that interjection. I remind the Leader of the House what her leader said when she was in opposition. When the Premier, the member for Inala, was the opposition leader she sat in the seat two seats down from me and in the very early hours of one morning basically said, 'I don't care how long this debate takes. I don't care what hours we're here. We will sit here, because every worker in Queensland has the right to be heard through their member of parliament.' What has changed? Labor members are on that side of the House.

**An opposition member**: They're in government.

**Mr BLEIJIE**: They are in government. They have a majority.

**An opposition member** interjected.

**Mr BLEIJIE**: I take that interjection. Yes, they won. Of course, the members opposite spent three years going on about arrogance, hubris, accountability and integrity. Have we not seen a downfall in four years!

**Mr Hinchliffe** interjected.

**Mr BLEIJIE**: If I were the Minister for Local Government, I would not be interjecting. Over the past few weeks I have seen for the first time ministers protesting against their own minister and the Local Government Association hate its minister so much that it is going to run a campaign on social media against the government. This government is in chaos. The disunity in this government is unbelievable. We have ministers attending protests with other people holding signs about the blood on the hands of the minister. It is unseen.

**Mrs D'ATH**: Mr Deputy Speaker, I rise to a point of order: relevance.

**Mr DEPUTY SPEAKER**: Member for Kawana, I suggest you come back to the topic of the debate. Otherwise, I will ask you to resume your seat.

**Mr BLEIJIE**: I table pages 1 and 2 of the speaking list to the fisheries bill.

*Tabled paper*: Document, undated, speaking list for Fisheries Bill [\[402\]](#).

Guess what? Members were cut off. The debate was guillotined. The members for Bonney, Mirani, Pumicestone, Southern Downs, Hinchinbrook, Nanango, Glass House and Ninderry were not given the opportunity to speak to that bill. I table the speaking list for the Human Rights Bill.

*Tabled paper*: Document, undated, speaking list for Human Rights Bill [\[403\]](#).

Members were cut off and the debate on that bill was guillotined.

**An opposition member**: On human rights.

**Mr BLEIJIE**: Their human right in having the opportunity to speak was denied. They would probably now have a claim in the Human Rights Commission and be compensated handsomely. The reality is that, years ago, the unions fought for a 38-hour week. The time for debate on the bills for this sitting week is 11.95 hours. That is all the members opposite want to work. We sit Tuesday to Thursday and all the members opposite can put in is 11.95 hours of debate time. We know that, on that side of the House, the talent for debate is bereft. We know that it is a challenge for the members opposite to get to 11 hours of debate time.

Yesterday in the bills committee meeting I was asked, 'How many speakers want to speak to all the bills?' I said, 'Approximately 30 on each bill.' That is because we have 38 members of the Liberal National Party who want to or deserve the opportunity to speak to bills, if given the chance, but they do not. On the ABC's Steve Austin program the Leader of the House accused the opposition of filibustering. Yesterday in the committee meeting the health minister said, 'Name the speakers who want to speak to these bills.' He was trying to pre-empt the opposition by getting me to tell the government which opposition members were going to speak to the bill. How arrogant of you to say to me—

**Mr DEPUTY SPEAKER:** Order! Member for Kawana, through the chair.


**Mr BLEIJIE:**—that the minister has the right—

**Dr Miles:** You couldn't name one, let alone 30.

**Mr DEPUTY SPEAKER** (Mr Stewart): Order! Minister for Health, I was on my feet. I continue to advise you, like Mr Speaker said, that there will not be quarrelling across the chamber. Member for Kawana, you need to direct your comments through the chair, please. Minister for Health, if you continue you will be warned under the standing orders.

**Mr BLEIJIE:** The Minister for Health does not have the right to know or demand from me which opposition members are going to speak to government bills. That is the individual right of those members. As I said last week, at some stage during the 12 hours of debate things may spark in members' minds, or their constituents may contact them, or they may see something in the media and say, 'I want to put my name on the list. I did not think I would want to on Tuesday.' That is the right of members of parliament, including the crossbench. The members of the committee, including the crossbench representative, say, 'We just have to be more efficient with parliament. Let's work out our speakers.' It is not about that. It is about members being paid good money to be here to represent their constituents.

*(Time expired)*

 **Hon. SJ MILES** (Murrumba—ALP) (Minister for Health and Minister for Ambulance Services) (11.27 am): Obviously, I do not know what happened yesterday afternoon in the opposition caucus, but the Manager of Opposition Business was looking pretty bruised after their conversation. He skulked into our meeting more sullen than usual. He was sulkier than usual. We asked, 'How many people do you think might want to speak to these bills?' He said, 'Thirty on all of them.' It is a wonderful coincidence that 30 members wanted to speak to all four of these bills. They were all equally important. I asked the member for Kawana if he could name any of them and he could not. He had no idea who on his side wanted to speak to these bills, which comes to the crux of this debate that we have every sitting. The Manager of Opposition Business—

**Ms Grace** interjected.

**Mr DEPUTY SPEAKER** (Mr Stewart): Order! Member for McConnell, I have been calling your name several times. You are now warned under the standing orders.


**Mr Bleijie:** Hear, hear!

**Mr DEPUTY SPEAKER:** Order! Member for Kawana, you are now warned under the standing orders for your interjection while I was speaking. Members, we have a plethora of members already on warnings. I notice that some of those members are starting to make some interjections. Their next move will be out the door.

**Dr MILES:** This brings me to the crux of the debate that we keep having every sitting and that is that the Manager of Opposition Business cannot do his job. Whether he is too lazy to manage the business of the opposition, whether he lacks the authority to manage the business of the opposition, the reason we keep having to have this debate is because the member for Kawana cannot do his job: he cannot manage the business of the opposition. He could not name them, but he said that 30 members wanted to speak on every one of these bills. Do members know how many times 30 opposition members spoke on a bill last term—apart from appropriation bills? Never! Zero times! Apart from the appropriation bills, never once last term did those opposite manage to round up 30 speakers, but this term they do every time.

One might expect the government and opposition to engage in a debate like this, but the member for Noosa, on behalf of the crossbench, put very clear and sensible suggestions to the member for Kawana about how, if he managed his business, those opposite who wanted to speak would all get the opportunity to speak. It was a valuable contribution, but of course it was rejected by the member for Kawana because he cannot manage the business of the opposition. Again I say that is because he is either too lazy or he lacks the authority.

The member for Kawana says the only reason we need this committee and this motion is to stop them filibustering. That was a uniquely honest reflection on his strategy. This week we will debate four important bills. We will have more than adequate time to raise all of the matters relevant to members and their constituents and I, of course, endorse the motion before the House.

 **Mr MANDER** (Everton—LNP) (Deputy Leader of the Opposition) (11.31 am): Here we are once again talking about, if I can quote the health minister, the crux of the matter. The crux of the matter is the democratic right of members of this parliament to speak on any bill they want when they choose to do it. This is now my third term of parliament. I have never met a more articulate group of people than those on my side of parliament. They have a voice that wants to be heard.

**Mr HARPER:** Mr Deputy Speaker, I rise to a point of order: relevance.

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

**Mr MANDER:** That is the government; I rest my case with regard to the comparison. This side of the House wants to speak about the issues that are important to this state. There were issues in the last sitting of parliament and there are issues in this sitting of parliament that we want the freedom to speak about. There are also issues that are raised during the week in the parliament that in the past we had an opportunity to speak on when we had three minutes. This morning we hear about the reversal of the privatisation of our prisons.

**A government member:** Good policy.

**Mr MANDER:** Let us remind the House that it was Labor policy to privatise these prisons in the first place. Those on that side of the House forget that. Talk about revisionist! We want to speak about the ridiculousness of the situation. We have overcrowding in prisons and the government's solution is to have more prison guards.

**Mrs D'ATH:** Mr Deputy Speaker, I rise to a point of order. The motion before the House is in relation to the scheduling of bills in government business time, not in relation to private members' time.

**Mr DEPUTY SPEAKER:** Member for Everton, I ask you to come back to the debate, please.

**Mr MANDER:** I am speaking about the principle of members of parliament being able to speak not only on bills, but on any issue that comes to their minds during the week and whether they want to bring in a private member's bill or whatever it might be. That has been taken away from members of parliament and there is issue after issue after issue. This week we speak about justice issues in one of the bills. Without pre-empting that debate, justice issues are important in this state. Everyone on this side wants to have a say on those issues. Crime rates are rising on a daily basis. We have laws with regard to bikies that are being thrown out of the courts because they are invalid.

**Mr HARPER:** Mr Deputy Speaker, I rise to a point of order. I would ask you to bring the member back to relevance. This has nothing to do with the motion.

**Mr DEPUTY SPEAKER:** Member for Everton, I wonder if you are going down a slippery path pre-empting the debate.

**Mr MANDER:** Once again I talk about the fact that this week we are talking about justice issues. There are a broad range of issues that come under that and one of those is the crime rate. The crime rate in this state is so bad that criminals are being so brazen to dare steal a car from one of the most powerful Labor figures in this state. Who would dare do that?

**Mr PEGG:** Mr Deputy Speaker, I rise to a point of order. I know my colleague, the member for Thuringowa, has made this point, but surely my ute cannot possibly be relevant to this debate.

**Honourable members** interjected.

**Mr DEPUTY SPEAKER:** Members, may I remind you we are debating the motion. It is not a slanging match across the chamber nor a humorous debate. Member for Everton, you have a minute and 35 seconds remaining.

**Mr MANDER:** The reason I raise these points, because again this week we are talking about justice issues, is that it is important that members of parliament stick up for their electorate when they continue to hear about escalating crime rates. We need to be able to question the government with regard to their policies that are relevant to this and that we believe are failing. Not only do we believe that they are failing, so do—

**Ms Leahy:** Queenslanders.

**Mr MANDER:**—Queenslanders. I will take that interjection from the member for Warrego. Queenslanders on the Gold Coast and in Townsville in particular do not believe enough is being done when it comes to justice issues. We will get up in every sitting of parliament.

**Ms GRACE:** Mr Deputy Speaker, I rise to a point of order. Are we debating the bill or are we debating the motion? Can I once again bring the member back to relevance? I know he is struggling. There are 44 seconds left.

**Mr DEPUTY SPEAKER:** Member for McConnel, I do not need your extra comments. Member for Everton, I think you are going down that slope that I have been talking about. Let us not pre-empt the debate. You will have an opportunity later this week to do that. I ask you to come back to the motion. If you cannot I will ask you to resume your seat.

**Mr MANDER:** We had a situation in this House that, if it was not so serious, would be funny, where we had a member on our side of the parliament who was speaking against the guillotine motion being guillotined while he was speaking about that motion. That is how ridiculous it has become in this government. This is a part-time government. This is a lazy government. This is a government that is everything but transparent and honest. This is a government that will go down in history as one of the most shameful when it comes to the democratic process.

**Mr DEPUTY SPEAKER** (Mr Stewart): Order! We are experiencing a bit of a technical problem. It appears that the bells are not functioning. Can I suggest that the whips advise their contacts through their devices that members are required back in the chamber?

**Mr BLEIJIE:** Mr Deputy Speaker, I rise to a point of order. I do not think this is acceptable for the whips because there may be members in meetings with their phones down who do not get text messages. Unless they can hear the bells, it is very difficult.

**Mr DEPUTY SPEAKER:** Thank you.

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

**AYES, 47:**

**ALP, 46—**Bailey, Brown, Butcher, Crawford, D'Ath, de Brenni, Dick, Enoch, Farmer, Fentiman, Furner, Gilbert, Grace, Harper, Healy, Hinchliffe, Howard, Jones, Kelly, King, Lauga, Linard, Lui, Lynham, Madden, McMahon, McMillan, Mellish, Miles, Miller, Mullen, B. O'Rourke, C. O'Rourke, Palaszczuk, Pease, Pegg, Power, Pugh, Richards, Russo, Ryan, Saunders, Scanlon, Stewart, Trad, Whiting.

**Ind, 1—**Bolton.

**NOES, 39:**

**LNP, 34—**Bates, Batt, Bennett, Bleijie, Boothman, Boyce, Crisafulli, Frecklington, Hart, Hunt, Janetzki, Krause, Langbroek, Last, Leahy, Mander, McArdle, McDonald, Minnikin, Molhoek, Nicholls, O'Connor, Perrett, Powell, Purdie, Robinson, Rowan, Simpson, Sorensen, Stevens, Stuckey, Watts, Weir, Wilson.

**Grn, 1—**Berkman.

**KAP, 3—**Dametto, Katter, Knuth.

**PHON, 1—**Andrew.

Pair: Boyd, Crandon.

Resolved in the affirmative.

**Mr SPEAKER:** Given that we have had some technical difficulties with the bells, members should note that during the lunch break the bells will be tested. I ask you just to be aware of that. It will not be a call back to the House. The call back will occur at the regular time post the lunch break, but there may be minor testing required; and we apologise for any convenience.

## GUARDIANSHIP AND ADMINISTRATION AND OTHER LEGISLATION AMENDMENT BILL

### Second Reading

Resumed from 28 February (see p. 596), on motion of Mrs D'Ath—

That the bill be now read a second time.



**Mr JANETZKI** (Toowoomba South—LNP) (11.46 am): I rise to address the Guardianship and Administration and Other Legislation Amendment Bill 2018. Let me start by saying that the LNP will not be opposing the bill. A clear and workable guardianship framework is paramount if Queenslanders with impaired capacity are to have strength and safeguards. The bill will have a practical impact on people who lack the cognitive capacity to consent and make decisions on their own, which is why it is so

important to have workable and readable legislation. A person with impaired capacity is in so many ways vulnerable. That person and their family should be confident that the laws in this state will offer them safeguards and enhanced decision-making.

The policy objectives of the bill are to: amend the guardianship legislation to provide a focus on contemporary practice and human rights for adults with impaired capacity; enhance safeguards for adults with impaired capacity in the guardianship system; and improve the efficiency and improve clarity of guardianship legislation. The second policy objective is to amend the Integrity Act 2009 to implement recommendations 1 and 2 of the Finance and Administration Committee report No. 19. The third is to amend the Government Owned Corporations Act 1993 and the Public Interest Disclosure Act 2010 to implement recommendation 13 of the Parliamentary Crime and Corruption Committee report No. 97 titled *Review of the Crime and Corruption Commission*.

As I stated, the opposition will not be opposing the bill; however, there are a range of issues that I will be raising during my second reading contribution. Let me start by saying that it is appropriate that a short passage through history is relevant in relation to this bill. I do say this because Labor and the government today have a shocking record in terms of responding to reports. Take the Queensland Law Reform Commission report titled *A review of Queensland's guardianship laws*, which prompted this bill. The report was completed in 2010. After the release of the report, the Bligh Labor government never implemented a single recommendation. In contrast, the LNP will always act swiftly when it comes to law reform.

The LNP will always support initiatives that have a positive influence on persons, particularly vulnerable persons, in need and their families. In 2012 the LNP enacted a recommendation of the review to retain and strengthen the independence of the Public Advocate and improve the ability of the Public Advocate to effectively perform its functions. The Public Advocate was granted additional powers to access information necessary to perform its function and report to the Attorney-General at any time on a systemic issue, which must be tabled in parliament. In 2014 the LNP government released its response to the review and committed to implementing the remainder of the review in two stages. The response dealt with 205 recommendations, with the other 112 more complex issues to undergo further consultation with key stakeholders.

One of the policy objectives of the bill is to improve the clarity of guardianship legislation. It seems, however, that the bill has, in some ways, created some uncertainty. This seems to be at odds with the intent of the policy. For example, the Public Advocate was concerned that the redrafting of the principles has the effect of 'making them far less readable and accessible than the current version'. In particular, the Public Advocate elaborated that the new approach is more difficult to read and understand and that it has too many clauses and includes brackets, making it less acceptable to some people who are not accustomed to reading and interpreting legislation.

Of significance is the bill's proposal to amend section 31 of the Guardianship and Administration Act to clarify that when QCAT is reviewing an appointment of a guardian and the Public Guardian is the appointee, QCAT may remove the Public Guardian as appointee if there is an appropriate person available for appointment. This implements recommendation 14-14 of the review.

The Public Advocate supported the proposed amendment because it ensures that the Public Guardian remains the guardian of last resort and will help to ensure that a guardian who knows the person and understands their will and preferences will be appointed. However, the Public Guardian was confused as to why recommendation 14-13 has not been implemented in this bill. That recommendation proposed amending section 14 so that the tribunal should appoint the Public Trustee only if there is no other person who is appropriate and available for appointment as administrator, as is currently the case with the Public Guardian.

Another concern raised by a key stakeholder, Caxton Legal Centre, relates to the broadened power of the Public Guardian to investigate a complaint or allegation after an adult's death. Caxton Legal Centre raised concerns that the bill does not provide for information sharing between the Public Guardian and the office of the Coroner and commented that they propose sharing protocols be introduced to avoid the Coroner missing information or there being duplication of investigations.

TASC raised concerns that the bill does not recognise fluctuating capacity, breaching the United Nations Convention on the Rights of Persons with Disabilities and undermining both the objectives and principles of the bill. TASC considers that this concern would be addressed if recommendation 15-1 was implemented. This recommendation provides that a tribunal may limit the exercise of a guardian to periods when the person has impaired capacity. The LNP government previously agreed to implement this recommendation.

The bill provides that guidelines will be developed to assist with the assessment of capacity, but does not specify a date when the guidelines will be prepared. The Public Advocate raised concerns that the general and healthcare principles are difficult to understand and access. In particular, the Public Advocate said—

I am aware that there has been a suggestion that the department could produce a version of the principles after the legislation has been passed. That would require the department to be giving an interpretation of legislation, which is tantamount to giving legal advice and that is not what government agencies do.

There were also concerns raised by stakeholders in relation to interim orders. The bill amends section 129 of the Guardianship and Administration Act relating to the issuing of interim orders and the setting out of the grounds upon which QCAT could issue an interim order. Two key stakeholders—the Queensland Advocacy Inc. and Aged and Disability Advocacy Australia—were not satisfied with the clauses specific to interim orders. Of greatest concern was that the bill does not require QCAT to consult with the adult and their family when making interim orders. QAI commented that they were aware of cases where the adult and families were only made aware that an order had been made after the proceedings had been completed.

Throughout the committee process a number of individuals raised concerns about QCAT's handling of guardianship matters and the overall operation of the Public Trustee. The office of the Public Advocate raised concerns that 'I think a lot of government agencies struggle with applying the general principles'. QAI and ADA Australia raised concerns that the bill does not require QCAT to consult with the adult and family when making interim orders. QAI commented that they were aware of cases where the adult and families were only made aware that an order had been made after the proceedings had been completed.

In its guardianship jurisdiction, QCAT makes decisions for those who are unable to make decisions for themselves. The work of QCAT must be commended—for the members and staff work tirelessly for such a good cause. I want to reflect on the work of QCAT. I will turn briefly to the QCAT annual report released recently by Justice Daubney, the President of QCAT. What is abundantly clear from that annual report is that QCAT is in dire need of greater resourcing. QCAT stands as one of the most important quasi-judicial bodies in Queensland, exercising significant power over a range of different issues. It is worth reflecting on a couple of things that Justice Daubney related in what was quite an extraordinary annual report. Justice Daubney said in the 2017-18 annual report—

QCAT's members and registry staff have been stretched beyond all reasonable and proper levels of tolerance. Any further delay in appropriate resourcing for QCAT will inevitably result in the tribunal being unable to deliver anything like quick and accessible civil justice to Queenslanders.

What an extraordinary remark in an annual report from the head of QCAT, Justice Daubney. The president went on to say that he was hopeful that the executive government will recognise and urgently address these resourcing issues. We know that the executive government has no idea how to address these resourcing problems.

That was further amplified last week with the release of the annual reports of the District Court and the Supreme Court of Queensland. We know that in the last week or two we have had ministers protesting other ministers in this government. What is necessary by the look of it is for the Attorney-General to start protesting of her own accord. What we see across the justice system in Queensland is a dire lack of resourcing for what is a most important function.

It was the Chief Justice in the Supreme Court annual report who said quite clearly that with additional police resources there would be an additional need for judges in our higher courts. What we have seen is a lack of resourcing and a lack of support for the fine work that is done by judges, whether that be in the Magistrates Court, the District Court or the Supreme Court. I will again turn briefly to Justice Daubney's remarks in his annual report. In his president's message he states—

It is not hyperbolic to say that many of these proceedings are literally life-changing.

That is from the president of QCAT. We know how true that is right across a variety of areas of law.

We know, as I have already stated, that there is a dire lack of resourcing. The Attorney-General must stand up for our justice system to make sure they get their fair share. Chief Judge O'Brien in the District Court said, 'Per capita Queensland has the least number of District Court judges in Australia.' We know in the Supreme Court, the Chief Justice—

**Mrs D'ATH:** Mr Deputy Speaker, I rise to a point of order. I ask that the member be brought back to the substance of the bill.

**Mr DEPUTY SPEAKER** (Mr Stewart): Just one moment. I will seek advice from the Clerk. Member for Toowoomba South, I advise you to come back to the long title of the bill. I will listen intently. If you continue down this path, I will make a determination.

**Mr JANETZKI**: What Justice Daubney, president of QCAT, has said should ring alarm bells for the justice system in Queensland. We have seen now, with the release of the District Court and the Supreme Court annual reports last year, that there is a fundamental lack of resourcing in the justice system in Queensland. That is of great concern when looking at the bill.

**Mrs D'ATH**: Mr Deputy Speaker, I rise to a point of order on relevance. You have just instructed the member for Toowoomba South to come back to the bill and he has continued with the same line of debate which is around resourcing, which is not the subject of this bill.

**Mr DEPUTY SPEAKER**: Order! Member for Toowoomba South, I ask you to come back to the long title of the bill. I do not believe that the issues of resourcing are raised in the bill, or in fact in the committee report, or are associated with the long title of the bill. Otherwise I will ask you to resume your seat.

**Mr JANETZKI**: Thank you, Mr Deputy Speaker. I am happy to take your guidance in that regard. The resourcing question is important in respect of this bill because QCAT has such a large role to play in the determination of guardianship matters in Queensland. That makes the comments of Justice Daubney all the more relevant. If I return to them just for a moment, Justice Daubney went on to say—

A lack of appreciation in some quarters of the true ambit of QCAT's diverse jurisdictions has led to an unfortunate underappreciation of the resources necessary ...

**Mrs D'ATH**: Mr Deputy Speaker, I rise to a point of order. This is the third time I have risen on relevance on exactly the same substance of the debate by the member for Toowoomba South in which he is ignoring your instructions to come back to the substance of this bill. He is referring to annual reports that do not form part of this bill or the committee debate.

**Mr DEPUTY SPEAKER**: One moment, member for Toowoomba South. I will seek some further clarification. Member for Toowoomba South, you have made references, as we have said, around resourcing. Can you direct me to where you are quoting from?


**Mr JANETZKI**: The relevance of my contribution—

**Mr DEPUTY SPEAKER**: No, no. Can you direct me to where you are quoting from?

**Mr JANETZKI**: Not from the report.

**Mr DEPUTY SPEAKER**: Member for Toowoomba South, my final counsel will be that, if you continue to go down the road that you are going down now with QCAT and the resourcing issue, you will be asked to resume your seat.

**Mr JANETZKI**: Thank you, Mr Deputy Speaker. In respect of what QCAT has to do in respect of the guardianship aspects of this bill, it is entirely appropriate that the Attorney-General should seek those additional resources. I will not pursue the matter further. However, the Attorney-General can rest assured that I will not be silenced in respect of making sure QCAT gets its fair share. As this bill has proven again, whether it be the Public Advocate or guardianship administration in this state, QCAT plays a vital role in its due administration, and I will continue to fight for its fair share.

 **Mr RUSSO** (Toohey—ALP) (12.03 pm): I rise in the House today to support the passing of this legislation. The committee's task was to consider the policy outcomes to be achieved by this legislation as well as the application of the fundamental legislative principles—that is, to consider whether the bill had sufficient regard to the rights and liberties of individuals and to the institution of parliament. The committee recommended that the Guardianship and Administration and Other Legislation Bill 2018 be passed.

Having been a lawyer for 20-odd years and having had dealings with both sides of the arguments—the relatives hoping to have more say on who the trust has been set up for, the relatives who feel that the person holding the power of attorney may or may not have done or may or may not be doing what is in the best interest of the relatives, the person who is the beneficiary wanting to have more say in how they have access to the funds in the trust—I have heard the horror stories and I have seen the outcome where perhaps the best interest of the beneficiary was not being served and the effect that has on all parties while that has to be unwound.

On 15 February 2018, the Guardianship and Administration and Other Legislation Bill was introduced into the Queensland parliament and referred to our committee. The committee was required to report to the Legislative Assembly by 9 April. The bill is substantially the same as the Guardianship



and Administration and Other Legislation Amendment Bill 2017, which was introduced into the Legislative Assembly on 5 September 2017 and referred to the Legal Affairs and Community Safety Committee of the previous parliament. The previous committee conducted an inquiry into the 2017 bill but did not report to the Legislative Assembly because the parliament was dissolved four days prior to its reporting date.

Given the similarity between this bill and the 2017 bill, and because the previous committee conducted its full inquiry into the 2017 bill so recently—September–October 2017—the committee resolved to base its inquiry into the bill on the evidence gathered by the previous committee and not to seek further evidence by way of submissions or hearings. The committee did seek a written briefing from the Department of Justice and Attorney-General on the minor changes between this bill and the 2017 bill. There is no doubt that an effective guardianship system is vital for upholding the rights of interests of adults with impaired capacity. The bill makes important and practical changes that will make meaningful improvements to the lives of some of our most vulnerable Queenslanders.

As outlined in the Attorney-General's introductory speech, the amendments in the bill progress and support a number of actions in *Queensland: an age-friendly community—action plan*, launched by the Hon. Coralee O'Rourke, Minister for Disability Services and Minister for Seniors. The bill strengthens safeguards and remedies for adults who have appointed attorneys under enduring documents to reduce the risk to older persons of financial abuse and exploitation. The amendments also implement a number of recommendations from the Queensland Law Reform Commission's report *A review of Queensland's guardianship laws* tabled in parliament in 2010. The bill implements those recommendations that strengthen the focus on contemporary practice and human rights for adults with impaired capacity, enhances safeguards for adults with impaired capacity and improves the efficiency and clarity of Queensland's guardianship system.

The Guardianship and Administration Act 2000, the Powers of Attorney Act 1998 and the Public Guardian Act 2014 form the legislative basis for the guardianship system in Queensland. The Guardianship and Administration Act 2000 provides for the Queensland Civil and Administrative Tribunal, QCAT, to formally appoint guardians and administrators to manage the personal and financial matters respectively of adults with impaired capacity; provides a scheme for substituted consent for healthcare matters and special healthcare matters; and establishes the Public Advocate, who has a systemic advocacy function for adults with impaired capacity. The Powers of Attorney Act provides a scheme where an adult may authorise other persons—attorneys—to make personal and/or financial decisions on their behalf or give directions about their future health care and provides legislative authority for an advance health directive and a statutory health attorney.

The Public Guardian Act establishes the role and functions of the Public Guardian for adults with impaired capacity and children, including its power to act as a person's substitute decision-maker if appointed by QCAT, or as an attorney for a personal matter under an enduring power of attorney or health matter under an advance health directive or as a person's statutory health attorney of last resort. The system provides a scheme 'for individuals to be appointed to make personal, health and financial decisions on behalf of adults who do not have capacity to make decisions about certain matters themselves' and where adults can plan ahead and appoint individuals of their choice to make personal, health and financial decisions and give directions about their future health care.


The explanatory notes advise that the objectives of the bill are to amend the Queensland guardianship legislation to provide a focus on contemporary practice and human rights for adults with impaired capacity; to enhance safeguards for adults with impaired capacity in the guardianship system; to improve the efficiency of Queensland's guardianship system or improve the clarity of Queensland's guardianship legislation; to amend the Integrity Act 2009 to implement recommendations 1 and 2 of the Finance and Administration Committee report No. 19, *Inquiry into the report of the strategic review of functions of the Integrity Commissioner*; and to amend the Government Owned Corporations Act and the Public Interest Disclosure Act to implement recommendation 13 of the Parliamentary Crime and Corruption Committee report No. 97, *Review of the Crime and Corruption Commission*.

The bill also progresses a number of actions arising from the Queensland government's response to the report of the *Inquiry into the adequacy of existing financial protections for Queensland's seniors* undertaken in 2015 by the Communities, Disability Services and Domestic and Family Violence Prevention Committee. Many of those recommendations have been incorporated into the Queensland age-friendly community action plan and implementation schedule. Actions in the Queensland age-friendly community action plan and implementation schedule implemented, or implemented in part, by the bill include providing the Public Guardian with a discretion to continue to investigate a complaint that an adult was subject to abuse, neglect or exploitation even after the death of the adult; and

enhancing the safeguards for older people who appoint attorneys under enduring powers of attorney and improving financial remedies for adults with impaired capacity when attorneys fail to comply with their duties.

The bill also provides a legislative exception to ademption in certain circumstances. Ademption occurs where the gift of a specific item of property in a will fails because prior to the testator's death the property is sold or otherwise disposed of. A common example is where a person leaves their house as a specific testamentary gift in their will but then sells the house to fund their aged care and does not update their will to reflect the changed circumstances. Upon the person's death, the gift is adeemed because it no longer forms part of the testator's estate. The rule of ademption may significantly distort the testator's intention or result in unjust outcomes. This is essentially the case if the testator is an adult with impaired capacity who will not have the capacity to change their will to deal with the situation. In these cases the assumption underlying the ademption rule that a person can always change their will to reflect the new circumstances does not apply.

Another reform in the bill has to do with missing persons—that is, enabling appointment of an administrator. Generally a person is not presumed to be dead until they have been missing and there has been no evidence of them being alive for seven years. Prior to seven years the presumption is that a person is alive. Rebutting the presumption that a missing person is alive can be an onerous task. I commend the bill to the House.

 **Mr BENNETT** (Burnett—LNP) (12.14 pm): At the outset I acknowledge that the bill is very technical and complicated in nature, but it is time today that we acknowledge those in our electorates who will benefit from the changes that we are going to make today. I want to mention Gennie Tracey and her sister, Ann, who have been advocating for a long time for changes to the guardianship laws. It is time I also give a shout-out to the public advocates and the public guardians whom we have been dealing with in our office who are doing a great job. They show a lot of empathy and do a lot of good work. We need to remember that what we are doing here today is about those people in our communities who are vulnerable.

I thank all the families who have continued to engage with us. I want to raise concerns with the clarity of some provisions of the bill as well as recommendations 14-13, 14-15 and 15-1 of *A review of Queensland's guardianship laws* by the Queensland Law Reform Commission; the Guidelines for the General Principles; and the Queensland Civil and Administrative Tribunal, which is under-resourced and overworked.

The Guardianship and Administration and Other Legislation Amendment Bill 2017 was introduced on 5 September 2017 and referred to the Legal Affairs and Community Safety Committee. Prior to the 2017 state election, the committee received submissions from stakeholders. The 2017 bill lapsed when the 2017 state election was called. The Guardianship and Administration and Other Legislation Amendment Bill 2018 is substantially the same as the 2017 bill with only minor changes to address drafting issues relating to healthcare principles. It will ensure a consistent approach to the authorisation of conflict transactions for administrators and attorneys. That addresses a recommendation made by the Queensland Law Society in its public briefing to the committee last year.

Like the 2017 bill, this bill amends Queensland's guardianship legislation—that is, the Guardianship and Administration Act 2000, the Powers of Attorney Act 1998 and the Public Guardian Act 2014 to provide a focus on contemporary practice and human rights for adults with impaired capacity; improve safeguards for adults with impaired capacity in the guardianship system; and improve the operational efficiency and clarity of our guardianship legislation.

Like the 2017 bill, this bill also implements a number of recommendations arising from the 2010 report of the Queensland Law Reform Commission, *A review of Queensland's guardianship laws*, which was tabled on 12 November 2010. I note previous submitters to the committee's inquiry raised some good points, generally accepting that many of the objectives are met with sections relating to health matters, decision-making processes and conflict of interest in financial matters. Several even stated they believe that the Queensland legislation is probably the best in Australia and the amendments will improve it further. However, there is one issue that has caused considerable difficulty that has not been addressed.

Submitters who have been making representations to the government over many years raised concerns about the lack of recognition of the legal status under the Queensland guardianship model of the informal substitute decision-maker trying to ensure the implementation of the express wishes of a person with impaired capacity, particularly with communication difficulties. This matter arises continually

in four sectors: energy companies, telecommunications, financial institutions and health insurance, including Medicare. These issues are growing in urgency with the implementation of the NDIS and the need for people with impaired capacity to establish a relationship as consumers in their own right living in accommodation independent from their families.

In 2010 the Queensland Law Reform Commission delivered a report entitled *A review of Queensland's guardianship laws*. The review contained 317 recommendations. The previous Bligh government developed an initial response but no recommendations were implemented. In 2012 the LNP enacted the recommendations of the review to retain and strengthen the independence of the Public Advocate and improve the ability of the Public Advocate to effectively perform its functions. The Public Advocate was granted additional powers to access information necessary to perform its functions and report to the Attorney-General at any time on a systemic issue which must be tabled in parliament. In 2014 the LNP government released its response to the review and committed to implementing the remainder of the review in two stages. The response dealt with 205 recommendations, with the other 112 more complex issues to undergo further consultation with key stakeholders.

I want to focus my contribution on amendments to the guardianship legislation to provide a focus on contemporary practice and human rights for adults with impaired capacity; enhance safeguards for adults with impaired capacity in the guardianship system; and improve the efficiency and clarity of guardianship legislation. There are no proposals contained in this bill that the LNP government has previously rejected. I wish to reflect on some stakeholder views and recommendations of the Public Guardian and Public Trustee.

The bill implements recommendation 14-14 of the review to provide clarity around when QCAT may make an order removing the Public Guardian if another appropriate person exists. The bill does not implement recommendations 14-13 and 14-15 to provide a similar process for the Public Trustee, as I mentioned earlier. The Public Guardian stated—

It is unclear why ... recommendation 14-13 has not been implemented in this Bill. That recommendation proposed amending section 14 so that the Tribunal should appoint the Public Trustee only if there is no other person who is appropriate and available for appointment as administrator, as is currently the case with the Public Guardian.

The bill broadens the power of the Public Guardian to investigate a complaint or allegation after an adult's death. Caxton Legal Centre raised concerns that the bill does not provide for information sharing between the Public Guardian and the Office of the Coroner, and they stated, 'We propose sharing protocols be introduced to avoid the coroner missing information or duplication of investigations.'

When addressing the powers of guardians and administrators, there were concerns raised that the bill does not recognise fluctuating capacity, breaching the United Nations Convention on the Rights of Persons with Disabilities and undermining both the objectives and principles of the bill. Others also believe that this concern would be addressed if recommendation 15-1 was implemented. This recommendation provides that a tribunal may limit the exercise of a guardian to periods when the person has impaired capacity. We agreed to these previously and we know that will work in our electorates.

The bill provides that guidelines will be developed to assist with the assessment of capacity but does not specify a date when the guidelines will be prepared. The Public Advocate raised concerns that the general and healthcare principles are difficult to understand and access. A number of individuals raised concerns about QCAT's handling of guardianship matters and the overall operation of the Public Trustee. I am sure we have all had advocacy on behalf of people dealing with the Public Trustee. As I did earlier, I give a shout-out to the public advocates who do such a good job.


Queensland Advocacy Inc. and ADA Australia raised concerns that the bill does not require QCAT to consult with the adult and family when making interim orders. QAI commented that they were aware of cases where the adult and families are only made aware that an order had been made after the proceedings had been completed. Following the commencement of QCAT in 2009, a statutory review of QCAT commenced in 2012. The Attorney-General stated this review would be completed by the end of 2017. Another statutory review was meant to commence in 2017. This has never occurred. Considering the bill contains a number of provisions relating to QCAT, it would be reasonable for this review to be completed.

We will not be opposing the bill, but there are some areas that raise concern. Queensland's guardianship system actively supports people to make important decisions about their future health, persona and financial needs and seeks to safeguard the rights of adults. As the guardianship system is involved in decisions that impact every aspect of an adult's life, it is important we have a system that

meets their needs and requirements. It has to be asked why it has taken the government so long to implement any of the 317 recommendations of the Queensland Law Reform Commission report that was completed in 2010. The Bligh Labor government, of which the Premier was a senior minister, never implemented any of these recommendations. It has taken this Labor government three years to introduce any of these recommendations. Even then, this bill does not implement all of the 317 recommendations. What has been happening?

Half of the work on implementing the recommendations had already been done previously. The former LNP enacted some recommendations, including retaining and strengthening the independence of the Public Advocate and improving the ability of the Public Advocate to effectively perform its functions. It was also the former LNP that introduced the role of the Public Advocate. The Public Advocate was granted additional powers to access information necessary to perform its function and report to the Attorney-General at any time on a systemic issue, which must be tabled in parliament. However, we are concerned that the bill does not implement recommendations 14-13 and 14-15 to provide a similar process. Plenty has been said on that today.

Caxton Legal Centre raised concerns that, while the bill broadens the power of the Public Guardian to investigate a complaint or allegation after an adult's death, the bill does not provide for information sharing between the Public Guardian and the Coroner. Of course, we get that duplication issue. In closing, it is about time we stop the continual reviews and talkfests and get on with legislative reforms. We need to support QCAT in its funding and resourcing. This should be a priority for all of us.

 **Mrs McMAHON** (Macalister—ALP) (12.23 pm): I rise today to speak in support of the Guardianship and Administration and Other Legislation Amendment Bill 2018. I would like to thank my fellow committee members on the Legal Affairs and Community Safety Committee as well as the committee secretariat. I note that it was under the committee constituted during the 55th Parliament under the stewardship of the member for Stretton that the public briefings and hearing were heard. I thank the former committee chair and committee members, for it is based largely on their work that our committee has made its considerations and reported to the House.

The amendment bill that we speak of today is substantial, and that is because it is based on some significant bodies of work by the Queensland Law Reform Commission and its review into guardianship laws and the 55th Parliament's inquiry into the adequacy of existing financial protections for Queensland seniors. The Queensland Law Reform Commission's review was quite significant, taking five years over two stages, resulting in their report tabled in parliament in 2010. The review, although it did not recommend a complete overhaul of Queensland's existing guardianship system, did make 317 recommendations to improve the system across a range of organisations, mechanisms and relevant pieces of legislation. Many of these recommendations are included in this bill. It should also be noted that, during the QLRC's review, another significant touchstone—the United Nations Convention on the Rights of Persons with Disabilities—came into effect and had a significant influence on the second stage of the review.

With respect to adult guardianship, the bill achieves its objectives in three distinct ways: to focus on contemporary practice and human rights for adults with impaired capacity, to enhance safeguards for adults with impaired capacity within the guardianship system and to improve the efficiency of Queensland's guardianship system or improve the clarity of Queensland's guardianship legislation.

There are 98 clauses contained in this bill, some of quite substantial detail. It is impossible to speak to all of them so I will concentrate on some of the proposed amendments. The first is clause 7. It replaces section 11 'Principles for adults with impaired capacity' with the new section 11, 'Application of presumption of capacity'. This provides clarity around the first of the general principles of the act—the presumption of capacity. All adults in our legal system are presumed to have the capacity to make decisions for themselves on a range of matters. The new section 11 provides guidance on how the act works around this principle when considering adults with a proven impaired capacity. Specifically, the Public Trustee and other administrators clearly have difficulty exercising their role when each decision must be considered from the presumption of capacity. It was recommendation 7-2 of the QLRC review that—

... if the Tribunal or the Supreme Court has appointed a guardian or an administrator for an adult for a matter, the guardian or administrator is not required to apply the presumption that the adult has capacity for that matter.


The remainder of the general principles set out in clause 8 of the bill largely follow the recommendations of the QLRC's review and are to be applied by a person or entity that performs a function or exercises a power under the act. Any person making a decision for an adult on an informal basis must also apply the general principles in making the decision. These principles, originally located

in schedule 1 of the act, have now been moved to the front of the act, as argued by Queensland Advocacy Inc. in submissions to the parliamentary committee and also to the original QLRC review, where they stated—

The General Principles should be relocated to the body of the GAA. This will help to elevate their status and invigorate their effect. It will give them extra gravity. It will give them the weight they should have. It will impress upon the relevant people that the General Principles must be applied rather than regarded.

While the moving of the general principles may not have been a QLRC recommendation, the placing of these principles at the front of both the Guardianship and Administration Act and the Powers of Attorney Act demonstrates a clear intent by this government—one that echoes the introduction of the Human Rights Act in the previous sitting week. It is a clear declaration. We value all Queenslanders' inherent dignity and worth and understand that their equal and inalienable rights must be recognised and taken into account. This is never more important than when we legislate to protect our most vulnerable Queenslanders. I commend the bill to the House.

**Mr DEPUTY SPEAKER** (Mr Stevens): Before calling the member for Southern Downs, I would like the House to acknowledge students and teachers from Arundel State School in the electorate of Bonney. I believe that class 6G is in the gallery at the moment.

 **Mr LISTER** (Southern Downs—LNP) (12.29 pm): I rise to make a contribution to the debate of the Guardianship and Administration and Other Legislation Amendment Bill 2018. I too am a member of the Legal Affairs and Community Safety Committee, and I would like to thank my colleagues for their work on this—the members for Toohey, Mansfield, Macalister, Mirani and Lockyer. I acknowledge the great work that the staff of the committee always do in supporting us. They are faultless.

As my honourable friend the member for Toowoomba South, the shadow Attorney-General, said previously, guardianship is a very serious matter. It pertains to life-changing events. Whenever we are involved in making law in these areas I think it is important that we really take note.

The objectives of this bill are to: amend the guardianship legislation to provide a focus on contemporary practice and human rights for adults with impaired capacity, enhance safeguards for adults with impaired capacity in the guardianship system and improve the efficiency and clarity of guardianship legislation; amend the Integrity Act 2009 to implement recommendations 1 and 2 of the Finance and Administration Committee report No. 19; and amend the Government Owned Corporations Act 1993 and the Public Interest Disclosure Act 2010 to implement recommendation 13 of the Parliamentary Crime and Corruption Committee Report No. 97 titled *Review of the Crime and Corruption Commission*.

This bill is substantially the same as the 2017 bill from the 55th Parliament, which lapsed, so we proceeded based on the submissions that were received by that committee. There were 18 in total and I would like to give voice to some of those submitters. Seven submissions were made by private individuals who have personally been impacted by the guardianship system. The Aboriginal and Torres Strait Islander Legal Service, Aged and Disability Advocacy Australia, TASC National, the Office of the Public Advocate, Queensland Nurses and Midwives' Union, Royal Australian and New Zealand College of Psychiatrists, Toowoomba Community Legal Service Incorporated and the Caxton Legal Centre, Medical Insurance Group Australia, Crime and Corruption Commission, Queensland Advocacy Incorporated and the Queensland Law Society all lodged submissions.

The Public Advocate raised concerns that the bill implements recommendation 14-14 of the review to provide clarity around when QCAT may make an order removing the Public Guardian if another appropriate person exists. However, the bill does not implement recommendations 14-13 and 14-15 to provide a similar process for the Public Trustee, and I will refer to that matter later in my speech.

The Caxton Legal Centre raised concerns that the bill broadens the power of the Public Guardian to investigate a complaint or allegation after an adult's death. The Caxton Legal Centre raised concerns that the bill does not provide for information sharing between the Public Guardian and the office of the coroner stating, 'We propose sharing protocols be introduced to avoid the coroner missing information or duplication of investigations.' We would like to hear the government's progress on developing such sharing protocols. I think the Caxton Legal Centre has made a good point.

TASC raised concerns that the bill does not recognise fluctuating capacity, breaching the United Nations Convention on the Rights of Persons with Disabilities and undermining both the objectives and the principles of the bill. TASC considered that this concern would be addressed if recommendation 15-1 was implemented. This recommendation provides that a tribunal may limit the exercise of a guardian to periods when the person has impaired capacity.

Aged and Disability Advocacy raised the concern that the bill does not require QCAT to consult with the adult and the family when making interim orders. QAI commented that they were aware of cases where the adult and families were only made aware that an order had been made after proceedings had been completed.

A number of individuals raised concerns about QCAT's handling of guardianship matters and the overall position of the Public Trustee. Considering that this bill contains a number of provisions relating to QCAT, it would have been reasonable for the review of QCAT that was commenced in 2012 to have been completed prior. The LNP will not be opposing this bill, as has been said. However, there are some areas of concern which have been raised by some of the stakeholders that we would like to highlight.

The Queensland guardianship system actively supports people to make important decisions about their future health and personal and financial needs and seeks to safeguard the rights of adults who may require another person or entity to make decisions on their behalf when they no longer have the requisite capacity to make those decisions for themselves. As the guardianship system is involved in decisions that impact every aspect of a person's life, it is important that we have a system that meets their needs and requirements. It has to be asked why has it taken Labor nearly a decade to implement any of the 317 recommendations of the Queensland Law Reform Commission report, which was completed in 2010? Long before I was a member of this House Anna Bligh was Premier and our current Premier Palaszczuk was a cabinet minister in that government. What was Labor up to? I would love to hear an explanation for that delay.

**Mr Hart:** Selling assets.

**Mr LISTER:** I take that interjection from the member. I think he said that they were busy selling assets. They were very busy selling assets. They were flat out selling assets.

**Mr Dick:** Not as busy as you. That is why you didn't do anything for three years. Nothing! Zero!

**Mr LISTER:** I take that interjection from the—

**Mr DEPUTY SPEAKER (Mr Stevens):** Order! The House will come to order.

**Mr LISTER:** Thank you, Mr Deputy Speaker, for that. I do take the interjection from the minister for some aspects of state development. I think—

**Mr DEPUTY SPEAKER:** Member, you have to refer to the member by their correct title.

**Mr LISTER:** The Minister for State Development—

**Mr Boothman:** He was Greenslopes. Then he went to Woodridge.

**Mr LISTER:** Yes, I was a bit confused, sorry. It is shameful that the Labor Party could come into this place and talk to anyone about asset sales. They have sold themselves into all shame. There is nothing left; they have sold the lot.

**Mr DEPUTY SPEAKER:** Member, could you return to the long title of the bill, please.

**Mr LISTER:** Thank you, Mr Deputy Speaker, for your guidance. It has taken the Labor Party over three years to introduce any of the recommendations. Even this bill does not implement all of the 317 recommendations. What is happening to the other recommendations? Can we please hear that from the Attorney-General? Half the work on implementing the recommendations had already been done by the former LNP government, who released the government response to the Law Reform Commission. The former LNP government also enacted some recommendations, including retaining and strengthening the independence of the Public Advocate and improving the ability of the Public Advocate to effectively perform its functions. It was, of course, the former LNP government that introduced the role of the Public Advocate and it is something of which we are eternally proud. The Public Advocate was granted additional powers to access information necessary to perform its function and report to the Attorney-General at any time on any systemic issues, which must be tabled in the parliament.

I return to the question of recommendations 14-13 and 14-15. The Public Advocate raised concerns that the bill implements recommendation 14-14 of the review to provide clarity around when QCAT may make an order removing the Public Guardian if an appropriate other person exists. However, the bill does not implement recommendations 14-13 and 14-15. The Public Advocate said—

... it is unclear why ... recommendation 14-13 has not been implemented in this Bill. That recommendation proposed amending section 14 so that the Tribunal should appoint the Public Trustee only if there is no other person who is appropriate and available for appointment as administrator, as is currently the case with the Public Guardian.


Further, the bill provides that guidelines will be developed to assist with the assessment of capacity but does not specify a date when the guidelines will be prepared. The Public Advocate raised concerns that the general and healthcare principles are difficult to understand and assess. They said—

I am aware that there has been a suggestion that the department could produce a version of the ... principles after the legislation has been passed. That would then require the department to be giving an interpretation of legislation, which is tantamount to giving legal advice and that is not what government agencies do.

A submitter proposed that sharing protocols be introduced to avoid the coroner missing information or duplicating investigations. As I have said, that is something that we would like to hear more about.

I have spoken about concerns surrounding QCAT. A number of individuals raised concerns about QCAT's handling of guardianship matters and the overall operation of the Public Trustee. The guardianship list has had the most significant increase in number of lodgements over the last year which is having a detrimental effect on QCAT's overall clearance rate. Guardianship matters have increased 21.5 per cent over the past four years, from just under 10½ thousand to just over 12½ thousand. This is no doubt going to get worse given our—

*(Time expired)*

 **Ms McMILLAN** (Mansfield—ALP) (12.39 pm): I rise today to provide my contribution to this very important bill. This bill plays a significant role in the lives of those families who care for a person with a disability, serious health issue or impairment. It is legislation like this that goes some way to supporting not only families but individuals who live with a disability every day.

On 15 February 2018 the Guardianship and Administration and Other Legislation Amendment Bill 2018 was introduced into the Queensland parliament and referred to the Legal Affairs and Community Safety Committee. As we have heard, the bill is substantially the same as the Guardianship and Administration and Other Legislation Amendment Bill 2017, which was introduced into the Legislative Assembly on 5 September 2017 and referred to the Legal Affairs and Community Safety Committee of the previous parliament. The previous committee conducted an inquiry into the 2017 bill but did not report to the Legislative Assembly because the parliament was dissolved four days prior to its reporting date. As stated in the explanatory notes, the objectives of the bill are to—

- amend Queensland's guardianship legislation—

the GAA, POA Act and PGA—

to: provide a focus on contemporary practice and human rights for adults with impaired capacity; enhance safeguards for adults with impaired capacity in the guardianship system; and to improve the efficiency of Queensland's guardianship system or improve the clarity of Queensland's guardianship legislation;

- amend the Integrity Act 2009 to implement recommendations 1 and 2 of the Finance and Administration Committee Report No. 19, Inquiry into the Report on the Strategic Review of the functions of the Integrity Commissioner; and
- amend the Government Owned Corporations Act 1993 and the Public Interest Disclosure Act 2010 to implement recommendation 13 of the Parliamentary Crime and Corruption Committee Report No. 97, Review of the Crime and Corruption Commission (PCCC Report).

The department has advised that, apart from some minor drafting changes, the significant change is to ensure a consistent approach to the authorisation of conflict transactions for administrators and attorneys. That addresses a recommendation made by the Queensland Law Society last year in its public briefing to the Legal Affairs and Community Safety Committee on the 2017 bill. Further, the bill proposes to amend the guardianship legislation to reflect current thinking regarding people with disabilities, particularly as expressed in the United Nations Convention on the Rights of Persons with Disabilities.

The UNCRPD, which was ratified by Australia in 2008, gives preference to supported decision-making over substituted decision-making. Substituted decision-making means that a person is permitted by law to make decisions on behalf of another person. Supported decision-making embraces a wide range of models, theories and practices but essentially involves the participation of the adult in the decision that needs to be made rather than the decision being made for them by another person without their involvement. The department explained that while the proposed amendments to the guardianship legislation were particularly influenced by the UNCRPD, the UNCRPD's emphasis on supported decision-making rather than substituted decision-making was not introduced. As a result, the proposed amendments to the guardianship legislation do not represent a fundamental change. Certain stakeholders considered that the bill should incorporate a supported decision-making approach.

While the state government's legislation could be seen as some of the most progressive in Australia, for a family in my community the lack of recognition of the legal status of the informal substitute decision-maker under the Queensland guardianship model poses a challenge as they try to

ensure the implementation of the express wishes of their family member, particularly with regard to communication. For them, this matter arises when dealing with energy companies, telecommunication companies, financial institutions and health insurance, including Medicare. It is my hope that the insertion of the general principles and health principles, as well as the measures being taken by the Attorney-General and her department to assist with the implementation of this legislation, will increase public awareness with regard to the role of informal carers.

With the implementation of NDIS there is a need for people with impaired capacity, who often live in accommodation independent from their families, to establish a relationship as consumers in their own right. I will elaborate on an example provided by a family in my electorate of Mansfield. A couple's adult child sought an account with an energy provider in their own name in order to access discounts available to people in receipt of a pension. There was no issue in establishing the account online; however, the account needed to be verified by a phone call, which was not possible as their child is not verbal. The child's parents, as informal substitute decision-makers, were unable to achieve the desired outcome as their status was not recognised by the energy company and would therefore require formal guardianship. Many private companies have caused much angst for these parents and their nonverbal child. I am sure this is an ongoing issue which affects many families across our state. I understand there is a system of registration that operates in British Columbia whereby private companies formally recognise informal substitute decision-makers as legal representatives of people with a disability and impaired communication.

On the other hand, Aged and Disability Advocacy Australia, amongst other submitters, believes that the bill is a positive move towards supporting supported decision-making. As stated in their submission—

If passed through Parliament, it is believed that these amendments will provide adults with impaired capacity with more choice and less restrictive options whilst safeguarding their rights. The proposed amendments will also bring Queensland a step closer to achieving our obligations under the UN Conventions on the Rights of Persons with Disabilities.

New general principle 10 will provide a structured approach to decision-making. The approach involves supporting the adult to make a decision if possible and take into account any of the adult's views, wishes and preferences. The bill would extend the scope of section 5 of the GAA, as stated in the explanatory notes—

... to provide that the capacity of an adult (not just an adult with impaired capacity) to make decisions may differ according to:

- i. the type of decision to be made, including, for example the complexity of the decision that is to be made; and
- ii. the support available from members of the adult's existing support network.

The bill would require the minister to prepare guidelines to assist in assessments about the capacity of adults to make decisions.

The committee wishes to thank the previous committee for its work in relation to the 2017 bill. The previous committee received 18 submissions and held a public hearing at which more than a dozen individuals and organisations were represented. The committee notes that the bill proposes to implement a number of the recommendations relating to guardianships made by the QLRC in a review of Queensland's guardianship laws and certain actions arising from the Queensland government's response to the report of the Communities, Disability Services and Domestic and Family Violence Prevention Committee titled *Inquiry into the adequacy of existing financial protections for Queensland seniors*. The bill also proposes to implement recommendations made by the former FAC and PCCC.

The committee supports the proposed amendments. The committee considers that other amendments proposed to be made by the bill, such as enabling the appointment of an administrator for a missing person and providing a legislative exemption to redemption in certain circumstances, would also be beneficial. Further, any members of our Queensland community should contact the Office of the Public Guardian, which provides education about Queensland's guardianship laws and free information and advice to informal and formally appointed guardians for adults with impaired capacity. I commend this bill to the House.



**Mr McDONALD** (Lockyer—LNP) (12.48 pm): The best civil societies in the world look after their vulnerable people. This bill makes some effort but, like so many efforts of this government, it falls short. Not only does this bill fall short but it has been a very long time coming. Today I stand to make a contribution to the Guardianship and Administration and Other Legislation Amendment Bill 2018. On 15 February 2018, over 12 months ago, this bill was first introduced to the House and referred to the Legal Affairs and Community Safety Committee. Our committee's report on the bill was handed down on 23 March 2018. Now, just over a year from handing down this report, the time has finally come for debate. This is another example of a government with its priorities wrong.



Before continuing, I would like to thank the other members of the Legal Affairs and Community Safety Committee for their work on this bill—likewise, the 2017 committee. I was beginning to think that our work last year had been in vain, but finally this bill is being debated in the House. I must also thank the committee secretariat for their invaluable assistance in compiling the report and working through the 18 submissions made to the inquiry into the bill. I also make mention of the member for Southern Downs, whom I assisted in formulating a statement of reservation to the committee report.

Like all members on this side of the House, I will be supporting the bill. The LNP supports any measure that will provide safeguards for vulnerable Queenslanders and improve the efficiency and clarity of current legislation, which this bill does albeit with a few shortcomings. Today I want to bring to the attention of the House these shortcomings and also an under-resourcing issue that the Attorney-General can fix.

This bill's objectives closely mirror those of the 2017 bill, which those opposite obviously felt was not worth their time as they allowed the bill to lapse at the close of the 55th Parliament. The bill seeks to amend Queensland's guardianship legislation in order to provide a focus on contemporary practice and human rights for adults with impaired capacities; enhance safeguards for these persons in the guardianship system; and, importantly, improve the overall efficiency and clarity of existing legislation.

Throughout the committee review process it became apparent that a number of submitters felt this bill had a number of shortcomings which should be addressed. Included among these submitters were the Office of the Public Advocate, Caxton Legal Centre, The Advocacy and Support Centre National, Queensland Advocacy Inc. and seven private individuals directly impacted by the guardianship system. I pay tribute to the work of the Public Advocate, Public Guardian and Public Trustee, who assist many people who come to our offices.

Whilst the submissions by those concerned each questioned separate aspects of the bill, the consistent theme among them was that this bill goes only halfway to providing the most transparent and relevant guardianship system possible. For example, in its submission the Office of the Public Advocate raised its concern that this bill implements only some of the 317 recommendations made in the Queensland Law Reform Commission's 2010 review of Queensland's guardianship system. Most concerning for the Public Advocate was the bill's failure to implement recommendations 14-13 and 14-15 of the review, despite implementing recommendation 14-14.

These recommendations, each of which deals with the eligibility and consent of a person set to be appointed as an administrator or guardian, only function properly when implemented together. For example, recommendation 14-14, which is set to be implemented in this bill, recommends that section 15 of the Guardianship and Administration Act 2000 be amended to ensure the Queensland Civil and Administrative Tribunal, when considering the appropriateness of a person seeking appointment as an administrator for another adult, have regard to whether that person has previously served as a paid carer for that adult. This recommendation is clearly designed to ensure previously paid carers are not made administrator of their patient unless they are deemed to have no overriding interest in that person's affairs. Unfortunately, its effectiveness is reduced by a failure to implement recommendation 14-13. This recommendation helps protect vulnerable Queenslanders by requesting that section 16 of the act be amended to make it a requirement that any potential administrator must inform the tribunal if they have previously served as a paid carer for another person. Furthermore, recommendation 14-15 recommends that the act be amended to include the general requirement that for a person to be appointed as an administrator of another he or she must consent to this appointment. Implementing these recommendations together is the only way to ensure vulnerable Queenslanders do not fall through the cracks in current guardianship administration. Unfortunately, this bill goes only partway to sealing those cracks.

The Advocacy and Support Centre National also raised concerns over a key recommendation left out of this bill. The group argues in its submission that by failing to include recommendation 15-1 this bill fails to recognise the fluctuating capacity of some impaired persons. This, it is argued, simultaneously breaches the United Nations Convention on the Rights of Persons with Disabilities and undermines the objectives and principles of the bill itself.

These and other failures seriously undermine the integrity and strength of this bill; however, under this government failures like this seem to be happening more and more. It is as if the government is running under the mantra that 'close enough is good enough'. Indeed, this bill legislates for the implementation of only a fraction of the 317 recommendations made in 2010. Even more startling is the fact that it has taken this government over three years and one lapsed bill to begin implementing any

of the Law Reform Commission's recommendations. What will happen with the other recommendations? Will we see another bill come in three years time? Vulnerable Queenslanders deserve better than a half job. Getting that right is critical to the lives of many Queenslanders caught up in our state's guardianship system. Unfortunately, this bill does not provide the full measure of safety and clarity for these people.


Nonetheless, as a party committed to helping all Queenslanders, the LNP will support this bill. It is far from perfect but it is a start, and that is better than nothing. All I can say to those Queenslanders whose lives may remain a little clouded after this bill is that I can promise that under a Deb Frecklington LNP government the half jobs we get from those opposite will be a thing of the past. If a job is worth doing it is worth doing properly, and the LNP does its job properly. I would like to add that the only thing this government seems to be able to do properly is run up debt—currently heading towards \$83 billion—and tax, tax, tax—

**Mr DEPUTY SPEAKER** (Mr Stevens): Order! Member, if you could return to the long title of the bill, please.

**Mr McDONALD:** The last point of dissatisfaction is the under-resourcing of QCAT, the tribunal that handles many of these conflicts. This is a further example of a government that has its priorities wrong. In their submission Simone and Robert Lea talked about the shortcomings of QCAT and the under-resourcing, particularly around training and expertise. In fact, the QCAT President, the Hon. Justice Martin Daubney AM, appears to be fed up with Labor's decision to underfund and under-resource QCAT as well. In a recent message the president commented that QCAT's members and registry staff had been 'stretched beyond all reasonable and proper levels of tolerance'. He continued—

Any further delay in appropriate resourcing for QCAT will inevitably result in the tribunal being unable to deliver anything like quick and accessible civil justice to Queenslanders—

as it is charged to do. He also remarked that he was 'hopeful that the executive government will recognise and urgently address these resourcing issues'. I call on the Attorney-General to intervene and properly resource QCAT so that these good people can have certainty in their lives in a timely manner.

 **Mr MELLISH** (Aspley—ALP) (12.58 pm): There is a quote often misattributed to Mahatma Gandhi that a nation's greatness is measured by how it treats its weakest members. This guardianship legislation is, in a modest but tangible way, improving protections for those members of society who may, through no fault of their own, for a moment in their lives, indeed become some of its weakest members. I will focus on aspects of the bill relating directly to guardianship. This bill seeks to amend Queensland's guardianship legislation. It seeks to provide a focus on contemporary practice and human rights for adults with impaired capacity, to enhance safeguards for adults with impaired capacity in the guardianship system and to improve the efficiency of Queensland's guardianship system.

Queensland's guardianship system currently provides a scheme for individuals to be appointed to make personal, health and financial decisions on behalf of adults who no longer have capacity to make decisions about certain matters themselves. It also provides a scheme where adults can plan ahead and appoint individuals of their choice to make personal, health and financial decisions and give directions about their future health care.

Relevant to this bill, I have seen some of the great work the Queensland Public Trustee does in a range of areas related to ageing Queenslanders. I congratulate the Public Trustee and the Attorney-General in particular for ensuring they have an ongoing role in a range of services much valued by Queenslanders. Some of the services provided include enduring powers of attorney, free will making—they are the largest will maker in the Southern Hemisphere—deceased estate administration, management of investments and trusts, auctioning and sale of property and, importantly, financial administration for people with decision-making impairment, among a range of other functions.


This bill is substantially the same as the bill introduced to the previous parliament in September 2017. Minor changes have been made to the bill since it was introduced during the last parliament. This bill will amend Queensland's guardianship legislation—that is, the Guardianship and Administration Act 2000, the Powers of Attorney Act 1998 and the Public Guardian Act 2014.

Debate, on motion of Mr Mellish, adjourned.

Sitting suspended from 1.00 pm to 2.00 pm.

## MATTERS OF PUBLIC INTEREST

### New Zealand, Shootings; New South Wales, Election; Palaszczuk Labor Government, Performance; Liberal National Party, Policies

 **Mrs FRECKLINGTON** (Nanango—LNP) (Leader of the Opposition) (2.00 pm): No words can describe the depth of the evil that descended on Christchurch. Mosques should be places of safety and sanctuary, but at Friday prayers on 15 March they became places of slaughter. My heart breaks for those who were murdered, for those who survived and those who lost loved ones. Their grief cannot be imagined. I was horrified by the cold-blooded butchery of victims chosen simply because of their faith and I was sickened that the terrorist responsible was Australian. He came from this country and we must reflect on that. It is disturbing to realise such evil exists within our society. We cannot ignore it and we must confront all of those who are consumed by racial and religious hatred. Australia must never be a haven for hate.

On behalf of the LNP Queensland, I want to congratulate Gladys Berejiklian on her victory in the New South Wales state election. New South Wales has a strong economy. It has the lowest unemployment in the nation and New South Wales is building vital infrastructure. It is an example of what a dynamic, centre-right government can achieve. What a contrast to the Palaszczuk government in Queensland. Under the Palaszczuk Labor government we have low growth, we have high unemployment and we have an infrastructure crisis.

**Mr Bleijie:** And ministers protesting against each other.

**Mrs FRECKLINGTON:** On top of that, we have ministers protesting against each other. We also have a health system that is in crisis. My three daughters were born in a regional hospital. I personally know what it is like to live three hours away from your nearest maternity centre. I know how frightening it is to be that distance away from a maternity hospital, so I sympathise with the young regional mums of today living in the bush in Queensland. Labor's own maternity task force has confirmed that the number of babies born before they reach rural hospitals has doubled since 2001. It is no coincidence that Labor governments—successive Labor governments—have closed 26 regional maternity services over their time. Babies are now 65 per cent more likely to die in country areas than if they are born in Brisbane. That is a shameful statistic.

This callous Labor government does not care about bush mums. It certainly does not care about their babies. Babies are dying because of the policy settings of this Palaszczuk government and Labor's health cuts. Labor has made this crisis and its health minister has done nothing to fix it. Where is the health minister on this? He is more interested in renaming hospitals and playing the blame game than fixing his own health crisis in Queensland. I believe that every woman, no matter where she chooses to live, has the right to proper health care in this state and has the right to deliver her baby in her community where she chooses to live. The last LNP government reopened maternity centres, and the next LNP government will reopen maternity centres.

It is the opposition's duty to highlight problems which Queenslanders face, but it is also the opposition's role to offer solutions, and that is exactly what we have been doing. There are few bigger problems than the crime wave that has been unleashed under this Labor government. The Labor government's record is appalling. Robbery is up 61 per cent since 2015, armed robbery is up 46 per cent, serious assault is up 35 per cent and car theft is up 45 per cent. We know the member for Stretton knows all about car theft: someone stole his ute with his face on it while it was sitting outside his own electorate office. The criminals are getting that desperate!

Crime is out of control but, while Labor has slashed \$44 million from its police budget, we have a plan. The LNP has a plan to protect our communities. We will give the police the resources and the laws that they need to do their job. In the last few weeks the LNP has announced policies that will cut crime and protect Queenslanders. Nowhere has seen a bigger surge in crime than Townsville. The city has seen robberies increase by 113 per cent. Labor promised the city more police at the last election, but all Townsville has got is more criminals. The police are not getting any help from the Palaszczuk government. The last LNP government brought police helicopters to Queensland and the next LNP government will provide one for Townsville. PolAir choppers have made it easier to track and arrest offenders. What is good for the south-east should be good for North Queensland. There will be no hiding for criminals in Townsville under the LNP.

The LNP also has plans to protect Queensland kids. A future LNP government will introduce a public child sex offender register that will let parents know if there is a sexual predator in their suburb. Every parent has the right to know if someone is a threat to their child. Protecting children and protecting

kids is more important than protecting the identity of paedophiles. If the offenders are not happy about being identified, I have some advice for them: do not rape kids. Do not sexually abuse kids. Do not whine about your rights when you have destroyed innocent lives. I will not make any apology for being tough on child sex offenders. These people have destroyed innocent young lives. We know the Palaszczuk Labor government has been far too soft on these criminals. Why does the Palaszczuk government consistently look after the criminals rather than the victims? We know that it is this Labor government that allows some of these vile sexual offenders to apply for blue cards. The LNP will close that loophole that would allow would-be rapists and even child killers to apply for those blue cards.

We will also protect Queenslanders from violence on our roads. We know that road rage is a growing menace. We have all seen footage on the TV news of drivers losing control and lashing out at other road users. We have seen drivers waving meat cleavers and even bashing old men at traffic lights—unacceptable behaviour—and this violence has to stop. The LNP plans to introduce two new offences to crack down on road rage. Every driver who loses control loses their licence. The worst offenders can be jailed for up to five years, because we know that drivers and people on our roads deserve to get home safe. The LNP wants every Queensland community to be safe. We need to give our police the tools to fight crime. We will stop Labor's rising tide of crime in its tracks and we will make Queensland safe again.

With the small amount of time that I have left I would like to acknowledge the students from Geham State School who are in this chamber. What a great local regional school. A lot of those children were born in regional hospitals. If it were not for their great parents who have chosen to live in the bush and live in the regions, we would not have amazing schools like Geham State School. It is wonderful to see you here and—

**Mr Bleijie:** We'll air-con your classrooms.

**Mrs FRECKLINGTON:** Absolutely. With the last 10 seconds that I have remaining on the clock, a future LNP government will air-condition every classroom in Geham State School.

### **Baloon Caves, Aboriginal Rock Art; Hansen, Councillor J**



**Hon. LM ENOCH** (Algeria—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (2.10 pm): It gives me no pleasure to rise to speak to this matter of public interest. I do so on behalf of the Carnarvon Gorge Aboriginal working group and traditional owner representatives of that country, the Bidjara, Karingbal and Garingbal groups, having recently received a letter from them following behaviour that occurred in this chamber.

During the parliamentary sitting of 13 February, in an attempt to score political points against the government, the member for Warrego tabled photographs of Aboriginal rock art from the Baloon Caves that were damaged during last year's bushfire in the Carnarvon National Park. Shortly after that I addressed the House to convey my disgust at the member's actions, because I knew that that went against the express wishes of the owners of those stories.

The Carnarvon Gorge Aboriginal working group has since written to me to express the grief they felt when the member opposite tabled these photos. They wrote—

It was a shock and very upsetting for us when photographs of the destruction at the site were tabled in Parliament. The act of tabling those photographs, leaving aside the question of how they were obtained when the site is restricted, was extremely offensive. It undermined our own management of the matter, disregarded our grief, and made our loss a political point scoring exercise. We were, and remain, disgusted by this behaviour.

I table this letter for the benefit of the House.

*Tabled paper:* Letter, undated, from The Carnarvon Gorge Aboriginal working group to the Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts, Hon. Leeanne Enoch, regarding tabled photographs of the destruction of cultural works at Carnarvon Gorge [\[404\]](#).

In December last year I visited the site of this fire with traditional owners and I cannot begin to describe the sorrow this community was experiencing. As a traditional owner myself, I understand the deep spiritual significance that cultural artefacts like these have. The potential loss of artwork such as this is akin to losing a loved one.

If the member for Warrego had taken the time to speak to the traditional owners about this issue before using their pain as a political weapon, she would have received the same request that I received, which was to allow them time to communicate the loss within their communities and family groups before the news was made public. The action of the member for Warrego stands rightfully condemned and I believe that she owes the traditional owners an apology.

If we are to truly represent the first nations people in this place, we need to rebuild the trust that has been eroded over many years. That starts with respect: respect for culture, respect for country and respect for the wishes of a people who have cared for this country for thousands of generations. The Queensland Parks and Wildlife Service and I will work with the traditional owners to investigate how this artwork might be restored and minimise the chance of this happening again here or elsewhere in the state. We will do this as partners.

The way we behave when we are discussing issues such as cultural heritage is an important signal for what we truly believe. In recent events across the world we have seen what happens when racism is allowed to go unchallenged. From a personal perspective, last year I was the subject of racist comments from Councillor James Hansen of the Fraser Coast Regional Council. Councillor Hansen made comments on social media calling into question my Aboriginality and, in doing so, my connection to my community and my family. Those comments were hurtful to both my family and me and I made a formal complaint against the councillor, as did the mayor of Fraser Coast and others.

Last week, I was advised that Councillor Hansen has been found to have engaged in misconduct by the Councillor Conduct Tribunal. The tribunal has ordered that the councillor make a public admission of his actions at a meeting of the Fraser Coast Regional Council. I table the tribunal's decision for the benefit of the House.


*Tabled paper:* Document, dated 12 February 2019, titled 'Councillor Conduct Tribunal: Councillor misconduct complaint—Summary of decisions and reasons for department's website' [405].

Quite simply, Councillor Hansen's comments were unbecoming of an elected official. They represent exactly the kind of vile statements we need to take a stand against. More recently, the councillor has gone on to provide further offensive commentary about attacks on the Muslim community in Christchurch. His comments were directed towards a community in mourning and, quite frankly, were disgusting. They are further proof that he still does not understand how to engage in positive, respectful dialogue.

I bring both of these issues to the attention of the House today—the actions of the member for Warrego in relation to Aboriginal artwork and Councillor Hansen's comments—because enough is enough. There is nothing casual about racism. I will not sit quietly while first nations people are disrespected, especially not when that disrespect comes from elected representatives. The time has come for truth telling and agreement making with Aboriginal and Torres Strait Islander people and that is what we will be bringing here.

*(Time expired)*

## Transport Infrastructure

 **Mr MINNIKIN** (Chatsworth—LNP) (2.15 pm): I rise to speak of a matter of public interest that should be of concern to everyone in this chamber. I refer to the Queensland Audit Office report No. 4 of 2017-18, which deals with integrated transport planning in this great state. I am sure all members recognise the independence and the value of the work of the Queensland Audit Office. It conducts financial and performance audits across the entire public sector as well as identifies improvements in service efficiency and effectiveness. This important role enables the Auditor-General to develop unique insights into the financial sustainability of the Queensland government. It is one of these insights that is contained in report No. 4 that I will be highlighting today.

The report relates to integrated planning for the transport system and notes that the responsible government agencies do not have in place comprehensive frameworks for monitoring progress on all elements against transport outcomes. Although that is worrying enough, of particular concern is the conclusion drawn in the report that the renewal of the existing transport network has been and continues to be underfunded. In effect, the maintenance that is needed to keep our transport networks safe and functioning properly is falling further and further behind under this do-nothing Labor government.

**Government members** interjected.

**Mr MINNIKIN:** I will not take offence because some of us have broad shoulders. Indeed, the responsible agency—DTMR—forecast that the renewal backlog on the state controlled road network will exceed \$9 billion over the next decade. The Auditor-General's report goes on to state—

The underfunding has resulted in risks to the sustainability of the transport network. The overall condition of the transport network falls well short—

I repeat, 'well short'—

of DTMR's target standards.

That is absolutely unacceptable. Although we know that a generation of Labor governments has bestowed on Queenslanders a mountain of debt with no solution in sight—which is why some of them had a little holiday for a few years a few years ago—their so-called legacy also extends to chronic underfunding of the existing road network.

As honourable members know, our transport network connects our regions. It helps foster economic growth and it provides jobs for many Queenslanders. The implications of this ongoing financial neglect of the maintenance of our transport network are severe. I refer to some roads in the regions that are already suffering from neglect, which will impact freight operators, tourist operators, mining operations and everyday users. In the North Burnett, there is the Eidsvold-Theodore Road and the Mundubbera-Durong Road. In the Banana shire, there is the Westwood turnoff. In the South Burnett, there is the road from Mundubbera to Dalby. In the Western Downs, there is the Jandowae Connection Road and the Dawson Highway. In the Central Highlands Regional Council area, there is the road from Clermont to Rolleston, which is the Gregory Highway and the Dawson Highway. In the Isaac Regional Council area, there is the Gregory Highway and, in the Toowoomba Regional Council area, there is the Bowenville-Moola Road.

Unfortunately these regions can expect their backlog maintenance in relation to our highways to take longer and longer before they see the light of day. The many bridges that are already in poor condition are long overdue for remediation and will be awaiting longer periods before they are finally repaired. Even the rest stops, so vital as a road safety measure to help reinvigorate tired drivers, will not receive the adequate attention they deserve. What must be also borne in mind is that as it takes longer to complete the maintenance the more likely it is there will be further deterioration, so the problem just keeps on compounding.

Based on the audit conclusion it appears as though the situation is grave and this minister is out of his depth. However, the possibility of the current Minister for Transport and Main Roads ever fixing the maintenance issues seems distinctly remote given the inability to even offer a date to restore the 472 weekly train services that were cancelled in late 2016. Now we have 'road fail' as well as 'rail fail'. What an absolute genius! It takes a very special mix to have your own Twitter hashtag #railfail and now, under this man's watch, #roadfail.

### Hamouda, Mr H



**Mr PEGG** (Stretton—ALP) (2.21 pm): I rise today to speak about Hazem Hamouda, a 55-year-old father of six from Kuraby in my electorate who has been detained in Egypt now for over 14 months. I acknowledge the presence in the gallery of Hazem's wife, Evelyn, his daughters Lamisse, Jasmine and Amira and also his granddaughter Amalia. The nightmare for the Hamouda family began back on 25 January 2018 when Hazem landed in Cairo for a two-week holiday with his family. Hazem was to meet up with his children Lamisse, Saja and Harun, who were already in Egypt. Hazem never made it past airport security. He was detained for two days at the airport. For eight days his family searched for him in Cairo as they had no idea where he was. Eventually they found Hazem in the notorious Tora Prison where he was kept for 22 hours a day in a nine by three metre cell in appalling conditions with 13 other men. He slept on the floor as there were no beds. Hazem had trouble getting the correct medication and he contracted scabies. Hazem's daughter Lamisse gave up her studies and her job to try to help her father and also bring him food.

Over the weekend of 16-17 February this year the family were informed that Hazem was due to be released from Tora Prison on 18 or 19 February 2019 following an order from the Prosecutor General Nabil Sadek. The family were obviously very excited when the Department of Foreign Affairs contacted them to say that Hazem would be released with all charges dropped and they were understandably distraught when Hazem was not brought to the appointed police station. He had disappeared. Hazem was eventually located and finally released in the early hours of 6 March 2019 having spent 405 days in arbitrary detention. To make it clear, at no stage did he ever have a charge laid against him and at no stage was there ever any evidence presented against Hazem at any point.

Ultimately, Hazem arrived at the airport on the evening of 6 March this year with his daughter Saja. Their passports were confiscated and Hazem was informed that because he had been in Egypt for more than six months, despite the fact that the only reason for him staying longer than six months was his detention by Egyptian authorities, he was required to produce a national ID document or a birth

certificate and a military service exemption permit. Hazem was unable to produce his national ID document because it was lost by the police during his period in detention. Plain-clothes national security officers were present at the airport when he was refused the ability to leave the country, causing Hazem significant distress and concern he would again be arrested. He requested sanctuary in the Australian Embassy but this request was refused. Hazem has since requested the support of the federal government to obtain the relevant documents he needs to be able to leave the country and this support has also been refused.

Currently Hazem is stuck in Cairo waiting for a military exemption certificate and the hearing is happening this Saturday. While the federal government has been offering consular assistance to the family, this assistance has been limited. Hazem has requested further help from the federal government so that he can return back to my local community. I strongly urge the federal government and the Minister for Foreign Affairs to do all they can to bring Hazem home.

Peter Greste, the well-known Australian journalist who was imprisoned in Egypt, had this to say about Hazem's case—


Hazem's torment of imprisonment without evidence, without trial and without due process has continued far longer than any respectable justice system should allow. I well understand what Hazem and his family are going through and I call on the Interior Ministry to correct this injustice and release Hazem immediately. I also urge Australia's foreign minister Marise Payne to do all she can to find the Australian national and have him returned to his family in Brisbane.

I want to conclude with the words of Hazem himself. He says—

Australia is home. It is my country. It is who I am. My release will be completed when I am reunited with my family back home in Brisbane.

Hazem may not be a famous sports star and he may not be a celebrity, but he is a local father in my community with a family who loves him. In fact, he has lived in Australia for over 30 years. It is well and truly time to bring Hazem home, back to his family and his local community where he belongs.

### Governing from the Regions, Sunshine Coast

 **Mr BLEIJIE** (Kawana—LNP) (2.25 pm): Roll out the red carpet! On 11 March the honourable Premier advised her few Facebook followers, 'We are governing from the Sunshine Coast. This is an opportunity for cabinet to reach out to community and listen. We want to hear about the issues and what the region needs to keep up with the growth now and in the future and how we can help make that happen.' The best thing the Palaszczuk Labor government can do to help the Sunshine Coast is stay away from the Sunshine Coast—other than write a cheque.

How is it that governing from the region for an entire week ended up being for two days? Half the cabinet could not last until Tuesday night. They ran out of things to do—they fled—which is a complete insult to the Sunshine Coast community. We wanted to talk to the Minister for Transport and Main Roads about the Mooloolah River interchange. Where was the money for the Mooloolah River interchange? We wanted to talk about proper funding for the rail duplication. Where was the rail duplication money? The government is happy to fund Brisbane's rail system 100 per cent but will not give 20 per cent to the Sunshine Coast. In the electorate of the Treasurer the government is happy to give 100 per cent funding for the rail system but not a cent over 20 per cent for the Sunshine Coast rail system. Where is the Caloundra Road money? The minister fixed it! He put traffic lights on the roundabout. That was a smart idea! I suspect they have stopped being used because they were not working effectively. Every time I have been on the roundabout at Nicklin Way, Caloundra, the traffic lights have not been operating. I think they worked out that was money not well spent.

Where was the health minister when Mark Forbes set up the first residential facility for eating disorders in Australia? He was written to by constituents Mark and Gayle Forbes, whose own daughter suffered eating disorders. They set up the first eating disorder residential facility in the country on the Sunshine Coast and the Minister for Health refused to go and look at the facility. What a shame.

We do not have any rail duplication funding announcement. We have the Cross River Rail funding because we know this government is Brisbane-centric. To top it all off, for the ministers who did last three days, we had that pearler of a press conference with the federal members Ted O'Brien and Andrew Wallace and yappity yap over there, the Minister for Transport and Main Roads. It says something about a person when they refuse to even shake the hand of a colleague—which the Premier did. She had such a hissy fit. She walked off out of the press conference. Before she walked off she looked at Ted O'Brien, the federal member for Fairfax, refused to shake his hand, folded her arms—

the arrogance of the Premier—and walked off. But back-up arrived. Who stepped in? The Minister for Transport and Main Roads stepped in. That was an uncomfortable situation for the minister. It says something when that guy has to defend the Premier.

**Mr DEPUTY SPEAKER:** Order! The member for Kawana needs to refer to members by their correct title.

**Mr BLEIJIE:** The one the CCC referred to as a fool. That is who I am referring to. That is how the Crime and Corruption Commission referred to this minister.

**Mr DEPUTY SPEAKER:** Member, use correct titles, please.

**Mr BLEIJIE:** Thank you. The Minister for Transport and Main Roads had to jump in because the Premier had a hissy-fit and walked out of the press conference. Do you know what it showed? It showed what we see about this Premier all the time in this parliament—the arrogance of this Premier. Because the Premier rarely does press conferences, the public do not really see that other side of the Premier, but it was on full show.

How was it that the Premier rocked up at one of two press conferences during the whole week at a school in the morning to be peppered with questions about why schools are not air-conditioned? She said, 'Oh, this government is giving \$23 million in air-conditioning.' No, Premier. That is the Cooler Schools program, which does not apply to schools south of Gladstone. The Premier is misleading the Sunshine Coast community and there is no regard for the Sunshine Coast community.

**Ms Jones** interjected.

**Mr BLEIJIE:** The minister for tourism is squawking now. She could not even stay the five days. Tourism represents one of the Sunshine Coast's biggest investments and opportunities but the tourism minister could not even stay the five days. The minister cut and run to attend Brisbane events. In fact, I think I saw her tweet that she was at a fundraiser for the Labor Party federal candidate. That is the tourism minister's priority. The only party that cares about the Sunshine Coast is the Liberal National Party. Its great local members will always defend the Sunshine Coast community. Next time Palaszczuk wants to visit the coast, bring the cheque book!

**Mr DEPUTY SPEAKER:** Before I call the member for Bancroft, I remind the member for Kawana to use the member's correct title.

### Energy Policy



**Mr WHITING** (Bancroft—ALP) (2.32 pm): What about the unmitigated disaster of the Queensland Nationals' foray into federal energy policy? They thought a coal-fired power station would solve all of those woes. They went to their leader, Mr McCormack, but he could not deliver. They went behind his back to the Prime Minister. He said, 'We will look after you.' What did we hear today? He just announced that the LNP will get a feasibility study. Well done, LNP. That was well worth chopping down your federal leader for! It shows that they are divided and delusional and shows how ineffective their leadership is at the national level. It is brilliant tactics. It is the equivalent of rolling a hand grenade into the coalition party room, quickly shutting the door and locking it so no-one can get out.

The self-immolation of the federal Nationals in terms of the Queensland Nationals shows that they do not support Queensland's renewable energy economy. George Christensen said, 'Neither solar panels nor wind turbines nor fairy dust will supply the baseload power needs of the nation.' For someone who criticised Labor for not supporting industry in regional Queensland, that is quite rich. In fact, he is belittling an industry based in regional Queensland. These Nationals bumbler at the national level do not know or care about the strength of the Queensland renewable energy economy. They do not know or care about those 18 large-scale projects that commenced over the last two years, delivering 1,700 megawatts of power into the national grid. They do not know or care about the 14 large-scale projects in construction that will deliver \$2.8 billion into our economy or about rooftop solar. With 600,000 homes in Queensland with rooftop solar, 2,000 megawatts is being pumped into the grid. Collectively, solar rooftops are the biggest generator of electricity in Queensland.

Yesterday Keith Pitt said that the Nationals want new power generation and competition. I do not know if he noticed, but we have built a new power station in Queensland—rooftop solar. Collectively, that is the biggest power plant in Queensland. He did not notice that or that we have introduced competition as well. We created CleanCo, which will introduce competition and better our local power generation economy. The question is: why do the Nationals not support renewable energy? The answer is that they have an ideological obsession about climate change.



**Mr Butcher** interjected.

**Mr WHITING:** I take that interjection from the member for Gladstone. They have this great fear that, if they support renewable energy, they must accept the science of climate change. They are determined either to prove climate change is wrong or to prove that it does not exist. If it does exist, it is not going to be a problem whatsoever. We in this parliament have seen the Nationals' aversion to climate change reality. Last term, I think only one member opposite said the words 'climate change' or 'so-called' climate change. That has continued on in this term as well. In the debate on the Mineral Water and Other Legislation Bill the member for Gregory said he was uncomfortable with climate change science being used to assess water plans. He said he wanted to see robust science untainted by green ideology. Therefore, science—

**An honourable member** interjected.

**Mr WHITING:** You are just proving my point here. I advise you to be quiet in this case.

**Mr DEPUTY SPEAKER:** Order!

**Mr WHITING:** I am moving away from the best contribution yet of the member for Callide, who quoted a speech from a climate change denier that stated that global warming is not the issue; it is the return of the ice age. He said, 'Ice, not global warming, is the big killer and this recurring calamity often strikes quickly. Thousands of mammoths and other creatures were killed by ice storms.' I know that the mammoth hunter opposite mourns their loss, as do we all. The remaining Liberals on the other side have to put up with this nonsense. Trevor Evans will not put up with it. He has called them out. He has called them a lonely minority who are whistling Dixie on energy policy. This foray shows that the Queensland Nationals are a bunch of bumbling numpties when it comes to national energy policy.

### Youth Crime; Rail Transport



**Mr KATTER** (Traeger—KAP) (2.37 pm): The high social impact from a lack of action on youth crime and people coming in from the Northern Territory has long since surpassed the tolerance of people in Mount Isa and now Normanton. There was another round of reports on addressing youth but nothing meaningful in terms of delivery. I am sorry to say that a heap of organisations in the north-west spend too much time at the desk. This is nowhere more evident than in Normanton recently when a small group of kids—everyone knows who they are—wrought havoc around town. No government organisation wants to take responsibility for them.

Youths in town are in need of a new system that is not binary in terms of locking them up and spitting them back out on the street—but they are too soft, so there are no repercussions for bad behaviour. Relocation sentencing remains one standout solution. An institutional type facility is taken from the urban areas and turned remote, dramatically reducing the security demands on the facility and opening up the opportunity for programs to be bolted on so that youths then start to learn how to pour a slab or strain a fence line rather than learn new ways to pinch a car or pinch petrol to sniff, as they do at Cleveland.

The problem, however, is not only with the youth. One is 10 times more likely to be a victim of domestic violence in Mount Isa than in north Brisbane, five times more likely to be a victim of property crime in Mount Isa than in north Brisbane and assault offences are 10 times more than those in north Brisbane, yet still we constantly battle to get adequate police resources. Another catalyst is the intervention in the Northern Territory, with alcohol bans and BasicsCards forcing many itinerants into Mount Isa. This not only displaces the problem while avoiding a real solution but also puts undue pressure on all our services and causes a lot of tension on services such as housing in Mount Isa.

Over the past couple of years, horrific crimes were reported to my office. Recently, one teenager was savagely beaten into intensive care by a large group of youths of his own age, even after his friends tried to save him. Last year, a 92-year-old woman was bashed and endured an attempted rape by a younger male from the Northern Territory. Last night, an 83-year-old pensioner was harassed by youths who broke into her house and stole just \$10. One man I know quite well, whose house had been repeatedly attacked by youths, suddenly decided to crawl back in the dead of the night and attack one of the people who had been repeatedly stealing from his place. Now he faces a prison term. This is a small snapshot of what those in this far-flung area of the state face.

Good people trying to make a living are asking for something small in return for their taxes and the royalties they produce from this area but cannot get the tools and resources to stay safe. It is not much to ask. People in my area get angry all the time and deserved some action on this years ago, not

at some point in the future. To date, all efforts are well short of what is needed and require immediate action from both the Minister for Police and the Minister for Child Safety, Youth and Women and Minister for the Prevention of Domestic and Family Violence.

I raise yet again the great black mark on rail transport in this state that is the business impositions placed on operators such as Queensland Rail on the Great Northern Railway. This has been exacerbated further with recent interruptions from the flooding. By way of a segue, a very competent recovery appears to be underway there at the moment.

The situation was highlighted a few weeks ago when another road train driver tragically lost his life in a collision with a light vehicle. When does this start to be an acute problem for the government? Until they remove the ridiculous impositions placed on the operators of this line and, more importantly, Queensland Rail, we will continue to see more trucks on the road carting bulk ore and fewer wagons on the rail line.

There have been three fatalities in the past 18 months involving road trains and light vehicles. In most cases the collisions were caused by light vehicles and eventuated in the loss of a truck driver. Let me make it clear that there is no fault on the part of the truck drivers, as might be thought, when it comes to their ability. This is a direct result of complacency by government in letting too much business go onto our roads rather than by rail. This is mainly due to costs and constraints caused by the Queensland Competition Authority.

Waiting around for another year or two for a review is simply lazy when people are dying on our roads. What we have in this situation is a ratchet type mechanism where no contract on the rail line can be lower than the last one. There are fixed costs which are imposed on the users of the line. That is a unique characteristic of the Great Northern Railway. Nowhere else in Queensland does that situation apply. Whoever is left on the line gets lumped with more fixed costs. Then there are restrictions on backloading and the backloading is at full price. That is a disincentive for anyone to use the rail line. I warned years ago that we would see deaths on our roads if we failed to act. The government has failed to act and more people have died.

### **Maryborough Hospital; Rheinmetall-NIOA**



**Mr SAUNDERS** (Maryborough—ALP) (2.41 pm): I rise to talk about the work of the Maryborough ED. Last Friday was a very important day in the Maryborough electorate because we opened the first section of the \$14.3 million upgrade to the Maryborough Hospital. This is in addition to the other work that the Palaszczuk government has done in reinvigorating the Maryborough Hospital, including the upgrading of the air conditioning, the rewiring of the hospital, new lifts et cetera.

The first stage of the \$14.3 million upgrade is the upgrade to the A&E and specialist outpatients departments. We have increased the treatment spaces in the hospital from 10 to 18. That includes 13 consultation rooms, three treatment rooms, a plaster room and a procedure room. This is absolutely amazing. I walked through this last week with Peter Heath from the WBHHS. It is amazing to see the transformation of the Maryborough Hospital. It is a state-of-the-art facility compared to what it was.

I congratulate the former health minister, the current health minister, the CEO of the WBHHS, the board and board chair Peta Jamieson who have been working with me to make sure the upgrade of the Maryborough Hospital is on target, on time and on budget. This is going to be a big bonus for not only those of Maryborough city but all those in the satellite towns around Maryborough—Howard, Torbanlea, Boonooroo, Maaroom, Poona, Tiara et cetera—who come in and use the Maryborough Hospital.

The next part of the extension is to the emergency department. We are going to increase the treatment spaces from 17 to 21, including six acute bays, four fast-track bays, two resuscitation bays and seven clinical decision unit beds. This is being done by the Palaszczuk government when we have had \$11 million taken out of the Health budget by—is it the Abbott-Morrison government? I do not know who the Prime Minister or the Deputy Prime Minister is from day to day. We have lost \$11 million a year from the Wide Bay Hospital and Health Service.

I know that my private health insurance will go up on 1 April. The WBHHS has had a 40 per cent increase year on year in patients through the ED. It is already 15 per cent up on this time last year. People cannot afford their private health insurance because of the—let us go through it again—Abbott-Turnbull-Morrison, who is next, government which is doing diabolical things in the WBHHS, my area. They cut funding by \$11 million. Not only that, they have cut money from our dental budget.

We hear them say that they are really concerned about Queenslanders. What did we hear from the two federal LNP members? Nothing—crickets, crickets, crickets. They have cut \$11.5 million out of our budget. That is very harmful to the people of the Wide Bay.

The other good news—and I would like to congratulate the member for Woodridge on this—is the Palaszczuk Labor government grant of \$7.5 million to the Rheinmetall-NIOA shell casing factory in Maryborough. This will create 110 high skill jobs for our community.

Once again, what did we see? We had the member for Woodridge, the Minister for State Development, come to Maryborough, but we had to physically drag the federal government to the table and say, 'Show us your money.' Once again they were all promises but no action. It was only due to the efforts of the member for Woodridge, the Minister for State Development, the ALP candidate for Wide Bay, Jason Scanes and me that the federal government came to the party.

I also thank the Mayor of the Fraser Coast Regional Council, George Seymour, for his fantastic work with Rheinmetall-NIOA. This will transform Maryborough. This is a great manufacturing business that will come to Maryborough. It will create about 110 full-time jobs and bring a worldwide company, Rheinmetall, to the Maryborough district. We can thank the Palaszczuk Labor government for once again delivering for regional Queensland.

### Braun, Dr W



**Ms BATES** (Mudgeeraba—LNP) (2.46 pm): I rise to update the House on an important matter of public interest. One month ago today I rose in this House to raise some very serious allegations against a senior Queensland surgeon, Dr William Braun. These allegations had been provided to us in the lead-up to that sitting week. They were brought to our attention by a number of senior doctors who had been raising these and similar issues about the professional and clinical conduct of Dr Braun for years.

These doctors were frustrated at the lack of any recognition of their concerns. They were fed up, and rightly so. The numerous and varied complaints raised had seemingly fallen on deaf ears. In some cases issues had been brought to the attention of health authorities several years ago. Complaints were either ignored or investigated and dismissed. We understand that two of the senior doctors who were on the review of the Dr Patel saga are of the opinion that Braun is potentially worse than Patel.

I am pleased to say that within 48 hours of that speech, Dr Braun had been suspended from clinical practice in both Queensland public and private hospitals. The response to my speech was fairly swift, but it begs the question why it had to come to this. The matter is not over and there are many unanswered questions. Dr Braun is under investigation and I will not prejudge the outcome of that investigation. However, since I spoke about these issues there have been many more complaints from around the country from other doctors and patients. These are everyday Australians who have been treated appallingly.

I want to reassure Queenslanders that by far the vast majority of health professionals act honourably and ethically at all times. The actions of a few bad apples should not undermine confidence in our health system, but it also should not be forgotten that clinical mistakes can permanently scar patients and cost lives.

The fact that these complaints were not acted upon until I raised them in a public forum such as parliament raises other serious questions about the system. In recent weeks we were alerted to the fact that Dr Braun was a flight risk, given his personal and professional links to Russia and that region. On Friday, 1 March I wrote to the Premier with these concerns and made her aware of the possibility that he may flee the country.

As I said, further cases have emerged in the last couple of weeks. In one case a woman told us—

I had surgery under him in December 2017 and he has performed surgery that I had not 'approved'. This went to the Australian Health Practitioner Regulator and due to documents, he had clearly made up (and had colleagues sign witness statements), AHPRA found in his favour and he had done nothing wrong. I had no documentation to prove otherwise and still have a \$7000 bill outstanding as a result of his 'error'.

As a result of feeling threatened by him, I had no post-operative care or support since the day I asked why they made the mistake, which in my eyes is also malpractice.

In another case, dating back to 2017, we were told—


I was admitted to NW Hospital by William Braun for a hernia operation. The next day I was discharged. That night I contracted severe abdominal pain. The next day ... after the hospital checked with Braun that I could be re-admitted I was re-admitted to NW Hospital and allowed to languish there unattended by Braun, I did see a house doctor, but no tests were arranged ... A different house doctor decided to do a blood test. A CT scan was conducted and after that I was urgently transferred to Redcliffe hospital for emergency surgery and an operation was performed which saved my life. I had contracted very serious septicaemia. I never saw Braun at all until the Redcliffe hospital and then only twice. On the first occasion ... he made an offensive and uncalled for comment to my wife (in front of me) "at least he didn't die".

I understand that this matter is now before the Health Ombudsman. Two other former patients both contacted us with concerns about their clinical treatment. In both cases there was a concern that the patients nearly died. One patient told me that she felt blamed and that throughout her treatment she felt intimidated. For the benefit of the House and the public, I table additional de-identified documents received in the last few weeks.

*Tabled paper:* Bundle of correspondence regarding Dr William Braun [406].

I want to reassure those who have contacted me that we will be monitoring the investigation very closely. All allegations have been referred to the relevant authorities. I am calling on health authorities to be open and transparent and to make sure this is a priority. As I said in my previous speech, Queenslanders deserve a world-class health system with patient care and safety as the priority.

### Gladstone State Development Area

 **Mr BUTCHER** (Gladstone—ALP) (2.51 pm): I rise today to speak about the incredible opportunity that exists in my electorate and one that only Labor has a plan to capitalise on. Gladstone is an industrial powerhouse with industry on all of our borders. We have long-established businesses in Gladstone like Queensland Alumina, which recently celebrated its 50th anniversary, and we have new projects like Acciona's Aldoga renewable energy project, which when complete will be one of the largest solar farms in the Southern Hemisphere.

What makes Gladstone so attractive to industrial investment is simply two things: access to state land with proximity to power sources and a deepwater port, and a government with a clear agenda to deliver jobs and growth. The Gladstone State Development Area, declared in 1993, is dedicated for industrial development and materials transportation infrastructure. Comprising almost 30,000 hectares of land adjacent to the port of Gladstone—the largest multicommodity port in Queensland—the Gladstone State Development Area has connections to major rail and road networks and power sources.

All you have to do is look to the projects of national and international significance already operating with the state development area to understand the importance of having this valuable land available. Locating projects within the state development area provides many benefits to businesses and industry, including access to our highly skilled workforce in the Gladstone region, greater planning and development certainty for project proponents, and fast-tracking economic development through efficient processing of applications and requests.

It was only five years after receiving project approval from the Coordinator-General that Australia Pacific LNG celebrated the first shipment of liquefied natural gas from its facility in Gladstone. I had the pleasure of having lunch with the ex-manager the other day. She was telling me that they are now producing record levels of LNG from that facility. Labor backed and built the LNG pipeline—now a \$60 billion industry providing ongoing employment. We have seen the investment in biofuels from Southern Oil, with the establishment of their pilot plant in the industrial area—which has moved on to testing with the Scania engine, as we announced last sitting week, which is now running on 100 per cent renewable fuel.

The Palaszczuk government has a plan for biofuels. We set out a roadmap and invested in giving business the confidence to start operations not only in Queensland but also in my electorate of Gladstone. Southern Oil's Managing Director, Tim Rose, has said many times that the decision to put the new refinery in Gladstone was made easier with the announcement of the Palaszczuk government's biofutures road map, stating that it was 'the only forward-thinking policy in Australia in this critical area'. Our government's clear commitment to developing energy sources of the future is sending the message that we are open for business, and that message certainly is being heard loud and clear.

The world is looking to hydrogen. Yet again, Queensland is leading the way, with Gladstone at the helm. The Palaszczuk government released the Advancing Queensland's hydrogen industry discussion paper for community and industry comment, and the responses received will inform the development of a hydrogen industry strategy for Queensland. Our government allocated funds in our 2018-19 budget to the investigation of producing and supplying hydrogen at a competitive price as an alternative energy source, and we have already seen industries emerging in Gladstone in this area.

Northern Oil is planning to produce biohydrogen. There are partnerships with CSIRO and the Queensland University of Technology. There is Mercurius, ReACH technology and Sumitomo. These companies and patented technologies are at the forefront of the developing hydrogen industry and they are doing it in the Gladstone region.

Building on the work of the Palaszczuk government, a Shorten Labor government will make Gladstone the hydrogen capital of Australia. A Shorten Labor government will deliver a \$1 billion national hydrogen plan to create new jobs, support new businesses and supercharge Australia's renewable energy industry. Once again, Gladstone will be at the forefront, with a \$3 million hydrogen hub that, as announced, will be set up to trial these technologies.

Only Labor is taking a hands-on approach to supporting the new jobs and industries Queensland needs for the future, unlike those opposite and their federal colleagues who are stuck in a loop of infighting and confusion with 12 different energy policies—and they still do not have a plan. The Palaszczuk government is leading the way. We have a vision for securing jobs of the future but, more importantly, we have a plan—a plan that is backed by industry and a plan that supports jobs in the Gladstone area.

*(Time expired)*


**Mr DEPUTY SPEAKER** (Mr Stewart): Order! The time for matters of public interest has expired.

## **GUARDIANSHIP AND ADMINISTRATION AND OTHER LEGISLATION AMENDMENT BILL**

### **Second Reading**

Resumed from p. 648, on motion of Mrs D'Ath—

That the bill be now read a second time.

 **Mr MELLISH** (Aspley—ALP) (2.56 pm), continuing: I will continue from where I left off. Guardianship legislation such as this will have relevance for most of us at some point in our lives. Many of us will know someone who can no longer make their own decisions because they have a cognitive impairment such as dementia. One day in the future many of us may well be one such person. There are also instances where an adult's capacity to make decisions may be impaired due to an acquired brain injury, intellectual disability or mental illness. Queensland's guardianship system establishes a scheme for substitute decision-making for adults with impaired decision-making capacity. Overall, Queensland's guardianship legislation is working well. These amendments will make the law clearer and more user friendly, strengthen the safeguards for adults with impaired capacity and better align the law with contemporary practice and human rights.

One of the significant amendments included in this bill is the introduction of a statutory exception to ademption. Ademption occurs when the gift of a specific item or property in a will fails because, prior to the testator's death, the property is sold or otherwise disposed of. A common example is where a person leaves their house as a specific gift in their will but then sells the house to fund their own aged care and the person does not update their will to reflect the changed circumstances. Upon the person's death, the gift is adeemed because it no longer forms part of the testator's estate. Any remaining proceeds from the sale fall into the residue of the estate and go to the residuary beneficiaries, potentially leaving the intended beneficiary of the specific gift of the house with no interest under the will.

As such, the rule of ademption may significantly distort the testator's intention and/or result in unjust outcomes. This is especially the case if the testator is an adult with impaired capacity who will not have the capacity to change their will to deal with the situation, and it is an attorney or administrator who deals with the adult's property. This will be amended so that, when an attorney under an enduring power of attorney or an administrator deals with the testator's property that is a gift under a will, the beneficiary is entitled to the same interest in any surplus money or other property arising from the sale or other dealing with the property. This will give effect to the testator's intentions before they have lost capacity to do so themselves.


Some of the other reforms that will enhance safeguards for adults with impaired capacity in the bill include requiring QCAT, when carrying out its functions or powers under the Guardianship and Administration Act 2000, to the greatest extent practicable to seek and take into account the views, wishes and preferences expressed or demonstrated by the adult and any members of the adult's support network.

It also includes strengthening the eligibility requirements for an attorney under an enduring power of attorney so that the eligible attorney must have capacity for a matter and must not have been a paid carer for the principal, being the adult, in the previous three years. It is sad to see that reforms such as

the last one I mentioned, in particular, are required to protect vulnerable people. One can only imagine the exploitation of the individuals which has led to such a provision as that being required to be in the bill.

I know that some aspects of this bill support actions arising from the *Queensland: an age-friendly community—action plan*. These include providing the Public Guardian with the discretion to continue to investigate a complaint that an adult was subject to abuse, neglect or exploitation even after the death of the adult; enhancing the safeguards for older people who appoint attorneys under enduring power of attorneys; and improving financial remedies for adults with impaired capacity when attorneys fail to comply with their duties.

I note that the committee report outlines the broad consultation that has occurred over a number of years ahead of this bill and after its introduction. I also note that the committee chaired by my parliamentary neighbour the member for Toohey recommends that the bill be passed. I support the passing of the bill.


 **Mr MANDER** (Everton—LNP) (Deputy Leader of the Opposition) (3.00 pm): I rise to speak to the Guardianship and Administration and Other Legislation Amendment Bill 2018. I do not intend to speak for very long. We support this bill. I am standing up today because a constituent in my electorate who has met me a couple of times is urging me to support this bill, which I have said we will. I am glad that the Attorney is here in the House.

My constituent's case is an example of how frustrated parents can feel when they feel like they are being shut out of the system. Her name is Jean Wilkie and she has a 22-year-old disabled son named Gilbert John Wilkie, who has severe autism, intellectual impairment and epilepsy. She was the administrator of his financial affairs. She made some investment decisions that she felt were in the best interests of the long-term care of her son, which was investing the money that Gilbert received from the Supreme Court to house him and care for him for the rest of his days—not just him but also a couple of other disabled people.

There was a review of this arrangement by QCAT. Without getting into all the complexities of it, QCAT ruled that Mrs Wilkie should no longer be the financial administrator but instead that should be done by the Public Trustee's office. Since then the Public Trustee has ruled that the investment they have made is not one that they think is in the best interests of Gilbert. She is incredibly upset by this decision. She is somebody who cares for and loves her son. She is responsible for her son's wellbeing. She has gone through the process—I understand the complexity of these situations—appealed the QCAT decision and written to the Attorney-General.

The point I wanted to make is that often parents in this situation feel shut out from the system. What caught her attention in the explanatory notes is where it states 'requires QCAT, in carrying out functions or powers under the GAA, to seek and take into account the views, wishes and preferences expressed or demonstrated by an adult and the views of any member of the adult's support network'.

I have a great deal of sympathy for her. I understand her frustration. I understand that the journey is far from over as she now has to rearrange her finances. I support her appeal. Hopefully the amendments being introduced with this bill will allow the views of parents—those who love their children dearly and who are committed to their welfare—to be taken into account very seriously. They have an impact on the long-term decision. I do not want to say anything else other than to put Mrs Wilkie's concerns on the record and to say that we do support the amendments and this bill.


 **Hon. CJ O'ROURKE** (Mundingburra—ALP) (Minister for Communities and Minister for Disability Services and Seniors) (3.04 pm): I rise to share my strong support and thoughts about what the Guardianship and Administration and Other Legislation Amendment Bill 2018 will achieve. The Attorney-General's comments in her first reading speech about how this legislation will touch everyone at some point really resonated with me. Whether the cause is dementia, intellectual disability or mental illness, when someone cannot make their own decisions there is often great stress for all involved.

Our job as a responsive government is to make sure that there is the best possible system in place for everyone—a system which is contemporary, easy to navigate and which makes sense. The focus in this bill on making sure that the general principles and the healthcare principle are more consistent with the United Nations Convention on the Rights of Persons with Disability is extremely important to me. As we move towards the end of the transition of the NDIS in Queensland, we need to maintain its focus on ensuring that our laws and service system support people with disability to participate. While we may no longer be responsible for service delivery, we are still responsible for supporting an environment where people with disability have their rights and interests protected.

This bill also implements from my perspective actions from the *Queensland: an age-friendly community—action plan*. I am pleased to see that National Seniors and the Elder Abuse Prevention Unit have been consulted. Both of these organisations play an important role in the seniors sector. I am also pleased that action 25 will be implemented through the Public Guardian having discretion to continue to investigate a complaint that an adult was subject to abuse, neglect or exploitation even after the death of the adult.

In situations where complaints relate to someone who has died, it may be that the abuse, neglect or exploitation could occur again to someone else if this complaint is not thoroughly investigated. This bill will allow us to grasp these opportunities and be an important mechanism for complaints about Queensland seniors who have passed away. Enhancing safeguards for older people who appoint attorneys under enduring powers of attorney is also critical. The relationship that can be formed between someone and their paid carer is unique and can often be essential and beneficial for the person being looked after. We do also understand, though, the inherent vulnerability of persons being cared for and are strengthening the eligibility requirements so that paid carers cannot become enduring powers of attorney.

Finally, the fact that the bill will allow people with an impaired capacity—whether they are young or old—with better access to financial remedies when their attorneys fail to comply with their duties is far more than fair. Unfortunately, I do hear stories of seniors who have trusted someone to be their attorney without the attorney performing their duties as expected. The personal loss and grief associated with this type of betrayal is huge, so it is important there is an opportunity to seek a remedy in these cases. It is for these reasons that I commend the bill to the House.

 **Dr ROWAN** (Moggill—LNP) (3.08 pm): I rise to make a contribution as the LNP's shadow minister for communities, disability services and seniors to the Guardianship and Administration and Other Legislation Amendment Bill 2018. It would be difficult to find anyone in this House who has not in some capacity had to deal with issues of guardianship, be it on a personal level on behalf of family or friends or even as elected representatives where from time to time constituents reach out to us seeking assistance in navigating a system during what is often a challenging time.

While we on this side will not be opposing the bill before us today, I would however like to use this opportunity to place on record some of the valid concerns that have been raised by stakeholders. The hallmark of any civilised society, particularly one as enriched as our own here in Queensland and Australia, is the way in which that society looks after those who cannot look after themselves. One such way we strive to help such citizens is through our guardianship system. As summarised by this bill's explanatory notes, in Queensland our guardianship system—

... provides a scheme for individuals to be appointed to make personal, health and financial decisions on behalf of adults who no longer have capacity to make decisions about certain matters themselves. It also provides a scheme where adults can plan ahead and appoint individuals of their choice to make personal, health and financial decisions and give directions about their future health care.

At a time when Australia's population continues to age and when we see an estimated 250 Australians being diagnosed with dementia each and every day, now more than ever it is important to ensure our guardianship system is best serving those constituents who need it the most.

At this point, as the LNP's shadow minister for seniors, I would like to note that the bill will progress a number of actions arising from the Queensland government's response to the report of the 2015 inquiry into the adequacy of existing financial protections for Queensland's seniors undertaken by the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee. That being said, I would also like to note the history of this bill and the sheer length of time it has taken for this Labor government to implement a single recommendation of this important reform. In 2010 the Queensland Law Reform Commission handed to the then Bligh Labor government its report into its comprehensive five-year review of Queensland's guardianship laws. Contained in that report was some 317 recommendations—not a single one of which was implemented by the then Bligh Labor government, of which the Premier was a senior minister.

It was not until the election of the LNP government where meaningful action in the interests of Queenslanders with impaired capacity to make decisions for themselves finally took place. Half of the work on implementing the recommendations had already been done by the former Liberal National Party government, which released the then government's response to the Law Reform Commission. The former LNP government also enacted a number of recommendations, including retaining and strengthening the independence of the Public Advocate and improving the ability of the Public Advocate to effectively perform its functions. I am proud to say it was also the former Liberal National Party government that reintroduced the vital role of the Public Advocate.

Having attended the recent round table on the health of people with intellectual disability, along with the deputy chair of the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee, the member for Caloundra, Mark McArdle MP, I have to take this opportunity to acknowledge the work of the Public Advocate, particularly the published 2016 report *Upholding the right to life and health: a review of the deaths in care of people with disability in Queensland*. Whilst the Queensland Labor government took three years to finalise its action plan response, I am surprised that hospital and health services disability service plans, whilst being developed, are not actually at this point going to be mandatory.

It is now 2019 and Queenslanders have every right to question why another Labor government, the Palaszczuk Labor government, just like the Bligh government before it, has dragged its heels on such issues. This Labor government squandered more than three years before it even introduced any of the Queensland Law Reform Commission's recommendations. Even then, this bill does not implement all of the 317 recommendations. It must be asked what the Attorney-General and this Labor government intend to do on the other recommendations. Whilst it is encouraging that finally this government has turned its attention to this important reform, genuine concerns stemming from the implementation of this bill remain which this Labor government must address.

The Public Advocate has raised concerns stemming from recommendation 14-14 of the Queensland Law Reform Commission review to provide clarity around when QCAT may make an order removing the Public Guardian if another appropriate person exists. In particular, it was noted that the bill specifically does not implement recommendations 14-13 and 14-15 to provide a similar process for the Public Trustee. In addition, concerns have been raised regarding the bill's provision that will see guidelines developed to assist with the assessment of capacity, yet no date has been specified as to when the guidelines will be prepared. In its submission, the Public Advocate raised concerns that the general and healthcare principles are difficult to understand and access, stating—

I am aware that there has been a suggestion that the department could produce a version of the ... principles after the legislation has been passed. That would ... require the department to be giving an interpretation of legislation, which is tantamount to giving legal advice and that is not what government agencies do.

With my remaining time, I would like to briefly touch on one other issue arising from this legislation and debate—that is, the Queensland Civil and Administrative Tribunal's handling of guardianship matters and the overall operation of the Public Trustee. Last year's QCAT annual report revealed that the tribunal was severely under-resourced and overworked, with increases in the complexity of the matters lodged coupled with QCAT's limited resources continuing to put pressure on QCAT's ability to meet its benchmarks for annual clearance rates. In particular, the guardianship list has had the most significant volume increase in lodgements over the last year, which is having a detrimental impact on QCAT's overall clearance rates. In fact guardianship matters have increased 21.5 per cent over the past four years, from over 10,400 to nearly 12,700 matters. The Attorney-General and this Labor government cannot continue to underfund and under-resource such an important institution, particularly when we ask it to handle such delicate and life-altering decisions concerning guardianship.

I would like to place on record my appreciation to the Queensland Law Reform Commission for the work they have done that has led to this reform, along with the work done by the members of the Legal Affairs and Community Safety Committee, including my Liberal National Party colleagues, the members for Southern Downs and Lockyer, and all stakeholders who contributed to the committee's report.

In conclusion, I also say this from a personal perspective. My own father, who is now in residential aged care and who has evidence of cognitive impairment and probable dementia, is just one Queenslanders who will be a beneficiary from a robust system and framework of guardianship legislation and administration. There are further enhancements within this bill. I would also like to take this opportunity to acknowledge my sister, Edwina Rowan, a partner in the law firm Charltons Lawyers in Bundaberg, for her assistance and ongoing compassionate care to our father given his difficult health circumstances.

Finally, can I say that it was an honour to attend recently the Queensland Law Society Annual Legal Profession Dinner and Awards and see Edwina Rowan receive the Queensland Law Society's Agnes McWhinney Award for 2019 for her professional advocacy, championing fair access to justice and working on behalf of children in the justice system, as well as victims of domestic violence. It was a pleasure to join both the shadow Attorney-General, the member for Toowoomba South, and the Attorney-General on the evening. I certainly acknowledge their contributions on the night as well.





**Ms HOWARD** (Ipswich—ALP) (3.15 pm): I rise to speak in support of the Guardianship and Administration and Other Legislation Amendment Bill. We are a government that is committed to making sure adults with impaired capacity are protected by the law and that they have the right to live their lives without being subjected to abuse, neglect or exploitation. Although Queensland's guardianship legislation is working well, the amendments presented in this bill will make the law clearer and easier to understand. It will strengthen safeguards for adults with impaired capacity and better align with contemporary practice and human rights as expressed in the UN Convention on the Rights of Persons with Disabilities.

Almost everyone will know of someone in their life who has needed some form of guardianship because they are no longer able to make decisions regarding health, personal or financial matters. We too may find ourselves in a position one day where we may need it. The Palaszczuk government is reforming the legislation because we are committed to delivering a stronger, safer and simpler guardianship system that protects the rights of the most vulnerable Queenslanders. We are also committed to safeguarding the dignity of adults with impaired capacity and making sure they never have to suffer abuse, neglect or exploitation.

A number of the reforms in this bill have been informed by recommendations made by the Queensland Law Reform Commission's report *A review of Queensland's guardianship laws*. The bill has also been informed by the parliamentary inquiry into the adequacy of existing financial protections for Queensland seniors undertaken by the Communities, Disability Services and Domestic and Family Violence Prevention Committee in 2015. In fact, financial abuse accounts for a large proportion of the abuse experienced by older people and its impacts are terrible. People lose their assets, their financial security, their property, and much of it may never be fully recovered. There is also the loss of independence and lifestyle, as well as health impacts such as psychological distress and depression. In my electorate, I have heard of families being torn apart due to the financial abuse of elderly relatives carried out by family members who have abused their power of attorney privilege.

The issue of abuse against seniors is an increasingly urgent one and one which will become more pressing with an ageing demographic in Queensland. According to the Public Trustee's report to the inquiry, the number of Queenslanders over the age of 65 is expected to increase to 1.4 million people by 2036 and the number of Queenslanders aged 80 years or older will triple to 454,000.


Stakeholders informed the 2015 parliamentary inquiry of instances where attorneys and administrators had overreached their power of guardianship or had adopted an overly restrictive approach to substituted decision-making, leaving older people with little to no access to their own money and excluding them from all decision-making without basic regards for their rights, interests and wishes. The Queensland Aged and Disability Advocacy service told the inquiry about a senior who suffered financial abuse by an administrator who had been appointed by QCAT. The administrator took almost all of the senior's assets and failed to pay fees that accrued significantly over time, leaving the senior with a huge debt which he could not pay off.

Undertaking a guardianship role such as an enduring power of attorney is a tremendous responsibility and one that requires an understanding of the role and its duties. We want to ensure that when an older relative has to be placed under an enduring power of attorney our laws have the necessary safeguards in place to make sure that the attorney is someone who understands their roles and duties and is not there to take advantage of our loved ones. I know during my many years of being a justice of the peace and working with the public we had to oversee a lot of those. We really felt the gravity of each enduring power of attorney.

This bill will strengthen eligibility requirements under an enduring power of attorney and will require that attorneys have capacity for a matter, and must not have been a paid carer for the adult in the previous three years. The bill also clarifies the capacity needed for a person to execute an advance health directive or an enduring power of attorney. Protection of whistleblowers who report abuse of adults with impaired capacity is another reform that will strengthen safeguards for the most vulnerable. From now on it will be a criminal offence to seek reprisals against whistleblowers who disclose confidential information when they make a disclosure about contact that they believe to be abusive.

Strengthening our public institutions which provide guardianship and administration services is crucial if we want to protect the most vulnerable. The Public Guardian will now be given increased power to investigate complaints of abuse against an adult with impaired capacity after the adult's death. QCAT will also be allowed to appoint an administrator to exercise financial decision-making powers on behalf of the missing person. I am pleased to see that this bill provides QCAT the same jurisdiction as courts to provide financial remedies to adults whose administrators, guardians or attorneys have failed to comply with their duties.


With the increasing number of aged people in our community and with more people and organisations taking on roles caring for the elderly and people with disabilities, these reforms are urgently needed and welcomed. I do want to place on the record my support for all the people in Ipswich who work in the Public Trustee office with whom I deal regularly on these issues. I want to thank them for their work. I know their workload is often quite dense and also very difficult. I do want to thank them for their work. I commend this bill to the House.

 **Mr ANDREW** (Mirani—PHON) (3.21 pm): I rise to make a brief contribution to the Guardianship and Administration and Other Legislation Amendment Bill 2018. I would like to thank both the former committee and the current Legal Affairs and Community Safety Committee for their work on this bill. I would also like to thank the secretariat for putting together the report and the many people and organisations who gave their valuable time to provide contributions to the making of this bill. Most especially, it is hoped that the elderly and the most vulnerable people within every community are finally on the way to getting the care and support they need from the Queensland government.

This bill is derived from various recommendations, as well as taking guidance from ongoing investigations seeking to accommodate Queensland's ever increasing and ageing population. Within the 98 clauses of the construct, this bill addresses many of the 317 recommendations from the Law Reform Commission's five-year investigation into existing acts. The bill will: provide a focus on contemporary practice and human rights for adults with impaired capacity; enhance safeguards for adults with impaired capacity living within guardianship systems; improve the efficiency of Queensland guardianship systems or improve the clarity of the legislation; and amend the Integrity Act 2009 to implement two recommendations of the finance and administration committee's report No. 19 titled *Inquiry into the report on the strategic review of the functions of the Integrity Commissioner*.

This bill will also amend the Government Owned Corporations Act 1993 and the Public Interest Disclosure Act 2010 to implement recommendation 13 of the Parliamentary Crime and Corruption Committee report No. 97 titled *Review of Crime and Corruption Commission*. There is, however, some concerns attached to the minister's responsibility for assessing and preparing guidelines. The delivery of necessary outcomes to address this deficiency must be swift to remove further unnecessary stress on communities. Like other entities such as the Ombudsman, QCAT are short on funding resources and training. These critical needs have to be bolstered to cater for the increasing workloads to meet public expectations going forward.

Generally, the bill tidies up a lot of the legislation around the advance health directives and powers of attorney. The world outside this chamber is full of real families struggling to overcome real problems that can only be solved with more funding, especially for the regions where physical isolation and great travel distances just to access basic services exacerbate these issues. Taking all these matters into consideration, I commend the bill to the House.

 **Mrs GILBERT** (Mackay—ALP) (3.23 pm): I rise to speak on this important bill before the House, the Guardianship and Administration and Other Legislation Amendment Bill. Queensland's guardianship system provides a scheme for individuals to be appointed to make personal, health and financial decisions on behalf of adults who no longer have capacity to make decisions about certain matters themselves. It also provides a scheme where adults can plan ahead and appoint individuals of their choice to make personal, health and financial decisions and give directions about their future health care. This bill will provide a focus on contemporary practice and human rights for adults with impaired capacity, enhance safeguards for adults with impaired capacity in the guardianship system and improve the efficiency of Queensland's guardianship system or improve the clarity of Queensland's guardianship legislation.

After a stroke 12 years ago, my sister-in-law Annette needed a guardian and a power of attorney to look after her finances and health. Like the majority of the community, my family are of a similar mind in that we only find out about a process like this when we are thrown into a situation of need. Annette was in a fortunate position. She was a single woman and her eldest brother and her sister were more than capable and willing to take over her guardianship and be her attorney. Their only concern for her was that she be safe and well cared for. This situation sheeted home to all of us in our family how vulnerable some people are when they do not have the support of family or loved ones to look after them. This bill is much needed. It will provide guardians and those in a vulnerable situation with guidelines and structure so they are safe and everybody understands their situation.

This bill also progresses recommendations arising from the financial protections for seniors report. Those recommendations, for which the Department of Justice and Attorney-General has responsibility for implementation, have been incorporated into the action plan and implementation

schedule for *Queensland: an age-friendly community*. It does this by: providing the Public Guardian with discretion to continue to investigate a complaint that an adult was subjected to abuse, neglect or exploitation even after the death of an adult; enhancing safeguards for older people who appoint attorneys under EPAs; and improving financial remedies for principals where attorneys fail to comply with their duties by allowing QCAT to order an attorney to account for any profit made.

Too often we hear stories of elder abuse where someone has basically stolen the funds of an older relative, abused their credit cards or made them sign over their home with a promise to take care of them in the home only for them to find themselves tossed out. Unfortunately, at the Seniors Week Expo in Mackay there are many people seeking information on this topic because they are worried about a neighbour, a friend or somebody from their family who is being taken advantage of. Financial abuse of elders is elder abuse.


Where the attorney, the administrator or the guardian fails to comply with their duties or obligations under guardianship legislation, the bill will provide for further clarification about the powers QCAT can exercise—and additional powers to QCAT—to improve accessibility for redress for victims of financial abuse. The bill clarifies that QCAT can exercise the same jurisdiction as a court in relation to ordering attorneys, administrators or guardians, including former appointees, to pay compensation for loss caused by a former attorney. These amendments will mean that compensation claims against former appointees may proceed to QCAT, which may be less costly to an applicant than pursuing a claim in court. The bill also provides the Supreme Court and QCAT with an additional power to order that an attorney, guardian or administrator or former appointee account for any profits that the appointee has accrued as a result of the failure to comply with the GAA or a POA in the exercise of power. This is intended as an alternative remedy to an action for compensation.

Every day there are hundreds of dedicated carers looking after adults who can no longer live independently. They do an outstanding job giving our vulnerable adults dignity and a sound quality of life. A paid carer for an adult is defined by the guardianship legislation to mean someone who performs services for their adult's care; and receives remuneration from any source for the services, other than a government carer payment or another benefit, for providing home care for the adult or remuneration attributable to the principle that damages may be awarded by a court for voluntary services performed for the adult's care.

The explanatory notes state—

Clause 12 amends section 16 ... to expressly provide that a person who has agreed to a proposed appointment as a guardian or administrator for an adult must advise the tribunal before it makes an order appointing the person whether he or she is, or has ever been a paid carer for the adult.

These amendments are not intended to automatically prevent former paid carers from being appointed as guardians or administrators. Rather, they make it clear that QCAT must consider the extent that a person's status as a former paid carer of an adult may make the person unsuitable for an appointment; for example, if there are conflicts of interest between the person and the adult as a result of the person's past paid carer status. We must look after our vulnerable adults: that is why I commend the bill to the House.

 **Mr McARDLE** (Caloundra—LNP) (3.31 pm): I rise to make a contribution to the House on the Guardianship and Administration and Other Legislation Amendment Bill 2018. In doing so I turn to the explanatory notes, which state that the bill before the House—

... amends Queensland's guardianship legislation to provide a focus on contemporary practice and human rights for adults with impaired capacity ...

Page 5 of the committee's report states at 2.2—

The Bill proposes to amend the guardianship legislation to reflect current thinking regarding people with disabilities, particularly as expressed in the United Nations' *Convention on the Rights of Persons with Disabilities*.

I also refer to clause 8 of the bill, which contains the general principles under which people are to act in relation to the people they are dealing with. Principle 1 deals with the presumption of capacity. Principle 2 states that they have the same human rights and fundamental freedoms, including an adult's inherent dignity and worth, and equal and inalienable rights which must be recognised and taken into account. Principle 2 further states—

The rights of all adults to the same human rights and fundamental freedoms, regardless of a particular adult's capacity, must be recognised and taken into account.

It is against this background that the actions and statements of the president of QCAT, Mr Justice Daubney, become very important. Clause 8 makes it very clear—very clear—that these rights apply equally to any person who falls under the auspices of QCAT. That means that the right to swift justice and the swift delivery of justice is an important inherent right that resides in the people that QCAT deals with. Mr Justice Daubney said—

QCAT's members and registry staff have been stretched beyond all reasonable and proper levels of tolerance. Any further delay in appropriate resourcing for QCAT will inevitably result in the tribunal being unable to deliver anything like quick and accessible civil justice to Queenslanders.

That statement applies equally to any person who appears before QCAT. That is enshrined in clause 8 of the bill, and that is why the comments of Mr Justice Daubney are so important for the government to hear, understand and act upon.

It is a very rare occurrence for a Supreme Court judge to put his criticism of a government on paper, but to do so means that the president has become exacerbad by inaction, the failure of the government to understand QCAT's role and the failure to resource a very important body which should be there because the rights of the people who appear before QCAT appear pursuant to the terms of clause 8 of this bill. Clause 8 of this bill guarantees human rights, and that equally covers the question of access and swift justice pursuant to the law. If we are here to protect the rights of those who are disabled, the first thing we should provide for them is access to justice that is simple, that is direct, that is funded, that is resourced and that is manpowered. If we do not do that, we fail what many people here say is the principle under which we should be acting to protect those who are unable to protect themselves.


Last Friday I attended a round table titled Health and Intellectual Disability with my colleague, the member for Moggill, which was attended by the I CAN Network, the Public Advocate, QCIDD and QDN. They put out a flyer which said there are 400,000 people with an intellectual impairment. They broke it down and compared those 400,000 people to people in the general population who are not so impaired. They made five statements. In this state, those who are impaired have twice the rate of avoidable deaths than the general population. They have twice the rate of emergency department and hospital admissions. Their hospital admissions cost twice as much as those of the general public. They have high rates of physical and mental health conditions and they have lower rates of preventative health care. That is a startling statement, but the experts in the area say that what we are doing at this point in time is merely touching the surface. We need to delve deeper and understand the concerns and issues of people who are disabled, either mentally or physically.

Professor Harry McConnell, professor of neuropsychiatry and neurodisability, also addressed that meeting. He raised a number of what he called health inequities that are suffered by people who are in one way or another disabled, either mentally or physically. The rate of intellectual impairment for people who suffer from epilepsy is 22 per cent compared to 0.4 to one per cent of the general population. The number of intellectually or physically impaired people who suffer from epilepsy is massively above the number of those in the general population. In relation to sensory impairment, those who are intellectually impaired are 8.5 to 200 times more likely to suffer from vision impairment. People who are intellectually impaired have lower bone density; therefore, they are at greater risk of increased fractures, and 36.5 per cent of adults and 80 per cent of adults with Down syndrome have unhealthy teeth and gums.

There have been two separate deaths in care reports undertaken by this government: one published by the Public Advocate in early 2016 and one by the Coroner. It is my understanding that the Coroner's report has not been published. It deals with the issue of deaths in care. Three years after the Public Advocate released its report, the government gave its response—three years. Three years after the Public Advocate released its report into deaths in care, this government deigned to release a report. That is not good enough for a government when dealing with people who are disabled intellectually, physically or maybe both. Reports dealing with the deaths of people in hospitals need to be addressed urgently. If this government says that they are taking care of those who are disabled, why has it been three years after the event before they produce a report dealing with the issues raised by the Public Advocate?

The royal commission into disability will soon commence and its terms of reference are still being settled. Two, three or more commissioners will be appointed to the royal commission. That body will oversee an in-depth analysis of disability services in this nation. I suspect that the issue of the deaths in care reports will be a matter for the royal commission to consider. If the government thinks that the

people who look after, advocate and argue for those who are disabled will sit back and do nothing, they are sadly mistaken. I hope that the royal commission takes this government to task over its failure to provide proper and adequate care in a timely and efficient manner and, more importantly, its failure to resource QCAT, the one body that people and/or their families can rely upon to get proper and swift justice.

 **Mr MILLAR** (Gregory—LNP) (3.39 pm): I rise to make a contribution to the debate of this omnibus bill that will affect all Queensland's impaired adults and their families and carers. This is yet another bill that was brought before the previous parliament but lapsed and it has struggled to make the grade under this Labor government. Meanwhile, life has continued on for many Queensland families who have been awaiting these changes.

Chief among those concerned with the bill are Queensland seniors. We live at a time when caring for our seniors has never had more public attention. This is partly to do with the demographic cluster of baby boomers now reaching their senior years, but it is also to do with improved life spans and the increase in the wealth of Queenslanders since the days of our parents and grandparents. Any thoughtful person seeing those three conditions brought together would also see the absolute temptation for bad actors to seek some advantage through manipulating or exploiting elderly Queenslanders. It has happened enough that it is a common anxiety among seniors. The majority want to feel they have some ability to control what happens to them and their estates should they suffer from impaired capacity. They are actively planning for such an issue. This bill seeks to strengthen Queensland's legislative framework in this regard. That is both welcome and overdue.

The bill will enhance the safeguards for people who appoint enduring powers of attorney. I hope that will encourage more people to put an EPA in place. It is usually better for everybody if there is an agreed EPA appointed by an elderly family member, but to underwrite those desired good outcomes the bill strengthens the eligibility requirements for people wishing to accept appointment under the enduring power of attorney. This is part of the bill I wholeheartedly support and one of the reasons this bill should have been debated in the previous term.

To hold an enduring power of attorney, a person must demonstrate a capacity to deal with matters that will likely come up. Also, they must not have been a paid carer for the adult in the previous three years. Furthermore, the bill ensures that service providers in residential services are precluded from being an impaired adult's attorney under the EPA regime and also from being their health attorney under the statutory health attorney arrangements.

Caring for the elderly and the impaired is a noble employment, but that is not to say that those roles only attract the noble of purpose. We have all heard of cases where the unscrupulous have used the confidence and physical proximity that comes with the position of carer to exploit their client for their own gain. While it sounds harsh to exclude all carers for three years when the great majority are wonderful human beings who do a great job, I acknowledge that having a strong legislative guideline not only ensures protection for our elderly but also removes incentives for bad actors to enter the carer workforce with a view to the main chance.

This is such an anxiety for older Queenslanders that it influences their decisions in related areas such as seeking assistance for independent aged-care living or moving to residential aged care. There was a recent ABC news report citing private providers in the federal Home and Community Care program who had been doorknocking elderly Australians to get them on the program, with that private company providing the federally funded care. The clients were then struggling with a chorus line of constantly changing faces, as workers did not stay long with the provider. They found the service levels were uneven, as carers had varying abilities, and many seniors became anxious about constantly letting these strangers into their homes. However, many did not feel confident in complaining or terminating the service provider. The thought of our elderly feeling this unsafe and fearful is absolutely heartbreaking. It made me think: thank heavens for the wonderful women who undertake home and community care in Longreach, a very important service. It is a vital service for our seniors and one of those few situations where country Queenslanders may be a little better off than their counterparts in the south-east of the state.

Of course, it is not just the elderly who fret about what may happen if they become impaired; there are many families who must make provision for adults who are impaired through disability, illness such as stroke or accident such as car crashes. I must praise again the wonderful efforts by families and groups such as the Yumba Bimbi to afford these members of our Gregory community every dignity and protection. Appointing guardians and attorneys is part of the process, and this bill will strengthen

their hand. Yumba Bimbi does an absolutely wonderful job. Yumba Bimbi is one of the only services that provides respite care certainly in the seat of Gregory but also in much of western Queensland. I take my hat off to them. I commend the staff on their dedication. A couple of weeks ago I had the opportunity to take the shadow health minister there to see firsthand the fantastic professional staff of Yumba Bimbi and the commitment they have to our people. They do a great job.


Not only will this legislation require EPAs to have some demonstrated capacity; it will also empower QCAT to compel present and former guardians, administrators or attorneys to pay compensation to the principal or the principal's estate if they have caused a loss through failure to comply with Queensland's guardianship legislation. Previously, to prosecute such a claim people were forced to the expense of funding court action. This meant it became one law for those who could fund the court action and a different law for those who could not. Clearly, that is not a satisfactory state of affairs.

While this arrangement is an improvement, there is one caveat: QCAT is already struggling with its current workload and is already complaining of being under-resourced. This bill has many clauses pertaining to QCAT apart from the one I am referring to. Under this legislation, QCAT will be required when carrying out its functions to take into account, as much as practically possible, the views, wishes and preferences of the impaired adult and the members of their support network. This is praiseworthy indeed, but to fulfil this legislative directive QCAT will have to both discover and document those views, wishes and preferences. This will take time and resources.

The bill will also grant QCAT new powers in relation to missing persons. There is a seven-year period before applications can be made to have a missing person declared dead. In that time their financial affairs are in limbo. This can have terrible impacts on the lives of their dependents. It can even have an adverse impact on the estate itself. This legislation brings Queensland into line with all other Australian jurisdictions by providing QCAT with the power to appoint an administrator to manage the missing person's estate. This is prudent and praiseworthy but, again, it is not just a matter of legislating. The Labor government needs to fund QCAT to carry out all its duties to the high standards that Queenslanders expect and that QCAT sets itself.

Many of my constituents who are elderly and find themselves alone in the world rely on the Public Guardian. Many in this older generation were raised to believe this would be frugal and yet still give them best practice outcomes. Sadly, this has not always been the case so I am pleased to see that this legislation allows QCAT to remove the Public Guardian if there is an eligible person in the adult's support network who will accept the appointment. Again, this is an excellent initiative, but screening for such a person and making appointments will take time and resources. It is up to the Labor government to back its own legislation and ensure QCAT has those resources.

This omnibus bill includes amendments to the Integrity Act 2009, the Government Owned Corporations Act and the Public Interest Disclosure Act. These amendments will allow senior executives and senior Public Service officers to seek advice from the Queensland Integrity Commissioner without having written permission from their superiors. I think this is a great preventative to the spread of corruption in our public institutions. I also find most sensible the arrangement to allow former designated persons a period of two years post separation during which they can consult the Integrity Commissioner about matters of ethics connected to their previous employment that arise in their post-separation life. I commend this bill to the House.

 **Ms SIMPSON** (Maroochydore—LNP) (3.48 pm): I support the provisions in this bill that provide greater protection for the most vulnerable in our community. There is quite a substantial list of changes in the Guardianship and Administration and Other Legislation Amendment Bill to effect that intent.

The law as a protector is a paper tiger if it is not properly resourced through those adjudicative bodies to provide timely and cost-effective access to justice. In speaking in support of a number of the provisions in this legislation whilst also highlighting some that have been identified as needing perhaps to be better still, the primary thing that I want to focus on is that we are living in a day and age when there have probably never been as many people living as long and living well in most circumstances, but their human dignity is no less because they have a physical or a mental impairment. Their human value is no less, and that is essentially recognised by this legislation saying that we as a society through our highest institutions should do all that we can to ensure that the laws provide them with protection if those physical and mental ailments impair their ability to care for themselves.

More than ever in this day and age, with not only elder abuse but also abuse of those with disabilities and impairments, we have to say that it is not enough just to have a paper law; it has to be timely access to justice. That is why we have raised concerns through the opposition spokesperson,

the member for Toowoomba South, and my colleagues about QCAT. Earlier in the debate I heard the Attorney-General object to the fact that some attention was applied to this very topic by opposition members, because there have been significant criticisms about the lack of timeliness with QCAT and there is also the fact that the administrators in this body itself—those who are seeking to provide timely and effective justice—have spoken out and said that there is an issue around resourcing.

The QCAT's President, the Hon. Justice Martin Daubney, has spoken quite clearly through the mechanisms of annual reports about how the resourcing of QCAT is stretched. Given that so many of the provisions to be enacted through this legislation rely upon QCAT, it is vitally important and completely relevant to talk about those concerns about resourcing for QCAT. We as members of parliament face many complaints about delays of QCAT across the multitude of areas of administration, and here we are with legislation where QCAT is one of the primary compliance adjudicators and still that issue is unanswered from the government about what resourcing will be provided to unlock that bottleneck which is causing distress and effectively denying people access to justice because of the delays and because of the additional stresses that are on that system. Again we say to the government: do not shut down debate on this issue, because it is relevant and it needs to be answered.

According to the Institute of Health and Welfare, the rates of elder abuse in high- to middle-income countries are estimated by the World Health Organization to range from two per cent to 14 per cent, with the most common form of abuse being financial at between one per cent to 9.2 per cent. These figures are estimated to be under a lot of pressure as well in that we know that there are more than just the ageing in our community who face vulnerability from abuse, but they do need to be highlighted. When these provisions are brought forward, particularly to ensure that we do not have paid carers able to benefit from taking on a role of guardianship over the vulnerable, that is a valid issue, but there are so many other areas as well.

I note that, with the additional provisions for those with enduring powers of attorney or with the way that health directives are administered, there is a lot of complexity in these laws. There is a lot of complexity and I would call on the government to make clear what resources will be provided for education about what this means for not only those who are entering into enduring powers of attorney or other arrangements but also those who already have these arrangements, because we note, quite rightly, that there are provisions in here to deal with issues of conflict and some of the complications that have been identified through the administration of the previous act. It is complex but, as we also know in law, ignorance is no defence.


The average person who is signing these things and is seeking to look after a family member or a close relative or somebody else who is close to them needs to have access to very clear information, as do those who are handing over those responsibilities through the documents which are being signed. We should not assume that in the lawyer's office they are going to get full advice. I would like to say that that is going to happen, but the reality is people need education about what this means not only so they can see that their rights are upheld but also so they understand fully that they need to consider legal documentation and their framework so they are best protected going forward. I ask the Attorney-General what the educational program will be to advise people about what these changes actually mean. It is vitally important.

Like many other members in this House, we have our own stories of caring for family members and those who have been through great challenges. I am fortunate that my 90-year-old mother is extremely spritely of mind, but maybe the knees do not work terribly well. I have held those conversations with my parents—I have now lost my father—so we have had enduring powers of attorney in place and had those conversations that you need to have as family members in terms of how you intend to provide care. I fully appreciate the emotion when people are unwell and these instruments are necessary, but there does need to be timely and appropriate advice as to what that means in practice, and they need to be revisited. That would be my reflection—that is, what people have signed up to at one point needs to be revisited in order to consider how appropriate it is going forward.

Once upon a time the average person entering into aged care would have perhaps been in their 70s or early 80s. I do not have the figure to hand, but the last I heard they are probably pushing into their high 80s or early 90s, the point being this: people do live much longer. They may have times when they will have ill health and will come through that ill health and be well again, but circumstances do change. Circumstances within families and the tension points that people have also change. Therefore, it is important to review these documents, particularly in light of these new provisions, and to have

access to information that is not the gobbledegook of high-end legal explanation but in layman's terms that accurately provides them with the power to understand what they are entering into or what their protections should be.

In drawing my comments to a close, I note that the Queensland Law Reform Commission report was completed in 2010, which is about nine years ago, with 317 recommendations and not one of those recommendations was implemented during the time of the Bligh Labor government. Under the LNP there were many recommendations which were progressed, but nearly nine years on the balance of those recommendations is still coming before the House in this way. We talked about access to justice. Timely reflection and review about how to provide the most vulnerable with the most effective system of protection in law means that we need to do better than this in the future for timely review of legislation.

 **Mr BERKMAN** (Maiwar—Grn) (3.58 pm): I rise to speak on the Guardianship and Administration and Other Legislation Amendment Bill 2018. While I support the bill and especially moves towards a human rights based approach for those with impaired capacity, I will use my short time today to address some areas where the bill could be improved and to highlight the voices of people who have contacted me about their experiences with the guardianship and administration system. I urge the government to bring forward further amendments to guardianship and administration law in Queensland to better protect people who have fallen at the mercy of our sometimes inhumane system.

It is vital that the government fully implements the UN Convention on the Rights of Persons with Disabilities—or the CRPD as it is called. Nationally and internationally, there is a movement towards supported decision-making and away from substituted decision-making. The principle is that the views and wishes of the person subject to financial management or guardianship must be respected and upheld rather than having someone stand in their shoes and make decisions on their behalf without their input.

I want to take this opportunity to share a story—one of several that my office heard from people who have fallen into Queensland's bureaucratic guardianship and administration system. The names in this story have been changed. Bob was a young Indigenous man—he is now in his 30s—who was in a car accident as a young child. When he turned 18 he was awarded a \$450,000 payout for injuries to his arm and leg. Bob had developed mental illness as a teenager and is not very communicative with strangers.

This story has been well reported, so I will borrow from the *Sydney Morning Herald* coverage of it. Bob was deemed to be legally capable of making his own decisions except for the financial administration of his payout. His mother and aunt were appointed to help him with his financial affairs and, using that money, they helped him buy a flat to live in and a 12-hectare block of land as an investment.

After years of back and forward, including a 10-year period in which the Public Trustee and Public Guardian fought his family for control of his assets, Bob languished. He was a troubled young man, sleeping rough in the city and spending time in jail. The Public Trustee installed tenants in his flat and sold his land. It then sold the flat, invested the proceeds and lost most of it in the GFC. Bob was mostly homeless for nine years and the Public Guardian prevented him from seeing his mother and, in effect, maintaining connections with his Indigenous community.

Since 2009, Bob has been living with his mother and stepfather, Jack, again and things have improved. The family had to fight for Bob to have full access to his disability pension. The Public Trustee wanted to give him only \$150 a week. In 2016, the tribunal granted Jack responsibility as both Bob's guardian and financial administrator, but there is only about \$60,000 of the original money left. Today, that flat would be worth about \$1 million and the land even more. This story is just one of many, but it shows clearly why it is vital that the voices of those at the mercy of our systems are listened to.

As the department noted in evidence to the committee, the amendments in the bill do not fully implement the CRPD principle of supported decision-making and that the amendments 'do not represent a fundamental change'. We need a broad shift in Queensland towards supported decision-making and that will require a very substantial revision of the way our system works.

Right now, the Public Trustee and the Public Guardian operate on the basis of substituted decision-making. As one person said in an email to my office, 'Instead of patching up the contradiction, the whole system needs to be exposed and reformed in line with the CRPD.' I am urging the government to revisit this area and move decisively towards supported decision-making. This bill is a missed opportunity to do that, although, as other speakers have pointed out, it makes some very welcome improvements.



I will now outline a couple of the various specific concerns about the bill that were raised by submitters. Clause 7, which amends the general principles under the Guardianship and Administration Act, does not adequately recognise the fact that capacity fluctuates across time and, arguably, reverses the normal presumption of capacity. It does that via the proposed principle in new section 11(3), which states—

If a declaration by the tribunal or the court that an adult has impaired capacity for a matter is in force, a person or other entity that performs a function or exercises a power under this Act is entitled to rely on the declaration to presume that the adult does not have capacity for the matter.

The Advocacy and Support Centre, Mr John Tracey and QAI all raised concerns about this reversal. QAI said in its submission—

This makes the initial presumption one of incapacity, rather than capacity, when a guardianship order or declaration has been made. QAI is concerned that this ... blanket reversal of the presumption of capacity is not consistent with the appropriately nuanced understanding that capacity is time, domain and decision-specific, and could subject a person to an order that is not required, particularly in circumstances where they have limited support networks to assist them to advocate for themselves.

These concerns are well grounded in recommendation 15.1 of the QLRC's 2010 report on the Queensland administration and guardianship system, which recommended explicit recognition of those with fluctuating capacity in QCAT's orders, including provision for orders that limit the appointment of a guardian or administrator to periods in which capacity is actually impaired. I support these concerns and I call on the government to build on the small steps forward in this bill by recognising the fact that capacity fluctuates over time.

Submitters also raised concerns about the issue of consultation by QCAT in making orders and inadequate requirements to notify people subject to proposed orders about their hearings. In particular, interim orders that QCAT often makes in a very quick time frame were a special cause for concern. QAI said in its submission on this point—

We know of cases where interim orders have been made without speaking to either of these parties, or even notifying the adult or their family, who may not even be aware of the proceedings until after the order has been made. This is particularly concerning given the common practice of routinely affirming interim orders.

The Greens support this call from QAI and Aged and Disability Advocacy Australia for stricter requirements for notice ahead of interim orders by QCAT. If the tribunal is going to make a ruling about important matters that could potentially tip a person into years of strife with the Public Trustee or other state agencies, they must be given a chance to express their views and wishes.

The inquiry heard from individual submitters who, just like those in the story that I have quoted, had serious issues with the Public Trustee and from organisations that called for more prudent controls on when the Public Trustee is appointed. The Public Advocate called on the government to implement recommendations 14-13 and 14-15 of the QLRC report, which recommended that the Public Trustee be appointed as a 'last resort'. The Public Advocate stated—

... if there is no other person who is appropriate and available for appointment as administrator, as is currently the case with the Public Guardian.

The Public Guardian said in her submission—

The Public Guardian is considered to be the 'last resort' appointment for guardianship, and I can identify no clear basis for departing from this principle in terms of the appointment of administrators to manage the financial affairs of people with impaired capacity. If there is a person in the life of an adult who is the subject of an application for administration, who is appropriate and available to carry out the duties of administrator, there is no reasonable basis to apply a different test from that required to be applied when considering an application for guardianship. Further, given that the Public Trustee charges what can amount to significant fees throughout the period of administration of a person's financial affairs, it is clearly to the financial benefit of people who are placed under administration to have a private appointment if there is a person appropriate and available to be an administrator.

I call on the government to pick up on this very good advice and make sure that the Public Trustee is appointed only as a last resort. If there are concerns about the difficulties of acting as an administrator, the solution is to better support those in that position, not more overreach from an institution that has damaged many people in our state already.

In conclusion, I acknowledge the lived reality of people in Queensland living with impaired capacity and the dedication of their families, support networks and advocates. I acknowledge the steps forward in this bill. I ask the government to change course and move towards supported decision-making and implement our obligations under the Convention on the Rights of Persons with Disabilities.



**Mr LANGBROEK** (Surfers Paradise—LNP) (4.07 pm): I rise to speak to the Guardianship and Administration and Other Legislation Amendment Bill 2018. I thank the committee secretariat and submitters for their assessment of the bill. I would like to acknowledge the Queensland Law Reform Commission—the QLRC—that conducted the five-year review into guardianship law, which this bill addresses for the most part. My concern is that the document, titled *A review of Queensland's guardianship laws*, was tabled in parliament in 2010. Earlier today, we heard the member for Burnett mention that there are serious questions about why it has taken so long for these recommendations to be addressed by Labor, especially because at that time the Premier was a senior minister in the Bligh government and none of the 317 recommendations were implemented. The bill before us does not even include all of those recommendations.

When the LNP was in government it had already done half of the work in implementing these recommendations. The former LNP government released the government response to the Law Reform Commission. The former LNP government enacted some of the recommendations, which included retaining and strengthening the independence of the Public Advocate and improving the ability of the Public Advocate to effectively perform its functions. Whilst we were at it, we also reintroduced the role of the Public Advocate. Additional powers were granted to the Public Advocate to access information that was necessary to perform its function and report to the Attorney-General at any time on a systemic issue that must be tabled in parliament. Guardianship is a serious matter, so it is a shame that the Palaszczuk Labor government has been sitting on its hands. This system safeguards the rights and interests of people who do not have the capacity to make decisions. It impacts outcomes regarding their future health, persona and finances.

According to the City of Gold Coast—the council—an ageing population will see increasing levels of disability on the Gold Coast. Dementia Australia has provided prevalence estimates for 2018 to 2058 on the Gold Coast by federal electoral division. In the Moncrieff electorate, which my electorate of Surfers Paradise falls within, Dementia Australia is predicting a 189 per cent change from 2019 to 2058. In 2018 in the Moncrieff electorate, 3,380 people had dementia compared to an estimated 4,756 people in 2028 and 9,310 in 2058.

In McPherson, which encompasses Clear Island Waters in my electorate, the organisation is predicting a 164 per cent change in the number of people who have dementia from 2019 to 2058. Last year, 2,925 people had dementia in McPherson with that number predicted to rise to 4,116 in 2028 and 8,057 in 2058.

This is just one of the many conditions that could potentially impact the capacity of an individual to make decisions and illustrates how this bill may impact my constituents in the electorate of Surfers Paradise. I table a paper titled *Statistics for seniors* which contains those figures and includes things like labour force, occupation and industry of employment, as well as disability and prevalence of dementia.

*Tabled paper:* Document, undated, titled 'Statistics for seniors' [\[407\]](#).

The Public Advocate raised a number of concerns in relation to this bill. Firstly, the Public Advocate noted that the bill implements recommendation 14-14 which clarifies when QCAT may make an order removing the Public Guardian in the event that another appropriate person exists, yet the bill fails to provide a similar process for the Public Trustee as addressed in recommendations 14-13 and 14-15. I quote the Public Advocate's submission which says—

... it is unclear why QLRC recommendation 14-13 has not been implemented in this Bill. That recommendation proposed amending section 14 so that the Tribunal should appoint the Public Trustee only if there is no other person who is appropriate and available for appointment as administrator, as is currently the case with the Public Guardian.

Secondly, the Public Advocate raised an issue with the guidelines that will be developed to assist with the assessment of capacity as per the bill. The Public Advocate noted that the general and healthcare principles are difficult to access, saying—

That would then require the department to be giving an interpretation of legislation, which is tantamount to giving legal advice and that is not what government agencies do.

The LNP would also be interested to hear from the government regarding the development of information sharing protocols as raised by Caxton Street Legal. The bill extends the power of the Public Guardian to investigate a complaint or allegation after an adult's death, however, the bill proposes sharing protocols be introduced to avoid the coroner missing information or duplication of investigations. It does not provide for information sharing between the Public Guardian and the Office of the Coroner. The Advocacy and Support Centre National Limited, TASC, stated that they were concerned that the

bill breaches the United Nations Convention on the Rights of Persons with Disabilities and undermines both the objectives and principles of the bill since it does not recognise fluctuating capacity. TASC believes that if recommendation 15.1 was implemented this issue would be addressed as it provides that the tribunal may limit the exercise of a guardian to periods when the person has impaired capacity.

As other members have raised, QCAT's handling of guardianship matters has also been a point of concern. According to the 2017-18 QCAT annual report, QCAT is severely underresourced and overworked. QCAT is under pressure due to the increased complexity of matters lodged, as well as limited resources. I note that amongst the matters that it covers are racing matters as well as these matters. Many Queenslanders are not aware of the amount of matters that QCAT covers. There has been a 21.5 per cent increase of guardianship matters over the past four years, rising from 10,425 to 12,684, which reflects our ageing population or the cohort that is going into this area where they are more susceptible to issues to do with guardianship.

As other members have mentioned, the QCAT President, Hon. Justice Martin Daubney AM, warned that the tribunal is stretched beyond all reasonable and proper levels of tolerance. I table an article by Sarah Vogler and Kay Dibben from the *Courier-Mail* dated 7 December 2018.

*Tabled paper:* Article from the *Courier-Mail*, dated 7 December 2018, titled 'Admin Tribunal stretched beyond the limit, says judge' [408].

The president goes on to say—


Any further delay in appropriate resourcing for QCAT will inevitably result in the tribunal being unable to deliver anything like quick and accessible civil justice to Queenslanders.

I am hopeful that the Executive Government will recognise and urgently address these resourcing issues.

I acknowledge the shadow Attorney, the member for Toowoomba South, who raised these issues in his second reading speech. The article also quotes the president's 2017-18 report which states—

In real terms, QCAT has observed a less than one per cent increase in funding since its inception, despite a 14 per cent increase in actual lodgements over that time.

As addressed in my speech, on top of guardianship and other significant matters, QCAT has been tasked with handling racing matters which are also facing significant delays leading to a loss of faith in the system itself and the issue of integrity in racing. The system is in overdrive under a Labor government which continues to shift more work to QCAT whilst failing to back them up with the resources they need. Whilst the LNP would like to note there are areas of concern, as rightly pointed out by stakeholders in their submissions and as the shadow Attorney has mentioned, we will not be opposing this bill.

 **Mr POWELL** (Glass House—LNP) (4.15 pm): I too rise to address the Guardianship and Administration and Other Legislation Amendment Bill 2018. As other speakers have alluded to, there are a number of amendments this bill makes to a number of acts. I want to confine my comments to those changes that are being made to the guardianship legislation. In the explanatory notes the policy objectives of the bill are to amend the guardianship legislation to provide a focus on contemporary practices and human rights for adults with impaired capacity, enhance safeguards for adults with impaired capacity in the guardianship system and to improve the efficiency of and improve clarity of guardianship legislation.

Like the member for Everton, who spoke before me, I want to drill down on a couple of changes that are specifically impacting on the ability of parents who have adult children requiring guardianship to continue to have a role to play in those adult children's lives. There are a couple of changes that are being made. I refer again to the explanatory notes where it says these changes will require QCAT, in carrying out functions or powers under the GAA, to seek and take into account the views, wishes and preferences expressed or demonstrated by an adult and the views of any member of the adult's support network. It also talks about clarifying that when QCAT is reviewing an appointment of a guardian and the Public Guardian is currently the adult's guardian, QCAT can remove the Public Guardian if there is another appropriate person available for appointment, for example, another person in the adult's support network, and that is a direct recommendation from the Queensland Law Reform Commission, recommendation 14-14.

I do note, however, that the Public Advocate has raised some element of concern about this. It reflects a story about a constituent of mine that I will relay very shortly. The Public Advocate raised concerns that the bill implements recommendation 14-14 of the review to provide clarity around when

QCAT may make an order removing the Public Guardian if another appropriate person exists. However, the bill does not implement recommendations 14-13 and 14-15 to provide a similar process for the Public Trustee. The Public Advocate explicitly stated—

... it is unclear why QLRC recommendation 14-13 has not been implemented in this Bill. That recommendation proposed amending section 14 so that the Tribunal should appoint the Public Trustee only if there is no other person who is appropriate and available for appointment as administrator, as is currently the case with the Public Guardian.

That is pertinent to a situation that one of my constituents found themselves in. Out of respect for their privacy I will not use names in this instance, but I would like to give some detail of the particular case. A constituent of mine held very grave concerns for her adult daughter, her adult daughter being a 26-year-old with autism as well as epilepsy who lived away from her mother in disability housing and until late 2017 had carers come and assist her through funding provided through Disability Services. The mother was able to provide letters of clarification around the situation the adult daughter found herself in. She was diagnosed at referral with ADHD, Asperger's syndrome, epilepsy and possible pseudoseizures.


Once the ongoing care provided by Disability Services was removed, the mother was very concerned about how her adult child would care for herself. In early 2018 that became even more of a concern when her daughter met a man who lived in the same complex who cancelled all her services and support. That man also encouraged her to cut all contact with her family, friends and service providers. More concerning is that my constituent understood that the man had only recently been released from jail. Her daughter was very vulnerable and therefore she was very concerned for her daughter's wellbeing, given this man's controlling behaviour. My constituent was advised to apply to be her daughter's legal guardian, which she did; however, she was advised that an adult guardian had already been appointed—the Public Trustee—on 9 February. Being very concerned to do the right thing and assist her adult daughter with a disability to navigate life, the mother applied for legal guardianship, only to find that it had been appointed already to the Public Trustee.

To compound the situation, when my constituent tried to reach out to the Public Trustee as her daughter's guardian she could not make contact. As the situation deteriorated with her daughter, my constituent became more and more alarmed and concerned with the Public Trustee's ability to act on her daughter's behalf. It comes to that issue that the Public Advocate raised—that is, that in instances like this where there is a family member who is willing and able, surely they should be considered as the guardian in the first instance. As the Public Trustee said, if there is no other appropriate person the Public Trustee should be appointed as the guardian.


The good news to this story is that, upon writing to the Attorney-General—and I appreciate that the Attorney-General cannot intervene in matters being dealt with by the Office of the Public Guardian—the Attorney-General was able to provide an update that, through a number of means of communication with the daughter and with the mother, the matter went back to QCAT in May 2018. QCAT then decided that the continued appointment of a formal guardian in the decision-making areas of health care, service provision and contact was not required. My constituent was in attendance at that time and thanked the Office of the Public Guardian for their assistance during the interim period. The appointment of the Public Trustee was continued in terms of being the administrator but not as guardian. That means that the mother has more interaction with her adult daughter. I understand that the situation has also improved in terms of dealing with the man influencing the daughter.

It is a pertinent case and a timely reminder that, when making positive legislative changes—and, as many speakers have said, we support these legislative changes brought forward today—there is perhaps opportunity to go that one step further. It is disappointing that we have not, as requested by the Public Advocate, gone that one step further to make it very clear that, in these situations, if there is someone within that adult's support network—and nothing is more beneficial in a support network than a family member, particularly a mother—surely that person should be appointed as a guardian. First and foremost, this should occur before any consideration is given to anyone else, particularly the Public Trustee. We have talked about the challenges that QCAT faces and how swamped it is, but from my dealings with the Public Trustee I contend that it is equally swamped in terms of its dealings, not only as Public Guardian but as administrator in a number of instances.

Given it does not appear that we will address this issue in this piece of legislation, I hope that in subsequent legislation and as we continue to implement the recommendations of the Queensland Law Reform Commission report this is also picked up, that the words of the Public Advocate are picked up and that we get to a situation where parents can play a far more active role in the ongoing guardianship of their adult children with disability. I commend the bill to the House.

 **Ms BOLTON** (Noosa—Ind) (4.24 pm): I rise to speak very briefly on the Guardianship and Administration and Other Legislation Amendment Bill, because it has been so well covered. As we heard, this bill is the culmination of the recommendations of the investigations and reviews to bring legislation up-to-date for the growth in our ageing population and demand on public institutions such as the Public Trustee and Public Guardian as well as changing attitudes and concerns about abuse and potential abuse of our elderly, our disabled and those with impaired capacity. The focus is to enhance protections, streamline administration, strengthen safeguards and provide that the minister will prepare guidelines for assessing capacity in consultation with qualified persons. However, I note there may be further recommended changes and amendments arising from the current aged-care inquiries at federal and state levels and a possible federal inquiry into disability support as well as the relationship between any potential assisted dying legislation and guardianship, powers of attorney and advance healthcare directives. These will all need to be considered should such legislative changes come into being.

I touch on two concerns within this bill. Firstly, there appears to be no time line attached to the minister's responsibility to prepare guidelines for assessing capacity. In line with ensuring further duress is not put onto Queenslanders, it is vital to have processes that are effective, fair, economical and timely. Secondly, I refer to the appointment of a manager of the estate of a missing person where it is proposed to allow QCAT to appoint an administrator. I have spoken previously about this in this chamber, in terms of the difficulties faced by QCAT in delivering to community expectations with an ever increasing workload without an increase in resources. I can only stress again the importance of adequately making provisions for the vital role that QCAT plays. From what I have heard from other MPs today, I am not alone in this. In closing, I thank the committee, departments, agencies, all who made submissions and were involved in the work on this and also MPs for the really good debate regarding this bill today. I commend the bill to the House.

 **Mr HUNT** (Nicklin—LNP) (4.27 pm): I will do my best to have a say on behalf of the people of Nicklin, but it is fair to say that current standing orders in this parliament make it difficult to prepare properly, to have a say on this important legislation.

**Government members** interjected.

**Mr DEPUTY SPEAKER** (Mr McArdle): Members, quiet, thank you.

**Mr HUNT:** As we move down the speaking list, one is left to wonder whether or not one will get the opportunity within the time proposed.

**Mr DEPUTY SPEAKER:** I bring the member back to the long title of the bill.

**Mr HUNT:** I do rise to make a short contribution, being mindful—

**Government members** interjected.


**Mr DEPUTY SPEAKER:** Members, thank you. If you want to debate the issue, take it outside.

**Mr HUNT:** I do rise to make a short contribution, being mindful of other speakers on the list who want to speak on behalf of their community. Like other members of the LNP, I do support the bill. I note that this legislation seeks to implement recommendations now many years old. Apparently to this Labor government there were many more important things that took priority over this legislation. It is noted that the committee tabled its report on this bill over 12 months ago. In terms of priorities, apparently it is more important to this government to monitor fisheries than enact these laws to help our most vulnerable. Apparently, it is more important to this government to push a betting tax through the parliament than to enact these laws to help our most vulnerable. Apparently, it is more important to control farmers looking after their land than to enact these laws to help the most vulnerable.

The bill's objectives closely mirror those of the previous Guardianship and Administration and Other Legislation Amendment Bill 2017, which lapsed at the close of the 55th Parliament. These objectives amend Queensland's guardianship legislation in order to provide a focus on contemporary practice and rights for adults with impaired capacities. They enhance safeguards for these persons in the guardianship system and improve the overall efficiency and clarity of existing legislation.

During the committee process I note that the Office of the Public Advocate raised the concern that this bill only implements some of the 317 recommendations as a result of the Queensland Law Reform Commission's 2010 review of Queensland's guardianship system. I also wanted to make a quick comment about the QCAT responsibilities under the legislation. As others have noted, QCAT is under a lot of pressure. I have seen that firsthand through the work of our committee. We are seeing a bottleneck of cases in the health system. Extra work means extra resources and the government needs to look at this urgently, as noted by other speakers.

This is important legislation despite the lack of importance shown to it by this government. I am mindful of the fact that we are running out of time for this debate and there are others who would like to speak on behalf of their communities and their vulnerable people. I will conclude noting that the community of Nicklin looks after its vulnerable people. Services and care are provided to our most vulnerable by various community groups, agencies, carers and aged-care providers. They do a great job. I am very proud to represent a seat with such a proud record of care for our community members. I will leave it there so others can speak.

 **Mr MOLHOEK** (Southport—LNP) (4.30 pm): I rise to make a short contribution in respect of the Guardianship and Administration and Other Legislation Amendment Bill 2018. At the outset, I want to stress that this legislation deals with often very perplexing and challenging circumstances for families and relatives. That is why it is so important that these amendments are made and this legislation addresses some of the issues that occur for families who are dealing with relatives or parents or other family members with impaired capacity.

It is important to make meaningful improvements to the safeguards for some of our community's most vulnerable people which is why we will not be opposing the bill. As outlined by the shadow minister and key stakeholders who provided submissions and evidence to the previous committee, there are some areas that raise some concerns, particularly regarding clarity. Families should be confident in the legislation designed to safeguard their family members. Legislation should be readable and the clarity of guardianship should be the goal. However, I believe this legislation is written in a way that creates some contradictions and some challenges.

The Public Advocate raised concerns that the bill implements recommendation 14-14 of the review to provide clarity around when QCAT can make an order removing the Public Guardian if another appropriate person exists. However, the bill does not implement recommendations 14-13 and 14-15 to provide a similar process for the Public Trustee. The Public Advocate stated—

It is unclear why recommendation 14-13 has not been implemented in this Bill. That recommendation proposed amending section 14 so that the tribunal should appoint the Public Trustee only if there is no other person who is appropriate and available for appointment as administrator.


Queensland Advocacy Inc. and ADA Australia raised concerns that the bill does not require QCAT to consult with the adult and their family when making interim orders. QAI commented that they were aware of cases where the adult and families were only made aware that an order had been made after the proceedings had been completed.

I have had an instance in my office which incorporates both of these concerns that were brought to my attention by a constituent. It was very perplexing for this individual. Upon the passing of his mother, who had been the nominated primary carer for his disabled brother, without his knowledge orders were made regarding his brother's guardianship and the outcome of his mother's will. I will not enlighten the House as to the details. It is only fair that I protect the identity of the particular constituent.

On many occasions this particular family came to my office to discuss some of the challenges they were dealing with. I understand firsthand just how complex these family issues can be. At the time it did not appear to me that fair consideration had been given to the fact that this man had effectively acted as guardian not only for his brother for many years but also for his ageing mother. It was sad that he certainly did not feel that he had been consulted in a fair and reasonable manner.

What I witnessed was that the fight to have these things rectified ended up being emotionally challenging. It certainly created a great deal of stress between this particular individual and his brother. It was not that there was any animosity between them but it was simply perplexing for them both to try to resolve things and make decisions that seemed to me at the time reasonable and fair. They were somehow caught in the vortex of administration. It was particularly unfortunate given that this man certainly had his brother's best interests at heart. The money required to be spent on legal fees could perhaps have been much better spent on addressing some of his brother's needs.

I am proud to be a member of the LNP. I am proud of the achievements we made while in government in terms of implementing the recommendations and government response to the Law Reform Commission's review. In 2012 we enacted recommendations, including retaining and strengthening the independence of the Public Advocate and improving the ability of the Public Advocate to effectively perform its functions. In 2014 we made further commitments to implement further recommendations from the report. I will not be opposing the bill. I commend the bill to the House.

 **Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice) (4.36 pm), in reply: I thank all members for their contributions in relation to this important bill and acknowledge the opposition's support for the bill. In the time remaining, I want to touch on some of the issues that have been raised.

Firstly, it is nice that the bill is being supported or not opposed by those opposite. I have to take issue with the criticisms about the length of time this has taken and why when Labor was last in government, according to those opposite, it did not do anything about this and yet the LNP allegedly implemented half of the recommendations. The QLRC report came out in 2010. The then government released a government response in 2011. As we know, there was an election early in 2012. It was in 2014 that the LNP released their government response. Their government response was to do this in stages as we have agreed to do.

There was just a government response. There was not a raft of legislation coming out of the QLRC report and the recommendations. We have heard the shadow Attorney-General say that when they were in government they legislated around the Public Advocate. That is right, but that was not in line with these recommendations. In fact, the recommendations were to abolish the Public Advocate and transfer its powers over to the Public Guardian. There was a lot of community backlash to that and so the LNP chose not to proceed with that transfer of powers. There were certainly legislative changes around the Public Advocate, but they were not necessarily in line with or as a consequence of the recommendations of the QLRC report. I thought that was important to put on the record.

In relation to fluctuating capacity, I acknowledge the contributions of honourable members and some stakeholders in this regard. Section 5 of the Guardianship and Administration Act has been amended to recognise that the capacity of an individual may vary based on the types of decision to be made, including, for example, the complexity of the decision to be made and the support available for members of the adult's existing support network. However, we recognise variable capacity.

We do not think it is appropriate to transition to a fluctuating capacity model in our guardianship legislation at this time. That is largely because, despite in principle support for such an approach, stakeholders have expressed concern as to how such a model would practically manifest itself. On that basis, further consideration would be required before there is any implementation on that.

The member for Maroochydore asked about what we were doing outside of the legislation. We are redesigning the enduring power of attorney and advance health directive forms. We are developing explanatory guides to accompany the redesigned forms. We are developing guidelines to assist capacity and assessment as well.

There are some recommendations that have not been progressed and that is because a lot has happened since 2010 in terms of changes. There has been a focus on elder abuse and aged care, and, of course, the NDIS. Whatever we choose to do around guardianship going forward has to take all of that into account. That is what we will seek to do in ongoing reform in this area to ensure that those most vulnerable in our community remain protected and safe. 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 98, as read, agreed to.

Schedule 1, as read, agreed to.

### Third Reading

**Madam DEPUTY SPEAKER** (Ms McMillan): In accordance with the business program agreed to by the House, the question is that the bill be now read a third time.

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

Motion agreed to.

Bill read a third time.

### Long Title

**Madam DEPUTY SPEAKER** (Ms McMillan): In accordance with the business program agreed to by the House, the question is 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.

## LAND, EXPLOSIVES AND OTHER LEGISLATION AMENDMENT BILL

### Second Reading

Resumed from 15 November 2018 (see p. 3661), on motion of Dr Lynham—

That the bill be now read a second time.

 **Mr MILLAR** (Gregory—LNP) (4.42 pm): I rise to make a contribution to this bill, which will have an effect on my electorate in several regards. I also point out that this is another omnibus bill. Omnibus amendment bills are becoming very familiar under this government. This is of concern because it annoys Queenslanders and impacts on our lives and businesses when we are constantly having to adjust to a stream of amended laws and the new regulations they seem to produce. I am constantly receiving calls from my constituents anxiously trying to check that they are not breaking any new laws or regulations.

This omnibus bill amends 13 separate pieces of legislation. This makes it difficult for media to report the changes effectively, so they tend to just give it a miss. It also makes it difficult for members of the public to comprehend what changes are being made and to search for the changes to make sure they understand them. Omnibus bills should only be used for minor amendments and legislative 'housekeeping'. This is a substantive bill that provides reform on real issues such as explosives handling and safety, Indigenous economic development and native title issues, and the use of state land. At the very least it should not have been pushed to the bottom of the *Notice Paper* sitting week after sitting week.

I would particularly like to commend the amendment to the Aboriginal Land Act and the Torres Strait Islander Act which will allow the sale prices of social housing on Indigenous land to be set by agreement. This will be very important to my constituents in the town of Woorabinda. I hope it will be used to encourage private home ownership. In a town like Woorabinda, social housing has been the main housing model. This makes it very difficult to set a market in order to allow residents to participate in the benefits of home ownership.

The social housing model was adopted with the best of intentions but it has had the effect of excluding the whole community of Woorabinda from the benefits of home ownership. Home ownership confers social, emotional and financial benefits upon individuals. My constituents in Woorabinda should have that. It also creates the basis for the economic development of whole communities. This is why local governments in Gregory resist the fly-in fly-out model for resource workers.

Many people have just assumed that the native title legislation somehow resolves the home ownership problem. It does not. This is why the LNP legislated for freehold opportunities in Indigenous communities. This amendment takes on the problems in moving from the old social housing model and provides a common-sense solution and one that allows adaption to better suit each community's circumstances—which is very, very important.

I move on to discuss the amendments to the Explosives Act 1999. As the representative of a Bowen Basin electorate, I am highly aware of the need for safety around explosives including their storage, handling and transportation. Queensland accounts for a third of all of Australia's explosive use and the reason for this is the mining industry on which our prosperity rests. Explosives safety and security are critical to the resources industry and for the protection of the Queensland community.

As it stands, the Explosives Act is silent on security related matters and it is essential that explosives legislation is kept current with contemporary safety and security standards and that it meets community expectations. This bill will also bring Queensland into alignment with our southern states as part of a national harmonisation process to achieve national consistencies in explosives regulation.

This amendment has concerned some of my constituents because they feared it was responsible for difficulties in transporting gunpowder to far Western Queensland—which is very, very important. I was able to advise them that the legislation should actually make transportation easier as it must travel across two state borders to get to us. I thank Minister Lynham for his assistance in this regard. He has done a great job. It is very important for people in Winton in my electorate, because getting gunpowder is so important for our roo shooters out there in Winton. It is very important for them to be able to afford to conduct that business. It does two things: it provides employment for people in Winton and it helps with the biosecurity issues that we face in the small towns in Western Queensland. I thank the minister. He has taken a serious look at this and he is doing the right thing.

By harmonising the safety transport regulations, we are reducing red tape. However, I will continue to monitor the outcome of this bill as it is imperative that we continue to be able to transport black powder by road to Western Queensland. The ability to reload their own ammunition is vital for the



viability of the western kangaroo harvesting industry. In Winton alone the value of the industry is approximately \$900,000 per annum in terms of the value of carcasses shipped out. This has been a significant source of income during this long and terrible drought—well over eight years. We may be getting some rain out in Western Queensland at the moment, but I assure members in this House that the drought is not over. This rain will not solve the problems we have with drought. Our kangaroo harvesting industry is very important for towns like Winton and Quilpie, which is in the member for Warrego's electorate. The member for Warrego has been a very vocal advocate for our roo shooters because they play an important part in keeping our economies going in Western Queensland.

I move on to the amendments to the Lands Act 1994. Many members may never have to assist a constituent over matters relating to the Lands Act 1994, but I would say that in Gregory and also in Warrego barely a week goes by when we are not assisting someone in relation to the Lands Act. The amendments will confer upgraded compliance powers on officers administering the Lands Act. I can instantly think of situations where these powers will help—for example, where trespassers ride dirt bikes on crown land, annoying residents and causing damage to the land itself. However, such instances have previously been dealt with very effectively by the Queensland Police Service and I question—like the Queensland Law Society—whether the bill actually confers too much power on departmental officers.


I am highly conscious of the wonderful job our public servants in the seat of Gregory do—be they transport officers, environmental officers, lands officers or mining compliance officers. These public servants are on the cutting edge every time we parliamentarians introduce a new reform or a new rule. We must remember that. When we introduce legislation into this place, it is the public servants who have to carry it out and we have to make sure they have the resources to do that.

It is these men and women who not only have to enforce the rules but have to do so in the community in which they and their family must live. We are talking about communities that are small. These people live in towns where they have to enforce these laws, but their children also go to school together or they play footy or rugby with the people in town. We have to be mindful when we make these rules that it does not affect the way they live in the community, because they are just as important in the community as anybody else.

I must admit I worry about this. I would not be the first to say that, if we keep expanding their jurisdiction, we must ensure they have the support needed to do their jobs safely. However, I also worry that this government seems careless about safeguarding people's rights and liberties. I will be watching the effect of this amendment carefully to see the real world impact on people's rights. It is ironic that we have just passed the Human Rights Bill yet today we are considering the ninth bill to come before the House in the past two years that actually chips away at the property and legal process rights of Queenslanders. Apart from the clear concerns attached to this trend, I worry that it creates a real and physical danger for public servants charged with administering these laws.

Finally, I would like to make some general comments in the context of changes to various petroleum, gas and mineral acts. These are technical changes and sensible changes. It could be argued that these industries need certainty more than most because of the long investment time lines and the global price cycles they operate within. These industries are pillars of the Queensland economy, so when we see that global mining companies are ranking Queensland behind other countries we must continue to support them.

I am almost out of time. I have probably skimmed over this, but this bill is of great interest to me. I have been reading the committee reports and also taking a strong interest in a lot that goes into this bill. I again thank the minister in regard to our roo shooters and for allowing the safe transport of that black powder. I think that is a common-sense approach. It might not seem a lot in Brisbane, but it is very important to get that powder out there and in a cheap way so we can continue to have roo shooters.

 **Mrs GILBERT** (Mackay—ALP) (4.52 pm): I rise to speak in the debate on the Land, Explosives and Other Legislation Amendment Bill 2018. Workplace health and safety is everyone's business, and there are sections of this bill that will enhance the safety and security of workers and the community in the explosives and gas sectors. Just last Friday in Mackay the Resource Industry Network held their annual work safe forum which was attended by major and smaller workplaces in the mining industry. We meet together each year to say that we take safety seriously in our workplaces. Our communities collectively are determined that we will not have to send condolences to any more family members or friends or workplaces this year. Already we have had one and one is too many. The ripple effect on our communities is too tragic.

Explosives are used in the mining industry, and many in my community are connected in some way with mining. The explosives are transported through Mackay and the little townships on their way to the Bowen Basin. This bill amends the Explosives Act 1999. That act regulates the manufacture, sale, handling, storage, transportation and use of explosives in Queensland. The act, however, does not include provisions for security. We live in a world that is moving and evolving at a fast pace. It is important that our legislation dealing with explosives is modern and contemporary and meets the standards and expectations of the community and industry. The amendments in the bill legislate current practices regarding a person's obligation to secure explosives and to identify unsecured explosives as an incident which is reportable. They legislate for safety management systems to include security matters and ensure that all licence holders undertaking activities regarding security adopt security plans.

The Explosives Inspectorate within the Department of Natural Resources, Mines and Energy regulates the handling of explosives and ensures that licence holders are appropriate and undertake suitable safe and secure handling practices. The bill amends the Explosives Act 1999 and the Explosives Regulations 2017 to align with the national harmonisation process and place Queensland at the forefront for influencing the process going forward. The bill will improve community safety by strengthening safety and security provisions for explosives. It is essential to keep explosives secure and ensure that only those persons who are appropriate have access to explosives. This bill amends the explosives legislation to reflect the Queensland government's *Not now, not ever* policy by prohibiting persons subject to domestic violence orders from holding an explosives licence. It is important that legislation is proactive and prevents the possibility of the misuse of explosives in any situation.

Explosives need to be transported. In Central Queensland this means they are travelling through the towns where we live with our families. They pass petrol stations, shops, schools and homes. The safe carriage of explosives is paramount for my community. This bill introduces provisions for authorisation and licensing of individuals transporting explosives materials and the requirement for journey plans and the notification and assessment about the transport route. The unfortunate and very sad incident at Angellala Creek is a learning experience for us all and an opportunity to mitigate further risks by putting in place additional checks and balances for the transport and use of explosives. The bill introduces provisions for authorisation and licensing of individuals transporting explosives materials and the requirement for journey plans and the notification and assessment about the transport route.

It is the Palaszczuk government that has committed funding in partnership with the federal government to build the \$150 million Walkerston Bypass that will continue on the Mackay Ring Road. The bypass will take hundreds of transport trucks running through the township of Walkerston away from that community. The bypass will take the transportation of explosives out of the main street of this small town—away from their shops, their two schools, their churches and their petrol station.

Queensland will join with most of the other states in requiring a driver to hold a licence when transporting explosives. The explosives transport industry has been proactive in seeking the introduction of an explosives driver licence. The introduction of the licence will take away the disadvantage to Queensland drivers working across borders. There are very responsible operators in the commercial explosives industry and I would like to highlight one. The Dyno Nobel Moranbah branch puts an emphasis on mental health wellness and support. It is good to see companies looking after their workers. I commend the bill to the House.



**Mr LISTER** (Southern Downs—LNP) (5.00 pm): I rise to make a brief contribution to the Land, Explosives and Other Legislation Amendment Bill 2018. The LNP is not opposing this bill. I would like to thank the committee for their work in bringing it to us. The bill is designed to streamline key regulation within the Natural Resources and Mines portfolio and enhance worker and community safety and security in the explosives and gas sector. The bill will also support the protection and cooperative management of cultural and native values of Cape York Peninsula. I will firstly address the time frame and the consultation on the bill.

The bill has been on the *Notice Paper* for almost 12 months. I know we were debating it up to the Christmas break, but it should have been passed even in the 55th Parliament. Other speakers before me have remarked upon the tardiness of the legislative program of the government. I know my honourable friend the member for Buderim remarked eloquently about the truncation of consultation, the shabbiness of the government's legislative program and their fumbling. I well remember at the time hearing some belligerent croaking from behind me, from the member for Logan, about how it was ignoble that we should suggest the government is no good at consultation and that they always consult. That was news to me. I certainly have recollections of hundreds of farmers in green shirts out the front complaining about the lack of consultation.

One of the things that concerns us about the bill is that there is again a move towards allowing government officials—inspectors and so forth—onto someone's property without a warrant. In this instance it is perhaps appropriate because of the dangers associated with explosives, but the LNP is concerned about this creeping reduction in the rights of property owners. We feel that better consultation may have brought out more voices against that.

The Queensland Law Society has raised significant concerns regarding the powers this bill grants inspectors to enter a premise without a warrant or consent or a reasonable notice period. In their submission they argue that section 4(3)(e) of the Legislative Standards Act provides that legislation should generally 'confer power to enter premises, and search for or seize documents or other property, only with a warrant issued by a judge or other judicial officer', and I think that is very appropriate.

I turn now to amendments to the Aboriginal Land Act 1991 and the Torres Strait Islander Land Act 1991 and their implications for Indigenous housing. One of the good things about this bill is the positive impact it will have in that sphere. The bill provides flexibility for Aboriginal and Torres Strait Islander owner groups to nominate an existing registered native title body corporate to be grantee of land which is not subject to native title. The bill enhances opportunities for Indigenous people to achieve home ownership by providing an option to set a price for social housing. The purchase of social housing stock is the most feasible path to home ownership in Indigenous communities. By giving greater options to government to determine or agree on the sale prices of housing these amendments allow the state to respond to the unique circumstances in those discrete communities, in particular where there is limited or no active housing market.

Regarding the Explosives Act 1999, the bill regulates the manufacture, sale, handling, storage, transportation and use of explosives in Queensland and provides for the safety of people and property from the misuse of explosives. Queensland is the largest user of explosives in Australia, predominantly in the mining industry, using approximately one-third of the three million tonnes consumed annually. That is no surprise to me because we know that mining is such a central and fundamental basis for our economy in Queensland.

In relation to the Land Act, the bill provides compliance powers to stop inappropriate behaviour on state land where the department has direct responsibility in land management. The bill stops motorbikes and vehicles not only causing destruction on state land but also causing nuisance to properties which border state land. More broadly on the topic of mining, the LNP recognises that the mining industry is an enormous employer in Queensland. The royalties it generates, the economic activity and the pay packets, especially if they are spent in our regions, make a huge difference and they make Queensland the state that we are. We support those jobs. We are looking at 60,000 Queenslanders directly in mining and 180,000 indirectly and of course there will be even more if certain mining projects proceed. If honourable members know any black-throated finches out there, I suggest they have a word with them; I am sure they would not mind certain things going ahead.

We need to exploit our mineral resources, and the LNP is fully supportive of that. Without a strong economy and strong resources sector, governments cannot provide better services in our hospitals or better education for our children or invest in new technology and equipment to help police protect our communities. I know in my electorate of Southern Downs if I talk to people about a machinery-of-government bill like this they find it about as interesting as I do. However, the implications and the industries—

**Mr Mellish** interjected.

**Mr LISTER:** I take that interjection from the member for Aspley. When we in this House are given an opportunity to think about where our bread is buttered, it is always good to remind ourselves of the importance of the resources industry and mining to our state. Having said that, we support the bill. I commend it to the House.



**Mr STEWART** (Townsville—ALP) (5.05 pm): I rise today to support the bill. This bill proposes to amend the Explosives Act 1999 to regulate the manufacture, sale, handling, storage, transport and use of explosives in Queensland and to provide for the safety of person and property from the misuse of explosives.

The port of Townsville is the largest commercial port in North Australia, and there is no debating that. There are 32 different commodities that come through that particular port. It is the largest sugar exporter in the Southern Hemisphere. Bitumen, cement, zinc and cars also come in through that centre. Particularly with the floods writing off some 3,000-plus vehicles in our city, I am sure a lot more cars will be coming in through that port. Following a cyclone or a flood event as we have experienced in recent times, petrol tankers are the first into our city. Due to the mining industry and the north-west minerals

province in this state, supply to this industry comes through that particular port. This includes explosives, and the transport of these explosives through the port into the mines comes with its own hazards.

We are seeing larger ships traversing our seas and bringing those vital supplies like explosives to our shores through ports like Townsville. That is why we need to widen the channel of the port of Townsville and bring those larger vessels into our city. The Palaszczuk government has committed \$75 million to widen that port channel over the next five years. It will employ local contractors to ensure work stays local and that keeps our money local. Heaven knows that we need to keep our money in our own town given the impact of the recent floods. As we all know, many businesses have been affected.

The port has a 50-year plan that will see the expansion of the port and an additional five berths added to the existing nine. The handling and transfer of these products in and out of the port are critical in maintaining the efficiencies of the port. If we are not competitive, then ships will sail past us and rail those products back north. In considering this, we need to ensure the safety of our workers—those stevedores who work the wharfs—and we need to ensure the safety of our transport operators. Safety is paramount in that planning. This legislation does exactly that. It addresses the safety concerns of transporting explosives across our state and, more particularly for me, our city.

We have heard today from the member for Traeger about recent deaths of truck drivers on the Mount Isa to Townsville road. It is essential that we consider the transportation of explosives along the routes to the mine sites and ensure mine operators provide the necessary safeguards and safety procedures to keep people safe. For example, my brother was an executive in the mining industry based in Mount Isa for a period of years. We would often discuss workplaces and what safety procedures they would have in place to ensure that workers not only felt safe but were safe and got home safely after every shift. Part of those conversations was around explosives and explosives handling. The 'powder monkeys', as they were called, had some of the highest training methods and safety regimes on that particular mining site. Accountability and safety was their motto. Everything was double-checked and then checked again. There are no second chances when it comes to explosives, particularly on a mine site.

The amendments in the bill will introduce an explosives driver licence for the transportation of explosives, require a security-sensitive explosives plan to identify security risks, adopt processes to deal with the risks and provide for this plan to be reviewed annually.

As I have already highlighted, the port channel of Townsville will undergo a widening process due to the increased size of ships traversing our seas. Had we not undertaken this process, ships would travel past us down to Brisbane and products like these explosives would be put on the back of trucks to travel back up north to the mine sites. This process significantly increases the risk of transporting explosives up and down the Bruce Highway. Do not get me wrong: I am not insinuating that truck drivers are the problem; however, there is no doubt that sharing the road at all hours of the day and night puts all road users at risk. There are countless stories of road users driving excessive hours up and down our highways as they try to meet the irresponsible deadlines placed on them by truck business operators. This legislation will provide a security-sensitive plan that addresses possible risks and minimises those that place the public at risk.

Madam Deputy Speaker, I would like to share a story. In the mid-1990s my wife and two kids and I lived in Mackay.

**Mrs Gilbert:** It's a great place!

**Mr STEWART:** It is a great place. It is a lovely place. It is a great place to raise your kids. As we all know, it is a community that is heavily involved in the mining industry. In our neighbourhood alone I would estimate that about 30 per cent of the men who lived in our street worked in the mines. They were obviously attracted by the high wages and the ability to work days on and days off, which seemed to work really well for them. One Sunday afternoon there was a really loud explosion that rocked our neighbourhood. Our home and windows shook. Without going into too much detail, one of those mine workers had access to explosives, and during a domestic violence event he detonated those devices, killing him and injuring his partner.

This legislation will address some of those concerns. It will streamline administration by including processes around the application for, and transferral of, explosive licences. In addition, it will improve the consistency of safety regulatory provisions to improve information provided to the explosives inspectorate around the notification and investigation of explosive incidents. The amendments support the Queensland government's *Not now, not ever* report by prohibiting persons who are the subject of a

domestic violence order from holding an explosives licence. Using the example I just mentioned in Mackay, had this legislation been in place at that particular time it could have saved a life. No doubt it would have aided in that particular situation. It would be great to have a crystal ball, but of course we do not. This legislation is the next step along that road.

The amendments will also enable the declaration of transport routes, areas or times as approved or prohibited for the transportation of explosives, ensuring community safety on the roads. I have already alluded to what that means when it comes to travelling up and down the Bruce Highway. If we do not widen that port, ships will come down to Brisbane, cargo will be unloaded onto trucks and it will go back up the highway, putting lives at risk. We need to make sure that everything we do is aimed at keeping our community safe. That is what this legislation is about.


I read through the committee's report. I would like to thank the committee for all the work they have been doing around this. I know that it was introduced during the last parliament, but unfortunately it was held over until this one. I read in the committee's report that at the public briefing the committee asked the department to clarify what is defined as an explosive and what quantity of explosive would trigger this legislation. The department provided the following advice as stated in the committee's report—

*Assuming you have a weapons licence, obviously you are entitled to have all of those ingredients that you are talking about. There is no impost on that particular use of propellant powders if you load your own ammunition associated with security. There is adequate security in place to handle those, as they stand.*

And ...

*We have a definition in the act around products that are security-sensitive explosives. For instance, in the case of propellant powders we regard that as a security-sensitive explosive because it could be adapted for misuse or a criminal or terrorist activity. Therefore, there are stricter controls around those particular types of items. There are exemptions in various parts of the act, in the schedules, that allow people who have a legitimate need, such as a weapons licence or a shotfirer licence, to go about their business without excessive burden.*

For farmers and those on the land who have a weapons licence, you will be able to reload your own ammunition. You will not be affected by this legislation. It is good to know that, not only for those on the land who have weapons licences but also for several of my extended family and friends who have gun licences. They compete in shooting events and therefore reload their own ammunition, because it is certainly much cheaper to do that. That is part of that particular sport. Every time I have witnessed them load ammunition they do it in a safe way. This bill will not affect those gun licence holders. It is designed to keep our community safe. I commend the bill to the House.

 **Ms PEASE** (Lytton—ALP) (5.15 pm): I rise to speak in support of the Land, Explosives and Other Legislation Amendment Bill 2018. This bill covers a wide range of amendments that will streamline and ensure the effectiveness of certain key regulatory frameworks within what is now the Natural Resources, Mines and Energy portfolio. The government remains committed to increasing the ability of Aboriginal people and Torres Strait Islanders to access and utilise their land as well as enhancing opportunities to achieve home ownership.

The bill proposes amendments to the Aboriginal Land Act 1991 and the Torres Strait Islander Land Act 1991 to expand the circumstances in which registered native title bodies corporate may hold land subject to a number of safeguards. This will provide flexibility for Aboriginal and Torres Strait Islander owner groups to nominate an existing registered native title body corporate to be the grantee of land which is not subject to a native title determination provided the land is adjacent to, or in the vicinity of, a relevant native title determination area and the traditional owner groups are the same or similar. This flexibility removes the need to establish and fund a new entity with the same or similar membership and administrative and governance arrangements if an otherwise suitable entity already exists.

Further amendments to the Aboriginal Land Act 1991 and the Torres Strait Islander Land Act 1991 will provide greater options for the government and trustees to determine or agree on sale prices for social housing. The purchase of social housing stock is the most feasible path to home ownership in Indigenous communities. These amendments allow the state and trustees to respond more readily to the unique circumstances in these discrete communities, recognise existing interests in property and make adjustments in communities where there is limited or no housing market. The bill will also make amendments to the Cape York Peninsula Heritage Act 2007 to support the protection and cooperative management of cultural and natural values on the Cape York Peninsula.

The bill amends the Land Act 1994 to provide a modern compliance framework. Currently, the Land Act provides only limited tools to allow the Department of Natural Resources, Mines and Energy to appropriately manage state land, particularly unallocated state land and reserves that have no


trustees. Of particular note is the lack of contemporary powers required to address issues such as the illegal dumping of rubbish, noise, erosion caused by motorbike riders and four-wheel drives, and illegal camping—something that many of us would be familiar with in our electorates. There is also an inability to rapidly deal with dangerous infrastructure that poses a risk to public safety or address the burden to the state and taxpayers of unsafe and inappropriate buildings and structures, which again is something that myself and the member for Capalaba are familiar with.

A range of compliance tools similar to existing provisions in equivalent state legislation are proposed, providing the government with the flexibility to respond more appropriately, effectively and in a timely manner to different compliance situations. Amendments to the authorised officer provisions in the Land Act are proposed to provide protection to government officers as well as modern safeguards to the community.

The bill also proposes minor amendments to the Land Act to streamline processes for tourism lease renewals on regulated islands. The amendments will allow marine term leases to become rolling term leases where they are tied by covenant to a perpetual lease and provide supporting infrastructure. This responds to stakeholder feedback and provides greater security to leaseholders of tourism leases, which support and strengthen the tourism sector.

Amendments to the Land Title Act 1994 encourage and facilitate the take-up of online e-conveyancing by removing the legal effect of these duplicate paper certificates of title. Additionally, the bill has been amended to change the date of commencement of amendments to the Land Title Act that remove the legal effect of duplicate paper certificates of title to 1 July 2019.

The bill proposes to amend the Foreign Ownership of Land Register Act 1988 to make definitions for 'foreign person' and 'foreign corporation' consistent with those used in the Duties Act 2001, reducing duplication and red tape. Other amendments will generally update the act, including contemporary penalty provisions. The amendments to the Foreign Ownership of Land Register Act will now commence by proclamation to ensure the amendments are not inadvertently retrospective. I commend the bill to the House.

 **Hon. AJ LYNHAM** (Stafford—ALP) (Minister for Natural Resources, Mines and Energy) (5.19 pm), in reply: I thank all honourable members for their participation in this debate. I thank the member for Bancroft, chair of the State Development, Natural Resources and Agricultural Industry Development Committee, and all of the committee members for their contributions to the debate of the bill.

**Ms Pugh:** A great committee.

**Dr LYNHAM:** I take that interjection. I also acknowledge and thank the member for Burdekin for his support for the key elements of this bill.

This bill makes amendments to existing acts and associated regulations within the Natural Resources, Mines and Energy portfolio. Many of the amendments will make it easier to do business in Queensland by clarifying legislation, streamlining and improving existing processes and reducing red tape. Other amendments in the bill are in response to the government's continued effort to enhance worker and community safety and security in the explosives and gas sectors.

The bill is also reflective of the Palaszczuk government's commitment to support Aboriginal and Torres Strait Islander people by facilitating Indigenous people's access to land and providing residents of Aboriginal and Torres Strait Islander communities with greater opportunities to achieve home ownership.

I am pleased for the support that members have given for provisions of the bill that will amend the Cape York Peninsula Heritage Act 2007. These amendments will ensure that the Aboriginal freehold land that has been transferred as part of the Shelburne Bay and Bromley land dealings continues to be protected from future mining, mineral exploration or coal seam gas operations. The Shelburne and Bromley properties are of immense ecological and cultural value. The properties are renowned for their white silica sand dunes, pristine rainforest, perched lakes and eucalypt woodlands.

The Cape York Peninsula Heritage Act is a unique piece of legislation that returns land and supports economic opportunities for traditional owners whilst protecting the landscapes and unique environmental and cultural assets of Cape York Peninsula. When parts of the Shelburne and Bromley properties were transferred back to the Wuthathi, Northern Kaanju and Kuuku Y'au people in 2016 and 2017, the native title holders negotiated an agreement with the Queensland government to continue the prohibition on mining activities. I am immensely proud that the bill we pass today will deliver on this agreement.

As outlined during my second reading speech, the committee received submissions from individuals representing other groups that would like to see similar protections for their lands. Over the past few months these groups have again contacted various representatives of the Palaszczuk government restating their case. I take this opportunity to tell the Olkola, Chuulangun and Batavia people that we have heard these concerns. Having had preliminary conversations with additional relevant stakeholders, it continues to be clear that this matter is too complex to be dealt with in this bill. I reflect on the speech of the member for Gregory regarding this issue. However, we will act with haste to begin a broader consultative piece that will listen to all relevant stakeholders to find the most appropriate way to give Indigenous landholders a more significant say in the development of their lands.

Amendments to the Aboriginal Land Act 1991 and the Torres Strait Islander Land Act 1991 will provide an additional option to Aboriginal people and Torres Strait Islander people to nominate an existing registered native title body corporate to be grantee of their land where the Federal Court is yet to make a determination that native title exists over the land. I note that the members for Buderim and Condamine were concerned that some weaker non-registered native title body corporate groups would be disadvantaged when negotiating with larger groups with regard to the granting of land with shared boundaries. I assure members that land would not be granted to a registered native title body corporate unless the minister is satisfied that the registered native title body corporate would be the appropriate entity to hold any determined native title rights to the land.

The member for Burdekin also asked me to respond to the question of what probity checks will be conducted to ensure the viability of these registered native title bodies corporate before granting them land. This is a Commonwealth responsibility as native title bodies corporate are established under Commonwealth law. The member for Burdekin also asked if there would be a time frame invoked when an entity is appointed as a trustee of Aboriginal or Torres Strait Islander freehold land. I can advise the member for Burdekin that a registered native title body corporate is appointed permanently or until it wishes to transfer control to another appropriate entity.

The bill is also an important step in the government meeting its commitment to provide residents of Aboriginal and Torres Strait Islander communities with greater home ownership opportunities. The purchase of social housing stock is the most feasible path to home ownership in discrete Indigenous communities. The bill proposes amendments to the Aboriginal and Torres Strait Islander Land Act—

**Madam DEPUTY SPEAKER** (Ms McMillan): Order! In accordance with the business program agreed to by the House, the time has come.

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

Motion agreed to.

Bill read a second time.

### Consideration in Detail

**Madam DEPUTY SPEAKER** (Ms McMillan): The minister's amendment No. 8 is outside the long title of the bill and therefore requires leave of the House. Is leave granted?

Leave granted.

Question put—That the minister's amendments Nos 1 to 11, as circulated, be agreed to and clauses 1 to 313 and schedule 1, as amended, stand part of the bill.

Amendments as circulated—

**1 Clause 2 (Commencement)**

Page 24, line 7, 'July'—

*omit, insert—*

October

**2 Clause 51 (Amendment of s 46 (Government magazines))**

Page 59, lines 19 to 26—

*omit.*

**3 Clause 92 (Amendment of sch 2 (Dictionary))**

Page 95, line 15, after 'order'—

*insert—*

, place

**4 Clause 113 (Amendment of s 71 (Prescribed explosives and conditions—Act, s 38))**

Page 116, lines 2 to 8—

*omit, insert—*

(2) Section 71(2)(b)—

*omit, insert—*

(b) for an explosive mentioned in subsection (1)(a)—the explosive must be manufactured as required under AS 2187, part 2 or alternative safety and security measures for the standard;

**5 Clause 135 (Amendment of s 136 (Conditions for transporting explosives under s 50(3) of Act))**

Page 123, after line 24—

*insert—*

(2A) Section 136(1), note, 'section 50(3)'—

*omit, insert—*

section 50(2)

**6 Clause 163 (Replacement of ss 18–21)**

Page 146, lines 13 to 23—

*omit, insert—*

(1) This section applies if, on 30 June in a year—

- (a) the legal estate of an interest in land is registered in the register, or recorded in the records of a relevant registering authority, in the name of a foreign person; and
- (b) the person is no longer a foreign person; and
- (c) the person has not completed, and lodged with the registrar, a notification of ownership, in the prescribed form, in relation to the cessation.

(2) The person must complete, and lodge with the registrar, a notification, in the prescribed form, in relation to the cessation by 30 September in the year.

**7 Clause 163 (Replacement of ss 18–21)**

Page 146, lines 26 to 31 and page 147, lines 1 to 4—

*omit, insert—*

(1) This section applies if, on 30 June in a year—

- (a) the legal estate of an interest in land is recorded in the records of a relevant registering authority in the name of a person; and
- (b) the person is a foreign person; and
- (c) the person has not completed, and lodged with the registrar, a notification of ownership, in the prescribed form, in relation to the interest.

(2) The person must complete, and lodge with the registrar, a notification of ownership, in the prescribed form, in relation to the interest by 30 September in the year.

Maximum penalty—20 penalty units.

**8 After clause 220**

Page 256, after line 23—

*insert—*

**Part 7A Amendment of Land and Other Legislation Amendment Act 2017****220A Act amended**

This part amends the *Land and Other Legislation Amendment Act 2017*.

**220B Amendment of s 2 (Commencement)**

Section 2—

*insert—*

(2) The *Acts Interpretation Act 1954*, section 15DA does not apply to the following provisions—

- (a) sections 25 to 30;
- (b) schedule 1, part 2, entry for the *Land Act 1994*, items 1 to 7 and 9 to 11.

**9 Part 9, division 3 (Amendments commencing on 1 July 2019)**

Page 267, line 2, 'July'—

*omit, insert—*

**October**



**10 Schedule 1 (Other amendments)**

Page 318, lines 7 to 23—  
*omit.*

**11 Schedule 1 (Other amendments)**

Page 320, line 13, 'July'—  
*omit, insert—*

**October**

Motion agreed to.

Amendments agreed to.

Clauses 1 to 313 and schedule 1, as amended, agreed to.

### Third Reading

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

Motion agreed to.

Bill read a third time.

### Long Title

Question put—That the minister's amendment No. 12, as circulated, and the long title, as amended, be agreed to.

Amendment as circulated—

**12 Long title**

Long title, after 'Land Act 1994,'—  
*insert—*

*the Land and Other Legislation Amendment Act 2017,*

Motion agreed to.

Amendment agreed to.

## SAFER WATERWAYS BILL

Resumed from 21 March 2018 (see p. 590).

### Second Reading



**Mr KNUTH** (Hill—KAP) (5.28 pm): I move—

That the bill be now read a second time.

It has been nearly two years since the Safer Waterways Bill was first introduced to parliament. That is disappointing, considering the government's vegetation management laws took six weeks from tabling to committee to implementation. To put it into context, vegetation management laws make criminals out of farmers and prevent Indigenous development, yet the Safer Waterways Bill saves lives, protects tourism and claims back our waterways so families can swim in our pristine waterholes, lakes, rivers and beaches without being ripped to pieces by crocs.

The Safer Waterways Bill has multiple policy objectives. The bill places greater value on human life than the lives of crocodiles and seeks to reduce the risk of crocodile attacks. It aims to eliminate all crocodiles that pose a threat to human life while maintaining appropriate levels of protection to prevent crocodiles from becoming an endangered species. The bill achieves these objectives by creating a Queensland Crocodile Authority which will be based in Cairns and not Brisbane, where there are no crocs.

The Queensland Crocodile Authority will be responsible for authorising persons to farm crocodiles in the state; to decide the number of crocodile eggs that may be harvested each year in any part of the state; to authorise persons to harvest crocodile eggs in any part of the state; to decide the number of crocodiles that may be culled each year in any part of the state; to authorise persons to carry out the culling of crocodiles in any part of the state; and to ensure the prompt management of rogue crocodiles by authorising persons to kill or relocate crocodiles in any part of the state. This is not about Shane Knuth wanting to kill everything; it is about a Crocodile Authority being put in place to manage crocodile numbers throughout the state through the department of environment.

**Mr Katter:** Sensible!

**Mr KNUTH:** It is quite sensible. It is a great approach. The authority will also ensure that the carcasses of all crocodiles killed under an authorisation granted by the director, as far as possible, are used so that no part of the carcass is wasted. This is about putting a value on a product in the economy which goes back to the state of Queensland. The authority will also coordinate research into the routine surveying of crocodile population numbers and distribution in the state; crocodile egg numbers and distribution in the state; and to promote the farming of crocodiles and the harvesting of crocodile eggs in the state.

We acknowledge and appreciate the fact that the state government did agree to one component of the bill—that is, egg harvesting. However, I believe that 5,000 eggs is not enough, but it is a step in the right direction. The authority will also declare and manage crocodile reserves and make recommendations to the parliament about crocodile management in the state. The most important part of the bill is that the director must not, when carrying out a function under subsection (1), do anything the director reasonably believes will cause, or is likely to cause, a decrease in the population of crocodiles to the extent that crocodiles may be in danger of extinction. There are protections and safeguards to ensure that the crocodile does not become extinct, but most importantly it is about claiming back waterways like we had in the sixties, the seventies, the eighties and the early nineties.

Despite the sensationalisation and scaremongering we will hear in members' speeches here tonight, this bill is not about wiping out the crocodile population but sensible management so that we can once again enjoy our waterways. In the seventies, the eighties and the early nineties we skied in the Tully River and the Johnstone River. We summersaulted into Lake Placid. People cannot do that anymore because they will get ripped to pieces. What is going on? What is happening? Is the old Crocodile Management Plan that is in place at the moment really doing its job? This bill responds to community outrage at the lack of action taken to protect North Queenslanders from the risks crocodiles pose to visitors and residents.

Communities across North Queensland are constantly reporting significant increases in croc numbers. Once popular waterways are now infested with crocs. The government's DES website shows that in 2010 there were 176 crocodile sightings and that dramatically increased to 795 in 2018. Already in the first two months of 2019 there have been over 149 sightings. If we average that out to the end of the year, that will be 1,000 crocodile sightings. Last year in the *Cairns Post* an article highlighted how Surf Life Saving, rowing clubs and skiing clubs are struggling because crocodiles are driving their members away. According to the article, the great Australian tradition of children learning how to become lifesavers is under threat because parents are afraid for their children. Clubs have reported a 13 per cent fall in registrations amongst five- to 13-year-olds. Nearly 40 per cent of parents said that they have taken their children out of junior lifesaving programs because of concerns about crocodiles. They did not have that problem in the seventies, eighties and nineties. Back then we hardly even saw a croc sign.

Beach closures in North Queensland are rising each year, with main tourist beaches including Palm Cove at Cairns and Four Mile Beach at Port Douglas also suffering from closures because of croc sightings on the beach. Figures obtained from Surf Life Saving Queensland showed that in the three years between 2012 and 2014 there were 10 beach closures in North Queensland as compared to 34 in the three years from 2015 to 2018—an increase of over 200 per cent. I am also informed by Surf Life Saving Queensland that beach closures on popular tourist beaches due to croc sightings are increasing each year and affecting visitation numbers and business income.

Tourism Tropical North Queensland in its submission to the parliamentary committee on the KAP Safer Waterways Bill 2018 stated that tourism contributes \$3 billion to the regional economy and provides 24,000 jobs. Domestic visitation is declining in tropical North Queensland, with the numbers of visitors from Sydney falling 30 per cent in 2017. It said that it is a great concern that the negative publicity about crocodile sightings and attacks in the mainstream and social media influences domestic market tourists to look elsewhere for a tropical holiday. Of course there is concern because there is going to be social media. If there were 177 sightings in the year 2010 and now it is up to nearly 1,000, obviously there is going to be concern.

The government will tell people that this is an illusion. Try swimming across the Tully River or the South Johnstone River. You would be dead, but 25 years ago you could do it safely. Tourism Tropical North Queensland further stated that crocodiles represent a significant and increasing threat to our tourism industry. Tourism businesses in the Douglas shire have already been severely impacted, with more than one operator ceasing permanently in the light of a shifting perception of risk. Research

commissioned by the body and conducted by CQ University indicated that beaches and the natural environment are constantly among the top five motivators for travellers to our region. The success of the region is linked to our beach lifestyle and marine activities. How can we encourage someone to swim in our beautiful pristine beaches, waterholes and lakes when we have to tell them that they could possibly get ripped to pieces? We say, 'Please come here. Don't go to the Gold Coast. Come to North Queensland, but you could get ripped to pieces.'

Just before last Christmas residents of a popular tourism destination, Kurrimine Beach, filmed a large croc in excess of four metres cruising along the beach scaring locals and carrying a large sea turtle. This is a popular destination, with thousands of tourists and locals enjoying the beach all year round. Any crocodile visibly present on a beach where children swim and play should be treated as an immediate danger and removed. Despite all of this, the government will continue to say that the croc problem in Queensland is an illusion. Communities in North Queensland are not asking for much. All they want is their inland waterways and beaches to be returned to how they used to be when you could swim, fish and enjoy the outdoors without the danger of being ripped to pieces by crocs. The state government must be willing to make the hard decisions—

*(Time expired)*



**Hon. LM ENOCH** (Algeria—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (5.38 pm): I rise to contribute to the debate on the Safer Waterways Bill 2018 and state from the outset that the government will not be supporting this bill. This bill threatens the safety of Queenslanders and tourists, Australia's international obligations for crocodile management and the ongoing viability of Queensland's important crocodile farming industry. Furthermore, it ignores the years of science and research that provide the framework for Queensland's crocodile management program.

This bill has been introduced in an attempt to take advantage of community concern about crocodile numbers. By the 1970s the estuarine crocodile was hunted to near extinction, which would explain the assertion by the member for Hill that, in the 1970s, people could swim in the waterways. Now, under the Nature Conservation Act 1992, the crocodile is classified as a vulnerable species. Crocodiles are also protected nationally under Commonwealth legislation and internationally under the Convention on International Trade in Endangered Species. The presence of crocodiles is essential to the health of the ecosystems where they live. They are also a major tourist attraction throughout Northern Australia, both in the wild and in wildlife sanctuaries.

Of course I admire the concern that the member for Hill has for human safety. It is a concern that the Queensland government also shares. However, there is no evidence to suggest that this bill will make the community any safer than does the current management framework. The bill's definition of a 'rogue' crocodile is consistent with the current definition of a 'problem' crocodile under the current Queensland Crocodile Management Plan. This plan provides the guiding framework for Queensland government staff and its authorised partners to remove problem crocodiles from Queensland's waters. The plan's approach includes the active removal zone in areas where there is a high risk of human crocodile interaction, such as the Cairns foreshore area and the northern beaches. In that zone, all crocodiles seen are targeted for removal regardless of their size or behaviour.

Throughout the 2017-18 financial year, the Department of Environment and Science received 731 reports of crocodile sightings, which I have to add for the benefit of the member at times included multiple reports of the same animal. Of those reported, all were investigated and 64 animals were removed from the wild. Under the Queensland government's approach, the average time in the 2017-18 financial year for removal of a declared problem crocodile was fewer than eight days. However, this bill's proposal to mandate that all Queensland crocodile authority staff reside and work in Cairns would compromise these response times as staff would no longer be distributed across all crocodile habitat in Queensland.

For the benefit of the House, I note that at the end of February the LNP announced a crocodile management policy of sorts, which also mentioned crocodile removal time frames. The member for Broadwater declared that they would catch every crocodile in three days, which shows that the LNP clearly does not know much about what is involved in this highly specialised work. These animals do not just swim into a trap the moment it is launched. Removal is a process that requires time and trained professionals. I thank the departmental staff and the authorised partners who undertake this important work.

In contrast, this bill, along with the LNP's policy, proposes that members of the public could be authorised to catch and kill crocodiles. I support the statement of the Innovation, Tourism Development and Environment Committee that the bill's potential to allow untrained people to kill crocodiles and also

legalise trophy hunting poses a real, serious and completely unacceptable risk to public safety. Previous proposals for trophy hunting have already been rejected by the Australian government on both conservation and animal welfare grounds. This government would never legislate or sanction such activity.

It is a fallacy for anybody to say that all crocodiles can be removed from Queensland's waterways. It is just not possible to say that all crocodiles have been removed and to suggest as much would present a false sense of security to the public. Therefore, community education and awareness is a critical component of ensuring that people are crocwise. Sadly, this is an element that is missing from the framework of the bill and from the LNP's recent announcement. In fact, last year the member for Broadwater was in the media saying that the government's Crocwise education program and its three-year monitoring program are a waste of money. That is what he thinks of evidence based policy.

The Queensland government's approach to crocodile management is based on an acute understanding of the science and not populism. Estuarine crocodiles are an apex predator and they play an important balancing role in the environment. They ensure the health of populations of animals that constitute their prey in an ecosystem by weeding out the sick and injured. Further, when a dominant animal is removed from an area, younger males can compete aggressively for that territory, increasing the risk to the public.

Currently, the crocodile is regulated as a vulnerable species in Queensland. I cannot be any clearer than that. That is why the Queensland government has embarked on a three-year estuarine crocodile monitoring program and related crocodile research. It is work such as that, based on science and thorough research, that will inform the decisions of this government, which stands in stark comparison to that of those opposite and this bill.

It is important for this House to understand that Queensland is bound by the Convention on International Trade in Endangered Species of Wild Fauna and Flora, known as CITES. This convention regulates the trade of crocodiles. In order to meet the requirements of the convention, the Australian government has established requirements under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 for wildlife trade management plans. The approval of a wildlife trade management plan ensures that Queensland's crocodile export industry can continue.


This bill fails to address key requirements of a wildlife trade management plan, including that crocodile harvesting should not be detrimental to the conservation status of the species and that the treatment of crocodiles should be humane. Indeed, clause 11 of the bill provides that all crocodile management decisions included in the bill are only to ensure that crocodiles are not put at risk of extinction. This is a much lower bar than that required by the Australian government and CITES. Should this bill be implemented, it is possible that the Australian government would not be satisfied that Queensland's legislation is consistent with CITES' requirements as adopted under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999. That would put the entire industry at risk.

This bill's proposal with regard to egg harvesting as a means of crocodile population control is reckless at best. The LNP will claim that its policy on egg harvesting and crocodile management is the middle ground. My response to that is: show me the science. Without scientific rigour to back up some of its outrageous rhetoric, the LNP will remain on the fringe of debates such as these. By making comparisons with the Northern Territory's quotas, the LNP clearly has no understanding of the science or the fundamental differences between the crocodile population in Queensland and that of the Northern Territory. Preliminary data from the first year of the government's monitoring program in 2017 found average densities of fewer than one animal per kilometre of waterway. That is significantly lower than it is in the Northern Territory, where the average densities are between five and 10 crocodiles per kilometre.

The egg-harvesting licence that was recently granted in Pormpuraaw with an annual limit of 800 eggs was backed by almost a decade of scientific research and has been endorsed by the International Union for Conservation of Nature Crocodile Specialists Group. The licence was approved with the strictest conditions, including requiring applicants to prove with scientific evidence that their harvesting will not impact crocodile population numbers. Traditional owners from Pormpuraaw and Cape York Peninsula supported the introduction of crocodile egg harvesting because they believe that it will create sustainable local employment opportunities.

On that note, I acknowledge Australia Zoo and its submissions against the bill and the attendance of people from Australia Zoo at a number of committee hearings. I know that they are incredibly passionate about these issues. Although we will not agree on everything, I absolutely acknowledge their efforts in this space.

This bill and the LNP's announcement in February are nothing more than a political stunt with no scientific basis. The 'removal of crocodiles by any means' mantra by the Katter party and the LNP will not make the public safer; it will only give the public a false sense of security leading to complacency and an increased risk of attacks. The proposal for widespread egg harvesting in the complete absence of any supporting scientific information smacks of populism rather than well-considered policy. The LNP and the Katter party want to return Queensland to the dark old days when crocodiles were executed and hunted to near extinction. The government will not be supporting this bill.

 **Mr CRISAFULLI** (Broadwater—LNP) (5.48 pm): I rise to speak after the minister. I think it is important to place on record the LNP's views on crocodile management. Both sides of this debate are seeking to portray the LNP's response in a light that is different from the one that we portrayed earlier in the year. The LNP's position is very clear and that is that we will put people before crocodiles. We make no apologies for that. In recent years we have seen a drift away from a common-sense middle ground.

What does the LNP's policy represent? It is pretty simple. It represents an end to this nonsensical KPI of three-month removal. The minister can talk all she likes about averages. If a clear message cannot be sent to those who are charged with the responsibility of removing an animal that you are serious and you want it done in a manner that is swift and can give confidence to those communities, then you are not serious. You cannot achieve what you do not measure. We are serious. The three-month KPI is a joke. It should be three days. That animal must be removed via whatever means necessary. If it can be relocated that is great. If it has to be killed then so be it because people come before crocodiles.

The absurd approach that an animal must be two metres or over before it is removed from key locations also must go. Whose responsibility is it to measure if an animal is 1.95 metres? Do we seriously believe that an animal will not grow and become more aggressive and more dangerous in the years to come? If an animal is in an area that is frequented by humans, if an animal is in an area that is an important location, the animal must be removed regardless of its size. That is putting people before crocodiles.

The LNP's policy advocates a sensible egg-harvesting target which will be done on science. For the minister to compare it to the Northern Territory is not a fair comparison. When our figure is five per cent of the Northern Territory, when our figure does not talk about what locations those eggs should be harvested from based on flood levels, then the science is not being used in the right way and I am not convinced that we cannot do a better job than we are doing.

There is also a golden opportunity for Indigenous communities to have real jobs out of this: the kinds of jobs where they can get up in the morning and go to work in an industry that is worth something, an industry that is not propped up by regulation, a real industry that makes those communities feel empowered. I think that will be tremendous for those communities.

This bill, whilst well intentioned, whilst having elements that I do support, has in it elements that do nothing but ensure that it will be derided and give those who do not understand how important this issue of crocodile removal is the opportunity to scoff at it. One of those elements is this absurd notion of safari hunting. That is too far. That portrays the communities that those who have proposed the bill represent in a manner that I know is not right. Those communities do not want to see safari hunting, they just want to reclaim what is theirs. They want to be able to go into the areas that they have gone into for years and enjoy them. The bill talks about indiscriminate shooting from the banks of rivers. I will quote from the explanatory notes—

If a crocodile is on their property, they may choose whether to kill it, have it relocated to a farm, or let it remain on their property. If they choose for it to be euthanised, they may do this themselves ...

That goes too far and is not what those in the communities want to see. I understand the retail politics of those who have proposed this bill. I understand why they are trying to put this forward, but I want to get a result that people in Brisbane and my former hometown of Ingham will support. I will tell members why: when the minister talks about hunting the animal to extinction that is an absurdity. These animals right now are nowhere near extinct.

**Ms Enoch** interjected.

**Mr CRISAFULLI:** Minister, these animals are nowhere near extinct at the moment. When I hear those opposite say to this House that study after study shows there has been no increase in crocodiles, that is offensive to those communities. Where I grew up there are areas where I was prepared to swim as a child that I would not let my children swim in now. The reason is simple: there has been an

explosion in numbers of crocodiles. That is real. That is what we are seeing every day. To somehow evoke the language of 'hunting the animal to extinction' is as absurd a statement as talking about safari hunting.

**Honourable members** interjected.

**Mr DEPUTY SPEAKER:** There is a bit too much conversation across the chamber.

**Mr CRISAFULLI:** When I hear the sentence, 'This is croc country,' and see advertising dollars being spent telling people why they should and should not do a myriad of things, that gets me angry. It is not croc country; it belongs to people. There are areas that people have enjoyed for decades and can no longer enjoy. What I am proposing is people before crocodiles. I am proposing that when an animal comes into that area it is removed. I am not proposing indiscriminate hunting, safaris, wild west shooting from the banks of the river but a restoration of a pecking order where it is not croc country, but people's country—an area for North Queenslanders to go and swim, go for a paddle and do all the things they have for generations that have been taken off them.

The LNP will continue to advocate for what is a sensible middle ground, for what every Queenslanders should want—that is, for every Queenslanders to obtain a lifestyle and the security they need. If there is an attack and it is in a high-profile area and it is filmed on an iPhone, the damage it will do to the tourism industry in Far North Queensland will be irreparable. It will never recover from that.

**Mr Harper** interjected.

**Mr CRISAFULLI:** It will never recover from that! If it were to occur on the Esplanade in Cairns or the Strand in Townsville, the damage done would be massive. What the LNP is putting forward is a removal of the animals in those high-profile areas, in those important areas, in those areas that mean so much to people's lifestyle. We are not proposing safari hunting and we are not proposing shooting from banks of rivers; we are proposing a KPI that ensures the removal of these animals and the department will be held to account. At the moment the department has a minister who operates on auto pilot. The department needs to be held to account. It needs strong KPIs, not the kind of KPIs where the minister turns up to estimates and acts as the spokesperson and cheerleader for the department but the kind where the minister sets the agenda, where the minister says that people come before crocodiles. We propose a three-day KPI and we will do that. We will not be supporting this bill, but we will continue to put forward a policy that puts people before crocodiles.

**Mr DEPUTY SPEAKER:** Before I call the member for Stretton, three times I mentioned the cross-chamber chatter. Member for Thuringowa, I am looking at you. You will have a chance to have your say later.



**Mr PEGG** (Stretton—ALP) (5.59 pm): It is good to see that in his long march from Townsville to the Gold Coast the member for Broadwater still has some concerns about crocodiles, because now that he lives at Hope Island he does not have to worry about crocodiles in the water anymore. However, the member has plenty of crocodiles of a different kind that he should be concerned about. It is good to see that the member for Broadwater still has some concerns there.

I rise to oppose this bill. As I said in the foreword of the committee report, while it was abundantly clear during the course of the committee inquiry that the issues surrounding crocodile management in Queensland are of significant public interest—and we had huge attendances at public hearings which I will talk about in a minute—the measures proposed by this bill did not have the support of the majority of submitters or those who attended public hearings. In particular, the potential for this bill to allow untrained people to kill crocodiles and also legalise trophy hunting poses a serious and completely unacceptable risk to public safety. I will expand on that further in my contribution. Furthermore, the ill-conceived restrictions on foreign investment contained in the bill threaten the viability of the crocodile farming industry and jobs in regional Queensland. For those reasons, the committee recommended that the Safer Waterways Bill 2018 not be passed.

I do want to thank all the submitters. I also thank the many people who attended public hearings in Brisbane. We had public hearings in Cairns, Port Douglas, Townsville and Mackay. They all were very well attended and I thank all my fellow committee members, submitters and all those who attended. We also had a site visit to Hartley's crocodile farm which was very educational, particularly in relation to the foreign investment issue, which I will expand upon in a moment.

In his introductory speech, the member for Hill said that the Safer Waterways Bill provides a practical, balanced solution which will remove crocodiles from urban or public areas commonly used by people for recreation. Based on what we heard in this inquiry and investigation in relation to this bill, this bill will do anything but. The member for Hill has it all wrong when it comes to this bill. In fact, this

bill should not be called the Safer Waterways Bill; it should be called the 'Unsafer Waterways Bill'. This is the really interesting thing. Whenever any hard questions were asked of the member for Hill or any members of the Katter party in support of this bill, they said, 'All the answers will come from this Orwellian Queensland crocodile authority located in Cairns.' The member for Hill was singing the praises of this 'authority'. It will be based in Cairns; it will not be based in Brisbane. Guess what, member for Hill? There are a lot more crocodiles in Queensland than just in Cairns.

As we raised in our committee comments, the costs associated with the establishment and operation of the authority are proposed to be met from within the existing departmental budget. That will limit the capacity of the authority to carry out its responsibilities and functions and may also impact on the department's ability to carry out its current roles and responsibilities. They are taking money away from the existing department. Of course we in this place all love Cairns but, unfortunately, the requirement that all authority staff must reside in Cairns would ultimately limit the capacity of the authority to respond to crocodile sightings as departmental staff are currently distributed throughout the range of crocodile habitat in Queensland.

We heard a lot about crocodile culling and crocodile removal. Guess what? The fact is that, under the existing management plan in Queensland, crocodiles are already removed. Problem crocodiles in Queensland are already removed in a safe manner. It is not done in a manner that would allow Crocodile Dundee wannabes to run up and down the coast of North and Far North Queensland shooting indiscriminately. It is all done safely. Of course, the committee raised concerns about allowing untrained people to kill crocodiles and about the legalisation of trophy hunting. The committee was of the view that this would result in unacceptable safety issues on both private and public land. We also noted that the culling and hunting provisions proposed in the bill are likely to breach international, national and state obligations and therefore would negatively impact on the ability of Queensland crocodile farms to export crocodile products. During the course of our inquiry in relation to this bill, we noted how important the Queensland crocodile industry is, particularly to North Queensland, and we talk about that in our report. I have said enough about the member for Hill's contribution.

The member for Broadwater said he was going to extrapolate on the LNP's policy in relation to crocodile management. All we really heard from the member for Broadwater was him trying to politically use a service standard to say that that was the usual time it takes for a crocodile to be removed. Of course, as the minister correctly outlined, the facts state otherwise. The member for Broadwater is smart enough to know that, but he is misleading the community in trying to make a huge issue of these service standards. As usual, the member for Broadwater talked a lot but we did not hear a lot of firm policy from the LNP. We did not hear a lot of firm policy from the member for Broadwater. It leads me to wonder: what is the LNP policy in relation to crocodile management? They opposed this bill. They are not happy with the current approach.

The statement of reservation was signed by the two LNP members. One was the member for Scenic Rim. Guess who was the other signatory to the statement of reservation? That is right: the member for Whitsunday. In fact, in the four pages of the statement of reservation, which actually contained more policy than we heard from the member for Broadwater, the member for Whitsunday is directly quoted on almost every page. If members want to know who wrote the policy of those opposite in relation to crocodile management, it is the member for Whitsunday. If the member for Whitsunday is writing your policy on anything, you are in serious trouble.

Finally, the party that happily accepted Fraser Anning and has issues with foreign ownership of crocodile farms really mucked this one up, because the reality is—and I quote Mick Burns of the Crocodile Farmers Association of the Northern Territory—that international brands already own farms—


**Honourable members** interjected.

**Mr DEPUTY SPEAKER:** Order! The member for Hill has already had a go and will get another go at the end. The member for Hinchinbrook has been fairly vocal as well and he will get a go soon also.

**Mr PEGG:** In the time remaining, I want to draw the House's attention to concerns in relation to clause 27(2)(j), which would entitle wholly owned Australian entities to farm crocodiles, and the significant impact this would have on the viability of the crocodile farming industry. Guess what? Many crocodile farms in Queensland have foreign investment. Mick Burns from the Crocodile Farmers Association of the Northern Territory said—

International brands already own farms in Queensland, I think they own the two biggest farms in Queensland. The international involvement has helped underwrite the industry in Australia. There is absolutely no question about that. We are an international industry. We are probably under 5 per cent of the world market, we are probably under 15 per cent of the premium skin market. For this to be maintained, we have to continue to try to attract the support that only the big brands can offer.

I questioned the federal member for Kennedy, who was kind enough to appear at the public hearings. Do you know what he said? A review of the transcript will prove that he ended up agreeing with me that clause 27(2)(j) is a ridiculous provision. I note that the member for Hill made no attempt whatsoever to remove this ridiculous provision. Of course, this is just part of a bill that, frankly, is unsafe. It is a danger to the crocodile farming industry in North Queensland and it is a danger to people. It will allow trophy hunting. It will allow indiscriminate shooting. It will put people in danger. It will allow unlicensed hunting. I urge every member of this House to vote against this bill. That was the clear majority view of the submitters and everyone who participated in the inquiry. I urge every member of this House to vote down this Katter bill.

 **Mr KATTER** (Traeger—KAP) (6.09 pm): I am pleased to follow that contribution because some of what is being peddled here is absolute garbage. If the government has its way tonight on the Safer Waterways Bill, as would be expected, we should call this 'safer waterways for crocs not humans'. We actually intended for the bill to result in safer waterways for people. Clearly the intention of the government is to make our waterways safer for crocs rather than humans.

I would say at the outset that there was no policy change and no direction on crocodiles until we put this issue on the agenda and drove it. This is a big problem. This did not come from MPs on either side of this parliament; it came from us. It has driven a change in the government's attitude towards eggs, which is in part an endorsement of what we have been saying from the start. This is despite the rocks being thrown from that side. There has been an endorsement of one of the principles on which we based our bill. As for the LNP, the same goes.

The bill defines a growing chasm between the values and needs of people in North Queensland and those in the south-east corner. People in the south-east apply their ideologies and thoughts, often well intentioned, to issues facing those in the north, but they may be ill informed and not consistent or completely out of sync with how people in the north think. It imposes the ideologies of people some 2,000 kilometres away on the lives of others.

Do not think this is all about the seaways and beaches. I am directly affected by this bill in terms of the rivers through the gulf. Is it a problem? Let us define from the start whether this is a problem or not. Members should please say if they think it is not a problem because it is going to make them look ridiculous. I would love to hear people say that they do not think it is problem because I will send that straight back to the media up north. It is a problem.

The minister referred to the methodology being used. She said it is only based on sightings and we could see the same crocodile twice. It is the same methodology. If year on year we are using the same methodology and there is an increase, it does not matter what the methodology; it still shows an increase. That is not really a valid point.

The government website shows that in 2010 there were 176 crocodile sightings. This dramatically increased to 795 in 2018. That was not a change in methodology. That was just an increase. They were using the same methodology. Already in 2019 we have had 149 sightings. If we project that for the year that will mean there will over 1,000 sightings this year, yet people say that there is no problem.

I do not need these numbers to tell me that there is a problem. On a walk up any street in any of these areas in North Queensland—Townsville, Cairns, the gulf, Karumba, Normanton—one finds people who are not shooters, who are not involved in the industry or who are not interested in shooting or controlling crocs who say, 'It is a huge problem. It is massive. You never used to see them down the boat ramps.' It is only a matter of time in Karumba before someone goes to the boat ramp and sees one. It is consistently being said.

I say to members, please keep saying it is not a problem because it is good for us politically. It will make a fool of the people who say it. There is a problem and we are trying to do something about it. Quite clearly the government is trying to convince people that there is no problem or if there is that we should educate people not to swim in those areas. They would prefer people not to use those areas rather than deal with the problem. To me that is disgusting and falls well short of what a government should be doing.

The legislation grew after consultation with people in these areas. We are losing people from the surf club, the rowing club and the waterskiing club in Innisfail because it is just not safe. Surf lifesavers are saying it is a workplace health and safety issue. They have to check the nets in the morning. They are finding more and more crocs in the stinger nets. That is a problem.

**Mr Harper** interjected.



**Mr KATTER:** That is not a problem for you obviously, member for Thuringowa. He is saying it is not a problem for surf lifesaving clubs. Go and talk to them because they think it is a problem.

**Mr Harper** interjected.

**Mr KATTER:** They see it is as a problem.

**Mr Harper** interjected.

**Mr KATTER:** Obviously you do.

**Mr DEPUTY SPEAKER** (Mr Whiting): Order! Direct your comments through the chair, members.

**Mr KATTER:** There will be scaremongering from the government that we are so terribly irresponsible in North Queensland that we could not possibly be trusted to have an authority up there to manage croc numbers. What is the difference between having someone down here or somewhere up there doing it? They have nothing to do with us politically—far from it.

Under this bill there would be an authority up north to manage croc numbers. It is the same as happens with kangaroos, pigs, dogs or anything else: they use tags. It would not be a free-for-all as the member for Stretton was trying to say before. It would not be a free-for-all. There would be an authority that would watch over this. They are trying to undermine the integrity of that authority. Who is that offensive to? That is offensive to people in North Queensland who would look to manage the population as much as preserve the population. They would not be there to get rid of crocs but instead manage the population. In some cases it might mean reducing the population and in some cases letting the population grow. I think it is terribly condescending to say, 'If it is left up to an authority in Cairns it will be a free-for-all and a turkey shoot.' That is really insulting.

People keep talking about the 1970s and 1960s. Times were a lot different then and things that were acceptable back then are not now. We accept that. That is reflected in what we have tried to do in the bill. That is why there is an authority to control the population. Not everyone can go out. People would have to get permission from the authority to do it.

We accept that in this day and age it is reprehensible to kill anything. There will naturally be a huge stopgap. Trying to say that this will wipe out a species like back in the 1970s is ridiculous. Those days are over. At best we can try to manage the situation. That is what we are trying to do. If we were successful with this bill, we would probably bring the numbers down a bit through our efforts. What we are talking about is a huge sparsely populated area and many rivers. We are trying to stem some of that flow.

It is definitely a free-for-all when it comes to pigs. Everyone goes for pigs. People shoot pigs by the thousands and the numbers still grow. They are still there. The effort and recreational shooting we see with pigs would greatly surpass anything we would see with crocodiles, even if we had our way. We cannot even put a hole in the number of pigs. Let us get real. Let us not try to create an imaginary world where thousands of people are out there shooting crocodiles. That is not the reality. That is not foreseeable practically.

A large focus of this bill is on how we can benefit First Australians. They used to manage this themselves. We heard stories of this during our tours. They would harvest the eggs and control numbers that way. Sometimes they would leave a big croc because they knew it would control the little ones. The same as the authority would, this bill would give them the opportunity to do that. There is a misinterpretation of our proposal to allow them some financial advantage from killing crocs or getting someone else to do it. That is immediately badged as trophy hunting. People are trying to destroy the integrity of what we are trying to do here.

People will hear arguments about crocodiles playing a role in tourism. They certainly are playing a role. I admit that on croc tours they say it is important that we take people to see crocodiles. I accept that. Despite our efforts with this bill there will still be plenty to see in the rivers. That is greatly offset by the number of tourism operators we have run into in Port Douglas, Cairns, Townsville and the like who say that this is a problem. My wife went to swim in the Magnetic Island swim event a couple of years ago but it was called off because of the four-metre salty found on The Strand. It was unheard of, but these are the things happening now.


We cull kangaroos. Kangaroos are natural to our environment. They were not natural in the mid-west and north-west where I live, or not in big numbers. We brought artesian water to the surface and we saw kangaroo numbers explode, so we manage their numbers. Some species of pigs, dogs and cats were introduced and they are all controlled. We even control koalas in this country. I table an article on culling koalas in Victoria.

*Tabled paper:* Article from the ABC online, dated 4 March 2015, titled 'Starving koalas secretly culled at Cape Otway, "overpopulation issues" blamed for ill health' [\[409\]](#).

They are at unhealthy numbers and they are out of sync. They have inadvertent, negative effects on the environment. I cannot bear the thought of killing a koala. That is terrible to me, but it is done sometimes. It has to be done. It is a very unsavoury thing to consider, but it is done.

Large goppers and large barra used to feed off the fingerlings. They are not there in the numbers they used to be. Nature is out of balance. We have cats eating goannas and other things that used to eat the crocodile eggs. That is not done now. There are not as many of those around. We do not have our First Australians harvesting eggs. Nature is out of balance. No kidding: the numbers of crocodiles are building up. We are trying to deal with that in a sensible way and people are not letting us do it.

Lastly, I want to address the argument that this will create a false sense of security. That is an argument to do nothing. If there is a problem and you are saying that trying to deal with it creates a false sense of security then that is ridiculous. That does not make sense. That is an argument to do nothing. That is saying that we should do nothing because, if we try to do something, it will create a false sense of security. That is a ridiculous argument. I think it sounds more and more ridiculous every time you say it. I want to continue holidaying at the Gregory River like most people in Mount Isa. Crocodiles are coming up the river. The day they are spotted and we are forced out of the Gregory, I will be even angrier than I am now.

 **Mrs MULLEN** (Jordan—ALP) (6.19 pm): I rise to make a contribution on the Safer Waterways Bill 2018 introduced by the member for Hill. The aim of this legislation as per the explanatory notes is to place greater value on human life than on that of crocodiles and to responsibly reduce the risk of crocodile attack as much as possible. I would like to explore this aim of a responsible approach, because I fear this bill is not about a responsible approach to the issue of crocodile management in Queensland but one based on fearmongering, hysteria and political expediency.

The explanatory notes speak of significant consultation on this bill. However, there were numerous stakeholders who advised the parliamentary committee that they were not consulted on this bill. David White, the owner of Solar Whisper Wildlife Cruises, indicated in his submission—

There was a travelling road show that spoke hysterical stories to the public, if this was the bills consultation process then that was erroneous.

Australia Zoo stated—

... the Bill's authors have purported to have consulted widely but have made no contact with Queensland researchers who have carried out the world's longest continuous study of crocodilian behaviour—Australia Zoo and the University of Queensland.

Through the inquiry process, the parliamentary committee did engage with crocodile experts, the crocodile farms, the tourism industry, local government, traditional owners, farmers, conservation groups, recreational groups and the general public. We held five very well attended public hearings in Brisbane, Cairns, Port Douglas, Townsville and Mackay. We also visited two crocodile farms and consulted with experts in both the Queensland and Northern Territory government departments on crocodile management plans and policy to get a thorough understanding of what is happening from a national regulatory and economic perspective.

I appreciate that some of the stakeholders and the individuals we met over the course of our inquiry did support the culling of crocodiles and I do not make light of their concerns. It was important to hear from tourism operators in Far North Queensland who did have divergent views on the impact that crocodiles were having from an economic perspective. There were those who believed that the enjoyment of beaches and marine environments is critical to continued tourism growth and that a single significant incident involving a crocodile could have ramifications for the tourism industry. There were other tourism operators who believe that crocodiles are an asset to Queensland and any consideration of killing these animals is not only bad for business but could tarnish our state's reputation overseas which can also be devastating for the industry. It was no surprise that conservation groups did not support the bill and their views can be summed up in the submission of the Environment Council of Central Queensland, who stated—

It is irresponsible and impractical to consider that the way to keep people safe is to kill anything that might pose a danger to them. A better way to achieve safety is to provide ongoing education to tourists and to people living near crocodiles.

I would like to turn now to a couple of aspects of the bill. The member for Hill advised that the bill achieves the policy objectives by creating a Queensland Crocodile Authority. There were a number of questions raised by the committee regarding this proposal such as how this authority would be funded and resourced—would it be a new allocation of funding or be met from the current budget of the department of environment? When asked about this, the member for Hill commented—

You do not have an understanding, but I do. We are not going to question where the money is going to come from, because the most important thing is protecting lives, protecting children.

Whilst I, of course, would agree that protecting lives is a priority, as a member of the Legislative Assembly, I would think that knowing where the money is going to come from to create a new authority through legislation you have drafted is probably something you should know.

Clause 27(2)(j) would only entitle wholly owned Australian entities to farm crocodiles, and we were told this would have a significant impact on the viability of the crocodile farming industry. This is without going into the detail of how the culling and hunting provisions proposed in the bill are likely to breach international, national and state obligations—and would therefore negatively impact on the ability of Queensland crocodile farms to export crocodile products.


There is more that I could say around education, the harvesting of eggs and the statistics that show that in Queensland you are more likely to be killed by bees and cattle than crocodiles. Instead, I would like to finish on this note. During the public hearing in Townsville, we had the opportunity to hear from two local canefarmers—Mr Vitale and Mr Venables. I have to say, sadly, that my preconceived view was that they would argue for a culling of crocodiles. Instead, we heard the following from Mr Vitale—

As far as I am concerned, there is not a problem with crocodiles: there is a problem with people. Politicians, newspapers and other people like that cause crocodiles more trouble than anyone else. If politicians did not look for votes all the time they would not be bragging and bashing our ears about crocodiles.

I received an email from Mr Venables shortly after the parliamentary committee recommended that the Safer Waterways Bill not be passed. Mr Venables wrote—

Dear Charis, You may or may not remember me but I was present at the Townsville meeting into the Safer Waterways Bill and am one of the two cane farmers who spoke out for protecting the crocodiles and rejection of the bill. I had just had 2 crocodiles killed behind my farm. Anyway I must say how delighted I was when this bill was rejected and would like to congratulate you for your part in the decision.

As the member for Hill stated, perhaps some do not have a true understanding of what is happening with crocodile management, but perhaps those two canefarmers from Townsville have some idea. I urge the House to reject this bill.

 **Mr LAST** (Burdekin—LNP) (6.24 pm): I rise to make a contribution on the Safer Waterways Bill 2018. As all regional Queenslanders know, crocs are a problem at times but, as members of this House, we must go further than just say there is a problem. It is our job to identify appropriate solutions. Whilst the Safer Waterways Bill contains a number of elements that I agree with, there are other elements that I oppose. It would be incorrect to say there are not already provisions that go some of the way toward dealing with the issue of rogue crocodiles. What is letting Queenslanders down is the management, or should that be mismanagement, of the government's crocodile management policies.

It is important to clarify a few issues with regard to this bill and the issues surrounding the challenge of crocodile management. No-one I have spoken to wants to see broadscale culling of crocodiles. Regional Queenslanders know that crocodiles are an important part of our environment and our ecosystem. The issue is not crocodiles in general; the issue is problem crocodiles. A problem crocodile is an animal that poses a danger to people—and that danger is real.

The proposed bill makes no mention of a time frame to address a problem crocodile. Effectively, we could find ourselves in the situation that we find ourselves in now—waiting 90 days for the removal of a problem croc. Not only is this disrespectful to those threatened by the crocodiles; it highlights that the current government puts crocodiles and not the safety of people first. The question that must be asked is: would people in the inner city be expected to stand by for three months while a dangerous animal is in the area? No, they would not and neither should people who live in regional Queensland.


For those in this House who have no experience with crocodiles, let me give some examples. Crocodiles are largely territorial. However, during the breeding season they are known to travel vast distances, and of course that means they will often come into contact with humans. Crocodiles are an apex predator. They fear nothing. I have been in a boat attacked by a croc and I can tell you that it is not something I want to repeat. I have seen a farmer's dog taken by a crocodile at Ingham. In their own environment they are absolutely lethal.

It is a fact that crocodile numbers are increasing and that, as a consequence, there will be the increased likelihood of interaction with people. So what is the solution? Allowing two-metre crocodiles in recreational areas is not the solution. Delaying reports is not the solution. Telling Queenslanders to change the lifestyle they have enjoyed for generations is not the solution. As we established earlier, waiting 90 days to relocate a problem crocodile is not the solution. A life-threatening situation is exactly that—life-threatening—and needs to be addressed urgently, not in three months.

The LNP's policy on problem crocodiles is simple. We have a zero-tolerance approach to dangerous crocs in urban areas. Regardless of whether that croc is sunbaking or swimming, an LNP government would remove that animal, not in three months but in three days. Unlike the current government, we are not putting size limits on removal. If the croc poses a danger, it goes. If it cannot be captured then we will humanely remove the threat. Why? Because we make no apology for putting the safety of Queenslanders first.

A genuine egg-harvesting industry would be created under an LNP government, and professional, trained and licensed operators would be called on and encouraged to be part of the solution. This system works well in the Northern Territory. I see no reason why Queenslanders should not embrace this policy which would create much needed job opportunities, particularly in North Queensland. This would provide economic opportunities and see a local approach to local problems.

The minister claims that crocodiles are an endangered species. I can assure the minister that in North Queensland crocodile numbers have exploded and they can be seen in plentiful numbers in most river systems in North Queensland on any given day. I do not support safari hunting and a return to the days where crocs were hunted and killed in large numbers. We need legislation that allows for the timely removal of crocodiles that pose a danger, egg collection that is sustainable in nature and a commitment to dealing with this issue. As I mentioned earlier, the Safer Waterways Bill falls some way short of the mark and the current government's approach is simply not protecting Queenslanders. I cannot support the bill, but I look forward to the next LNP government introducing measures that will actually protect Queenslanders.

 **Ms LUI** (Cook—ALP) (6.30 pm): I rise to make a contribution on the Safer Waterways Bill 2018 put forward by the member for Hill. The bill was introduced into the Legislative Assembly on 21 March 2018 and referred to the committee on 22 March 2018. The bill was first introduced on 25 May 2017 and referred to the Agriculture and Environment Committee with a report due to be tabled by 27 November 2017. However, the 2017 bill lapsed when the 55th Parliament was dissolved on 29 October 2017. The Safer Waterways Bill was reintroduced in 2018 and referred to the Innovation, Tourism Development and Environment Committee. I would like to take a moment to acknowledge the Minister for Environment, the Hon. Leeanne Enoch, for all of her hard work, as well as the committee secretary and assistant secretary and the committee chair and members.

During the committee process, significant consultation was undertaken in preparation of the bill, including detailed engagement with affected communities through public forums and private engagement in which stakeholders were invited to make submissions. In total, the committee received 34 submissions from Indigenous groups, local government, crocodile experts, the professional fishing community and other community groups and federal members of parliament. I would like to acknowledge the many stakeholders and individuals for their valuable contribution to the consultation process. What was most interesting about the feedback received from community stakeholders was that the majority of submitters did not fully support the culling of crocodiles—not to mention having untrained people killing crocodiles which would pose a real, serious and completely unacceptable risk to the public safety.

There are two fundamental but inherently contradictory responsibilities relating to crocodiles—an obligation to conserve them and an obligation to keep people safe from them. The obligation to protect people from harm has to accommodate and accept the realisation that it is neither practical nor economically feasible to ensure complete safety from crocodiles in and around the natural waters of Northern Queensland. Risks can be minimised but they cannot be completely eliminated.

The committee handed down its report to the Legislative Assembly on 21 September 2018 and recommended that the Safer Waterways Bill 2018 not be passed, and it is clear to see why. The issue surrounding crocodile management in Queensland is of huge public interest in relation to people and community safety. However, the content of this bill highlights major loopholes in how this bill would actually uphold public safety first and foremost. This bill talks about placing a greater value on human life than that of crocodiles and seeks to responsibly reduce the risk of a crocodile attack as much as possible by eliminating all crocodiles that pose a threat to human lives, 'while protecting crocodiles from becoming endangered as a species'.

Firstly, crocodiles in their natural environment are always going to be a threat to human life and eliminating crocodiles will not reduce the risk of harm on human life. This bill proposes protecting crocodiles from becoming an endangered species but fails to recognise that eliminating crocodiles will not protect them from becoming endangered. This bill poses a huge threat to crocodile numbers by elimination, but what is most concerning is the risk to public safety by giving the public a false sense of safety leading to complacency and an increased risk of attack.

The bill further seeks to establish a statutory authority—the Queensland crocodile authority—to assume responsibility for crocodile management, to establish an egg-harvesting industry, to create crocodile reserves and to allow members of the public to kill crocodiles. It is ironic that authorities for managing crocodiles in this bill would be linked to those under the current Nature Conservation Act 1992, which already provides a robust framework for removing problem crocodiles and for egg harvesting.

Again, this bill proposes that crocodiles be removed by an authorised person if they are a threat to humans and this removal may involve killing or relocating the crocodile to an authorised farm. It should be noted that the Department of Environment and Science investigates all crocodile reports and seeks to remove any animal assessed as being a problem crocodile. Where crocodiles pose a threat to human safety, they are targeted for removal under the Queensland Crocodile Management Plan.

This bill presents a number of unacceptable conflicts with other legislation. These include the compliance role of the Queensland crocodile authority, animal welfare issues and weapons licensing issues. This bill jeopardises the Commonwealth's approval of Queensland's Wildlife Trade Management Plan as the Australian government must be satisfied that the take of the species is not detrimental to its conservation and is humane.

The Cook electorate is vast, with 290,000 square kilometres of land. I have the coastlines of eastern and western Cape York to the very tip of Queensland and take in the Torres Strait Islands, with Saibai Island being just four kilometres shy of the PNG border—not to mention the intricate network of rivers and creeks throughout the electorate. When we have a bill that proposes safer waterways, what does this really mean to my communities? Nothing. This bill fails to recognise the vastness of an area such as Cook, let alone North Queensland, and therefore does not fully guarantee safer waterways and public safety. It does not matter how many crocodiles are removed. No waterway in crocodile country can ever be considered to be crocodile free. I do not support this bill.



**Ms BOLTON** (Noosa—Ind) (6.36 pm): I rise today to speak regarding the Safer Waterways Bill 2018. The Katter party are to be commended for bringing forth the concerns of their Far North Queensland communities and their increasing difficulties in enjoying the waterways as they had previously. From reports and community consultation, a number of contributing factors were identified that has seen an increase in crocodiles within areas that are utilised by ocean and river recreational users. The contributors have included increases in human population, recreation and habitation of areas that were previously crocodile territory.

As a member of the ITDE Committee, I supported the refusal to recommend the bill for the reasons outlined in the committee report, including that better outcomes could be achieved without creating new levels of authority with greater costs. This incorporates utilising the current framework and agencies with improved resources, an understanding of the need for increased customisation for communities impacted and the capitalisation of available sources of knowledge.


However, as outlined in my statement of reservation, there are three points that need consideration to achieve better and safer outcomes for communities. Firstly, the Indigenous ranger program should be incorporated into the Queensland Crocodile Management Plan to provide skills development, enterprise and opportunity through contractual arrangements with our Indigenous communities, promoting traditional culture and knowledge of crocodile management. It would also extend the current staff resourcing to assist in facilitating swifter response times to relocate crocodiles of concern.

Secondly, the next review of the Queensland Crocodile Management Plan provides an opportunity in consultation with impacted communities to reclassify zoning and develop place based management plans, as well as look to how newer technologies can assist in monitoring targeted locations. Thirdly, communications between agencies and the community would benefit through an increase in the Crocwise program targeting both residents and visitors, as well as greater information provision via the CrocWatch page. Basic additions could include individual locations of reported sightings with an updated status to avoid replication of reported sightings with ease of access through a phone app.

The department and agencies are to be commended on the work they have been undertaking in the management and research of crocodiles. There is still much to be learnt through the analysis of data being collected. Whilst this is being done, the genuine concerns of residents need to be acknowledged and acted upon in line with current framework and legislation. The contents of the committee's report and stakeholder submissions should be considered in how best to address these concerns.

In closing, I would like to thank my fellow committee members and secretariat for their work. To all the submitters and those who attended the public hearings in North Queensland, I pass on our deep appreciation for your input as well as that of department and agency staff, who provided valuable information as part of this inquiry. To the Katter members I say that even though I cannot support this bill I appreciate their commitment to sectors of their community and efforts on their behalf.

**Madam DEPUTY SPEAKER** (Ms Pugh): Before I call the member for Thuringowa, I urge all honourable members to keep the chatter outside the chamber. There is a constant low-level drone that I can hear. If people can keep their conversations outside or inaudible, that would be much appreciated.

 **Mr HARPER** (Thuringowa—ALP) (6.40 pm): I rise to oppose the Safer Waterways Bill as introduced by the member for Hill. They got it wrong from the get-go by calling it 'safer waterways'. Crikey! You could not get this bill to go anywhere near being safe. Everyone knows that it is the KAP's prime intent to allow people—almost anyone—to go out, get a gun and shoot up our waterways.

**Opposition members** interjected.

**Madam DEPUTY SPEAKER:** Order, members. You have had your opportunity. Let the member for Thuringowa have his.

**Mr HARPER:** This bill is ill informed, the explanatory notes are woeful, it is dangerous and it does not make our waterways safe—far from it. This bill would put more people at risk if it were ever to see the light of day.

**An opposition member:** What's your solution then?

**Mr HARPER:** We have a plan for removing crocs. How about the member listens? As a young man growing up in North Queensland and as a family man I have spent many weekends and holidays fishing and crabbing throughout North Queensland. Mind you, I do not think I have wet a line since I started this job. I have fond memories of enjoying these activities in the waterways of the Haughton, Bohle and Hull rivers, Sleeper Log and Crystal creeks or in the Hinchinbrook Channel itself. There is the famous Rod Point at the entrance to the Ross River, but that is a story for another day. Regardless of the location of these trips, I have known, seen and been up close with crocs that generally are on the banks catching some sun. I have always known that I am in their territory, and I have a very healthy respect for that fact.

This bill seeks to establish the Queensland crocodile authority to assume responsibility for crocodile management in Queensland. It also seeks to allow members of the public to kill crocodiles, establish an egg-harvesting industry in Queensland and create crocodile reserves. The bill's proposals have the potential to present real and serious risk to public safety by allowing members of the public to kill crocodiles and by requiring the staff of the Queensland crocodile authority to work in Cairns. This arrangement will compromise wildlife officers' capacity to respond to crocodile sightings relative to the current staffing distributed across crocodile country in Queensland.

On egg harvesting, Queensland's new estuarine crocodile egg-harvesting laws have been written to ensure the practice is ecologically sustainable. Eight years of research was conducted before the Queensland government changed the laws to allow croc egg harvesting. This program allows 5,000 eggs to be harvested annually and the DES has the ability to amend or cancel permits if any adverse impacts on local populations are identified. The department will monitor crocodile numbers to ensure harvesting does not have a detrimental impact on the local population.

The LNP and the Katter party do want to return Queensland to the dark old days when crocs were executed and hunted to near extinction. The LNP's policy announcement was nothing more than a political stunt with no scientific basis that puts at risk Queensland's entire croc farming industry. The LNP's 'remove all crocs by any means necessary' in three days that they were talking about will not make the public safer. It will only give the public a false sense of safety, leading to complacency and increased risk of attacks. The proposal for widespread introduction of egg harvesting in the complete absence of any supporting scientific information smacks of populism rather than well-considered policy.

I attribute some of the following to Townsville submitter Mr Dan Bamblett, or 'Ranger Dan' as he is more fondly referred to in our community. He has worked in Billabong Sanctuary for many years and has been heavily involved in croc egg harvesting and nurturing and feeding crocs. He owns his own business called Hands on Wildlife and has an absolute in-depth knowledge of all things croc related—far more than the supposed croc experts we have in this place. He has worked with crocs for over 20 years both here and in the US. I know this well because he is my brother-in-law and I have a healthy respect for what he does.

**An opposition member** interjected.

**Mr HARPER:** I have to tell the honourable member that he should listen and learn because, just like the KAP, he continues to cherry-pick pieces of the facts and deliver them in a deliberately misleading manner. World renowned crocodile researchers Dr Grahame Webb and Charlie Manolis, whom I also know from Kelso, researched saltwater crocodile survival rates and maintain that the rate of survival from egg to hatching is 25 per cent and from egg to mature crocodile is much less than one per cent. While a female saltwater croc can produce up to 70 eggs in one clutch, it will take about 150 to 160 eggs to produce one adult animal. This hardly supports the notion that crocodile numbers are exploding. They simply cannot explode. I point that out for the member for Burdekin.

Crocodile is a keystone species; every stage of the crocodile life cycle has an impact on the surrounding ecosystem. Eggs and hatchlings are food for goannas; water rats; snakes; fish, including barramundi and mangrove jack; crabs; and birds. Most importantly, large crocodiles are one of the major predators of medium sized crocodiles, which is a natural protection against overpopulation. A significant drop in croc numbers will have a negative ecological effect that will cascade right through to animals that we depend on commercially and recreationally such as barramundi, mangrove jack, mud crab and many other sought after species. Healthy croc numbers produce healthy fishing environments. The economic value of recreational fishing and fishing tourism in North Queensland would be worth many, many times any financial gains to be made from harvesting wild crocodiles. Mr Bamblett stated during the hearing in Townsville—

I believe the proposed Safer Waterways Bill is not going to make our waterways safer: I think it is going to make a crocodile attack more likely.

If the public believes that even more crocodiles are being removed from the environment they will begin to engage in high-risk activity, entering croc habitat more frequently and that will create a situation where an attack is more likely to occur. The primary focus of any crocodile management plan in legislation must involve education.

I want to talk about a special community event held last weekend at Cardwell.

**Mr Dametto:** Ha, ha!

**Mr HARPER:** The member for Hinchinbrook laughs now, but a large number of people in Cardwell turned out to farewell Bismarck, a large male salty that was illegally killed by a coward with a gun. He is estimated to have been 80 to 100 years old. That crocodile was considered to be an icon for the region and was seen as a free-range mascot that never caused anyone any grief, except the odd turtle. Tourists would stop in Cardwell, in the member's electorate, and walk out to the jetty to try to get a glimpse of this animal. The people who turned up to farewell him were from all backgrounds: local teachers, tradies, business owners and traditional owners. His killing has even angered local fishing charter operators who understand how important animals like Bismarck are to the long-term success of their business. Locals know the intent of the Katter private member's bill and do not support it. Locals in Cardwell did not even expect the member for Hinchinbrook to turn up to that event. I do not think they really wanted him there.

**Mr Dametto** interjected.

**Mr HARPER:** They had a laugh because the light banter was along the lines of, 'How do we stop the local member for Hinchinbrook turning up?', much like setting a trap—

**Mr Dametto** interjected.

**Mr DEPUTY SPEAKER:** Member for Hinchinbrook.

**Mr HARPER:** Much like the trapping of a croc, how could they trap the local member to keep him away? The light banter was, 'We will put a couple of mirrors at the entrance to Cardwell and that will pull him up for a couple of hours.'

The continued spruiking of a croc cull by ill-informed politicians is likely to encourage the illegal killing of large crocodiles like we have seen in Cardwell. The bill presents a number of unacceptable conflicts with other legislation. They include the compliance role of the Queensland crocodile authority, animal welfare issues and weapons licensing issues.

In conclusion, more people have been envenomated by Irukandji and snake envenomation. Maybe the next Katter bill will be to propose a crack team to go out there and take out the Irukandji and snakes. I do not support this bill. It is absolute garbage and it puts more people at risk. The KAP need to learn from people involved in the industry. I absolutely oppose the bill.



**Mr KRAUSE** (Scenic Rim—LNP) (6.49 pm): No doubt the communities of North Queensland and Far North Queensland feel very let down by this government when it comes to the management of crocs. Perhaps they feel a bit let down by the antics of the member for Thuringowa at times too. When it comes to crocs, the only way this is going to change is for the government in Queensland to change to the LNP. It is clear that the mob opposite will do nothing about crocs, and that came out during the committee process which I was also part of.

The organisations that lined up to give evidence to the committee included community groups like the Ellis Beach Surf Life Saving Club, and there were others as well. The residents of Far North Queensland are concerned about crocodiles in their communities. The member for Thuringowa spoke about Ranger Dan, who I believe gave evidence at the Townsville hearing. From recollection, Ranger Dan was the only witness who came to the committee and supported the government's approach to crocodile management in North Queensland and Far North Queensland.

We heard evidence from TTNQ, the chief tourism body for Far North Queensland. They expressed concern about the government's framework and the damage that could be done to the Far North Queensland tourism industry if a fatal croc attack occurs. We heard concerns about the time frame that the government has for the removal of problem crocs. Three months is the standard time frame set out in the budget papers put in place by this government. That is an unacceptable time frame, and that was put on the record by TTNQ and councillors from the Cairns Regional Council. Residents, businesses and those in the crocodile industry all want to see a government policy that is far more focused on people rather than crocodiles.

They are not going to get that from the Labor Party because they just do not know how to do that. They are not getting that from the government. They replaced the LNP's crocodile management policy with a bureaucratically-heavy convoluted process which does not get the job done. People in those communities have zero confidence that this mob is going to be able to change any of that. One example that was given is the sluggish way the department deals with the removal of crocs. We heard from people in the industry like John Lever from the Koorana Crocodile Farm around Rockhampton. There are very experienced people in the industry who say that the way this government deals with the issue of crocodiles in North Queensland and the concerns of people on the ground is completely unacceptable. There are experts who could give advice to the government so they could do things in a better way, if only they would listen. But they are not listening.

While we are talking about problem crocodiles, we heard from Councillor Brett Moller in Cairns whose division is in one of those areas that is an exclusion zone. We heard about the changes to their definition of problem crocodile so that it excludes any crocs under two metres in size. When you are living in the suburbs of Cairns, Townsville or anywhere else in Far North Queensland where there are crocodiles, I am pretty sure that whether a crocodile is 1.9 metres or two metres long is pretty irrelevant to your level of confidence and safety when you are walking around that community and going about your life, whether it is on the sporting fields or the creeks and rivers in that part of the world. Councillor Moller expressed concerns about the livelihood and safety of council employees who may be working in areas where crocs might be found.

Crocs of all sizes and behaviours should be removed from urban areas. That is the policy of the LNP, which I know the member for Broadwater expressed recently. That is a major difference between the LNP and the approach of this government, which is determined—

**Mr Millar:** It has a three-month time frame.

**Mr KRAUSE:** I take that interjection. They have a three-month time frame. They say that you can have a problem croc out in the community for three months and that is acceptable to the community. We here on this side in the LNP put people first, not crocodiles. We need a change in government and a change in policy to get effective action when it comes to crocodile management.

There are examples in Australia where entire areas around places where people live, enjoy recreational activities and work and play have zero tolerance management policies, and they work. The committee visited the Northern Territory and spoke to the Northern Territory government. The committee heard about management areas where there is a zero tolerance approach. If there is a crocodile in those areas it is removed, no questions asked. It is removed quickly—within a matter of hours in some cases, if not in a couple of days—but they get on the case straightaway because they know that where there are people and there are crocs, the crocs need to go. They have a zero tolerance approach, and that approach could be adopted by this government if they chose to do that.

This policy survived changes in the Northern Territory government from the ALP to the CLP, from the CLP to the ALP, and back to the ALP again. It does not have to be about politics, but it requires people in government to listen to the scientific evidence and crocodile experts to get the approach right.



Critics will say that in the Northern Territory there are a lot fewer people, and it is true. Around Darwin there are a lot fewer people than in some parts of North Queensland, but there are a lot more crocodiles as well. That much was clear from the evidence that we heard in the committee. The Northern Territory does have a lot more crocodiles than Queensland, although much of the evidence also points to the fact that crocodiles are no longer endangered in Queensland. Their population has recovered in a steady way since the 1970s.


This bill has a number of flaws, and one in particular is the threat to the crocodile skin industry if there is an uncontrolled culling of crocodiles and a loss of the CITES certification in Australia. Australian crocodile leather cannot be sold in the international market unless it is certified, and if that is lost—and there is a possibility that it may be if this bill is passed in this form—then the crocodile leather industry would cease to exist in its present form in Australia. It is also possible that, if the bill passes as it is, any crocodile farms which are not 100 per cent Australian owned would need to close down—something that would run counter to the other objectives of the bill—because there are a number of farms that have overseas investment because of the fact that it gives them a say in the running of those places and the product that it provides to their markets.

Even a number of people in the party advocating for this bill—and I make special mention of a fellow called Gordon Rasmussen, who spoke to us in Port Douglas and was the KAP candidate for Cook in the last election—did not agree 100 per cent with the objectives of this bill.

**Mr Knuth:** That's why he won't be a member of KAP again.

**Mr KRAUSE:** I will take that interjection from the member for Hill, who said, 'That's why he won't be a member of the KAP again.' He does not agree with the objectives of the bill in relation to culling in the Daintree, especially because it supports the tourism industry. Clearly this bill is not the answer to people's questions.

What people want to see is a change in policy from the government that puts people above crocodiles and takes a strong, active management approach to removing problem crocodiles if necessary to protect the people who live in urban areas and play in and around areas where there are crocodiles. They want a government that deals with crocodiles in their living space as a matter of urgency, not the despicable three-month KPI time frame set out in the SDS for the environment department that we spoke about at estimates last year and which has been spoken about in this debate here tonight. When it comes to crocodiles, they want to see genuine support for an egg-harvesting industry and the economic opportunities that could flow from that. To get this change in policy the people of North Queensland and Far North Queensland need to vote for a change in government, because they are not going to get it from the Labor Party. They need to change the government and support the strong crocodile management policy that the LNP will put in place.

 **Ms PUGH** (Mount Ommaney—ALP) (6.58 pm): With the brief time that I do have I want to make a few points on the bill. It might surprise members of the House to learn that crocodile is in fact very, very popular in Mount Ommaney. With the many Vietnamese restaurants that I have in my electorate, it is on just about every menu of every restaurant in Darra. I can tell you that salt and pepper crocodile is absolutely my daughter's favourite dish. It has a beautiful tenderness to it that is not dissimilar to barramundi. In my household we do enjoy eating some of the delicious crocodile that I am sure comes from up your way, member for Hill, and I encourage all members of the House to give it a try.

Nonetheless, I have some serious concerns about the bill that has been presented by my esteemed colleagues on the crossbenches. My concerns are mainly around public safety, because I think it is really concerning to suggest that we allow members of the public to hunt and kill crocodiles. This would obviously run contrary to the Commonwealth's approval of the Queensland Wildlife Trade Management Plan, as the Australian government would need to be satisfied that the take of the species is not detrimental to its conservation and that the animal is killed in a merciful way. We have heard about how those animals might be killed. It is certainly very concerning to think about people going out with guns or goodness knows what in order to kill these animals—legally, apparently. That is incredibly concerning to me. I dread to think how people might go about carrying out that kind of activity.

I note the question from my esteemed colleagues the members for Hill and Hinchinbrook as to whether I would swim in the Tully River. No, I would not swim in the Tully River, but my electorate of Mount Ommaney abuts the Brisbane River and I would not swim in that either, because my stretch of the Brisbane River is home to about 500 bull sharks. I do not know how many bull sharks you would have to catch for me to feel comfortable that there are none left.

Debate, on motion of Ms Pugh, adjourned.

## ADJOURNMENT

### Bribie Island, Health Services



**Mrs WILSON** (Pumicestone—LNP) (7.00 pm): When the Minister for Health and Minister for Ambulance Services tries to talk up his government delivering better health services to Queensland, he always fails to acknowledge the worsening situation for emergency medical treatment for the people in my electorate, in particular Bribie Island locals.

Earlier this year I wrote to the minister about this problem. I asked him to guarantee funding in this year's budget to improve health services for Bribie Island locals. There is a reason for this request. Bribie Island has the highest median age in the state at 59.6 years, compared to the rest of Queensland at around 39.1 years. With an ageing demographic comes the need for increased healthcare and urgent treatment services.

What has happened since I wrote to the minister in January is revealing. Firstly, he could not be bothered to respond to me himself. Instead, he flicked my letter to the chief executive of the Metro North Hospital and Health Service to reply. I table a copy of that letter.

*Tabled paper:* Letter, dated 30 January 2019, from Chief Executive, Metro North Hospital and Health Service, Mr Shaun Drummond, to the member for Pumicestone, Mrs Simone Wilson MP, regarding a minor illness and injury centre on Bribie Island [\[410\]](#).

This letter outlines how data has been gathered to justify whether or not a minor illness and injury centre on Bribie Island is needed. According to Queensland Health, it is not. The minister's very own department has crunched the numbers and has said that, in 2017-18, 4,915 people from Bribie Island attended the emergency department at Caboolture Hospital. Around half needed immediate admission while the other half, which amounts to around six people per day, could have been treated at a local practice. The chief executive of Metro North said—

While it may be difficult or inconvenient for individuals to travel to Caboolture Hospital, this type of Centre would be very expensive to staff on a 7-day basis and a very cost-ineffective use of public monies to do so for such a small number of patients.

Let me cut to the chase: Minister Miles, who could not even reply to me himself, had his own department do the dirty work against Bill Shorten. Bill Shorten has promised Bribie Island locals an urgent care clinic for people in need of immediate treatment, and the Queensland government will not see the need for an urgent care clinic. That is what Bill Shorten announced, and anything else is simply taking business away from our existing private medical practitioners. Surely they do not want to go down that track! Minister Miles's position is as clear as day: Shorten's big plans will not get the state's backing and Bribie Island locals once again will be hung out to dry.

### Waterford Electorate, Women




**Hon. SM FENTIMAN** (Waterford—ALP) (Minister for Employment and Small Business and Minister for Training and Skills Development) (7.03 pm): I rise to celebrate some of the incredible women in my Waterford community. During Queensland Women's Week I had the privilege of hosting the Wonderful Women of Waterford awards to highlight the work of these women. From disability advocates, multicultural leaders and teachers to sporting club volunteers, it was a celebration of the diversity of women leaders in our community.

As there were almost 40 recipients, I do not have time to share all of their incredible stories. We recognised community advocates like Diana Howes, who is mobilising Bethania residents to ensure their voices are heard; inspiring educators like Judy Fewtrell from Mabel Park State High School and Belinda Tregea from Loganlea State High School; and victims rights champions like my good friend Rachel Simpkin-Bale, who, through her work at the Centre Against Sexual Violence in Logan, campaigns to end sexual violence in our community. I want to thank each and every one of them for their contribution. It is an honour to represent so many remarkable women.

Over the last two weeks we have all grieved with our Muslim community, both from New Zealand and here in Logan. During the Wonderful Women of Waterford event I had the privilege of celebrating some incredible leaders from Logan's Muslim community including Rita Anwari and Fatuma Hussein. Rita invests her time volunteering to support local Afghani women, and Fatuma works at Multilink supporting Oromo-speaking clients and teaching bilingual classes. Both of these incredible women are proud members of the community and have dedicated their working lives to making Logan an even better place to live.

I am proud as the member for Waterford to represent an incredibly diverse multicultural community which includes many members of the Islamic faith. Indeed, in Logan we have more people from different ethnicities than in New York City. That is how wonderfully diverse we are. I take this opportunity to pay my respects to the families and friends of the victims who lost their lives in the horrific terrorist attack in Christchurch. This event has shown us that, now more than ever, it is important that politicians not only call out this behaviour but also do not engage in politics that is based on division and fear. I am so proud that our government does not tolerate politics based on division and that we are proud to celebrate a multicultural Queensland. Soon I will be joining the Premier and many of my colleagues at the Harmony Day parliamentary reception, because here in Waterford and here in Queensland everyone belongs.

### **Cleveland District State High School, Multipurpose Centre**


 **Dr ROBINSON** (Oodgeroo—LNP) (7.06 pm): On 12 March, the long-awaited multipurpose centre at Cleveland District State High School was opened. It has been a long haul for the school community, which has worked hard for this indoor auditorium. I want to acknowledge the presence of former members for Cleveland Darryl Briskey and Phil Weightman. Cleveland had only three MPs in its almost three-decade history and all three MPs were there for the opening. I cannot think of a similar local event in my 10 years at which all three members for Cleveland have come together. It shows the importance of this piece of infrastructure, the high reputation of Cleveland high school and the broad respect for the longstanding principal, Paul Bancroft, and his deputies. I want to honour the former members for Cleveland not only for their attendance but also for actively lobbying, as I have done also, to get the funding. The combined weight of three Cleveland MPs over the years lobbying in support of the school community's campaign has been most helpful. I also acknowledge the attendance of the members for Lytton and Capalaba.

The opening of the Cleveland high school multipurpose centre is most welcome. The centre was aptly named the Paul Bancroft Centre after longstanding principal Paul Bancroft. It will be a legacy to his achievement long after he has retired. The school has had the use of the Smith Street hall for many years; however, the new facility will cater so much better for the continued growth in student enrolments and provide a resource that Cleveland high school has long been in need of. I am happy to have played a part in the delivery of this \$6 million indoor sports auditorium for the school community of Cleveland high school as the local member. The auditorium will seat the whole school of over 2,000 students, and the high-tech retractable section can seat almost 1,000 people in itself.

The event was a great success and included performances from a number of the school's ensembles, choirs and dancers as well as official speeches, followed by the unveiling of the plaque. The school is extremely excited for this new facility and the resources and opportunities it provides the sports and creative arts departments and the school community generally.

I also note the work of the school P&C. I have worked together with them and several presidents over that time. I pay tribute to their work. As I have said in this House and say again for the record, this has been a high-priority project since my election to office 10 years ago, on 21 March 2009. I have actively supported the school in its quest for a hall in a range of different ways. I co-sponsored the petition with the P&C that received over 2,300 signatures. No doubt that people power went some way to finally pushing the project over the line. Ultimately, this work all paid off. I am glad to have been the state MP for Cleveland high school and to see this project delivered.

### **New Zealand, Shootings; Springwood Electorate, Morrison Government**


 **Hon. MC de BRENNI** (Springwood—ALP) (Minister for Housing and Public Works, Minister for Digital Technology and Minister for Sport) (7.09 pm): In the week and a half since the tragic events in Christchurch, I have seen great strength, compassion and community spirit. I have seen this on display statewide and amongst the people who live in the community I am honoured to represent. Like the Premier and many of my colleagues in this House today, it was important to me that I reach out to Muslim members of my community—reach out with open arms and a firm reassurance that we are one, that we share the place we live; we share our schools, our parks, our places of worship, our lives. This week I was profoundly moved by the opportunity to share a meal. This week I visited the Islamic Women's Association of Australia in Springwood to bring a message of unity. I presented this message to Galila Abdel Salam, CEO of the Islamic Women's Association, and to share my condolences with her and her team.

Whilst it is a difficult time for those in Christchurch, it is now more than ever the time to say we unite to reject terrorism, fear, hate and division. After speaking about this with my own nine-year-old daughter this week, I have tremendous hope for our community's future. I see it in her eyes and I see it in the eyes of young people across the electorate. Those young people have the knowledge that making a difference means speaking up, being strong and supporting one another. While I stand tonight, I reflect on the important role that men make to speak up for equality for women in Queensland. I am proud to be a part of a cabinet that is 50 per cent women, taking direct strides towards equality here in Queensland. One woman in particular has always been a driving force in my life, my mother, whose birthday it is today and who is here tonight in the gallery. Happy birthday, Mum.

My mum always made sure that I was healthy—thanks very much, Mum—yet for many mums and dads across our community that is getting harder. In our neighbourhood people say that the Morrison government has left them behind. The Prime Minister and his man on the ground Bert van Manen have their sights set only on the big end of town, and it is easy to see why locals are saying that when the Morrison government has cut \$6.1 million from Logan Hospital and \$2.67 million from Redland Hospital at the same time that those population areas are growing and when the Prime Minister and his bloke in Forde, Bert van Manen, approved private health premium insurance increases—a whack to your household budget of more than \$1,000 each year for coverage—at the same time the Abbott-Turnbull-Morrison governments have effectively frozen wages over the past six years.

When I get a chance to listen to the people of the community that I represent they say that they want a federal government that will invest in more beds, more doctors and more nurses, that will end Scott Morrison's Medicare freeze to address the increase in out-of-pocket costs and put a cap on private health insurance premiums. Our community is asking for funding for hospitals, not handouts for big banks. Our community needs good Medicare, not handouts to multinationals.

### Racing Integrity Commission

 **Mr LANGBROEK** (Surfers Paradise—LNP) (7.12 pm): I rise to speak about the Queensland Racing Integrity Commission as the LNP shadow minister for racing. We support integrity in racing. However, we believe that racing's integrity is being compromised by QRIC and the Labor Party to the detriment of the three racing codes and also to Queensland citizens, and all this with a budget last year of \$26.4 million. Queensland racing is big business. From the 2018-19 annual report, there were 42,000 participants, 21,000-plus owners, 130 race clubs, 119 racecourses, 12,000-plus races run, 103,000 starters and an economic contribution of \$1.2 billion per annum.


Despite working in tandem with the CCC, Racing Queensland, the Queensland Racing Crime Squad, Crime Stoppers, phone intercepts and a conga line of internal and external solicitors, as well as through the use of coercive hearings and search warrants, QRIC cannot get it right. Do not be fooled by QRIC's propaganda about how many people have been charged because most charges by QRIC do not stick. QCAT resolved 21 cases in 2017-18. QRIC won five at QCAT—five out of 21. The public face for the Labor Party's Racing Integrity Commission holds press conferences and publishes media releases about charges QRIC makes, but it seems that that is all they are—charges, dropped before or at prima facie level or even at trial.

Today I must profile harness racing and the tawdry way that QRIC has mishandled matters of integrity within that industry just about every step of the way over almost the last two years. People have been tossed out of harness racing when they were charged. Their names were blackened, their lives tipped upside down, their relationships tested, their income streams and livelihoods ripped from them time and time again based on what we know now were flimsy, vexatious charges but charges anyway—more ticks and flicks for QRIC.

Think of the lives affected because of QRIC's inability to perform. I want to look at some of the cases such as 19-year-old Leonard Cain charged with match fixing—really, race fixing. The charges were beaten in court, but the charges alone prevented this young man from driving in the USA. Dayl March—another race-fixing charge and another charge beaten in court. Mathew Neilson—race fixing, charges dropped. There is a common thread here. Then there was Shane Graham, fraud charges dropped, and Vicki Rasmussen, fraud charges dropped. All of these licensees had their names published on QRIC's website at the time of these charges, but their dismissal of charges had never been denoted on that site. So much for QRIC's statement of fairness and transparency! There is another significant case that I intend to return to in a future speech. The facts remain that the three racing codes need an integrity body, but it has to be just, reasonable and responsible and charge wrongdoers only

when evidence points to that and provide integrity to those whose reputations are sullied on social media and elsewhere. The LNP will deliver that when in government. We will become known as Queensland's racing party. You bet it will!


### **Cairns Electorate, RSPCA**

 **Mr HEALY** (Cairns—ALP) (7.15 pm): Today I want to congratulate the Cairns RSPCA which has reopened after a complete new build of its animal care campus, which looks absolutely fantastic. I had the great pleasure of conducting an inspection through this outstanding facility the other day. I know that the minister who is responsible for the RSPCA, Minister Furner, would be very interested to know this and I know he is keen to catch up. For those in the chamber who are not aware, the RSPCA is an independent, non-government community based charity providing animal care and protection services. The first Society for the Prevention of Cruelty to Animals was formed in London in 1824 largely as a result of agitation by a most impressive young Irish politician, Richard Martin, MP for County Galway in Ireland. Martin piloted the first anticruelty bill through parliament in 1822, giving cattle, horses and sheep a small degree of legislative protection.

In 1840 the society's work was held in such high regard that the Queen gave her permission for the word 'royal' to be added to the society's title, and I know some people in this chamber may be impressed by that. Many years later Queen Elizabeth II—another queen—bestowed a similar royal warrant on the Queensland society. The Australian RSPCA was created 1871 when a public meeting to discuss the ill treatment of horses in Victoria led to its formation. Queensland soon followed suit in 1883. From one inspector to several supporters in its fledgling years, the society has grown to over 415 paid staff throughout the state generously supported by over 5,000 volunteers. Every person who works directly or indirectly with the RSPCA is dedicated to increasing the opportunities and improving the quality of life for each animal in their care.

I had the great pleasure, as I said, of visiting the new Cairns premises late last year and was really impressed by the thought and effort that had gone into constructing such a fantastic multipurpose and purpose-built facility. Manager Rob Harvey took the time to show me around and I met with many of the dedicated staff and volunteers who do such an amazing job giving those poor neglected animals some love and kindness and hopefully finding them a new home. Dan McKenzie, who is second in charge of the shelter, is also training as a veterinary nurse to better assist in his role and Cash does a great job as the dog whisperer, assessing the dogs' temperaments and determining how best to rehouse them once they have dealt with their behavioural issues. Knowing how important many of these animals are in the lives of many individuals and families—and how it has contributed to the lives and teachings of our children—I want to acknowledge not just the staff and volunteers in Cairns but all staff and volunteers across Queensland who do this very important work.

### **Eumundi Markets, 40th Anniversary**

 **Mr PURDIE** (Ninderry—LNP) (7.18 pm): In the late 1970s the picturesque Sunshine Coast hinterland town of Eumundi was dying. The Bruce Highway that ran through the town had been moved and the general store and other local businesses were struggling. Something needed to be done to breathe life back into the town, so on a crisp autumn morning on Saturday, 25 March 1979—40 years ago yesterday—Christa Barton and her friend Gail Perry hosted the first ever Eumundi Markets.


In the short time that I have tonight I want to outline a brief history of the markets and acknowledge all of the community groups that work together to ensure that the markets and the town continue to thrive. It was a humble beginning for the Eumundi markets. On that first day, only three stallholders turned up—three stallholders selling local fruit, vegetables and handmade pottery; three stallholders who made \$30 from eight customers. Their spirits were not dampened. Too much was at stake. The following week there were more customers. The next, there were more again. Today, the Eumundi markets is the most popular tourist attraction on the Sunshine Coast, with 1.2 million visitors each year. The Eumundi markets is not just a tourist attraction; it is a breeding ground for small business success. Many local artists and creatives have used their skills to grow their market stall into state, national, or international success stories.

Over the years the aim and vision of the markets has stood strong. Each stallholder must be local and must abide by the ethos of make it, bake it, sew it, or grow it. Thanks to the dedication, commitment and stewardship of a number of hardworking community groups, we are celebrating the 40th anniversary of my region's most popular and successful artistic and cultural institution. Those groups are the Eumundi Combined Community Organisation, the Eumundi and District Community

Association, and the Eumundi Historical Association, supported by the chamber of commerce, Rotary and the Country Women's Association. Over the decades the Eumundi community has endured its fair share of trials and tribulations but, thanks to the unwavering support of these groups and all locals, we are now able to acknowledge and celebrate its vibrant history and proud legacy.

Today, Eumundi is not just a market town; it is an international tourist destination. It is a thriving hinterland community where people can find my region's best coffee, food or craft beer seven days a week. I am proud to represent the beautiful town and people of Eumundi as part of the Ninderry electorate. I look forward to working with all locals, small businesses and community groups into the future. If people have not been to Eumundi recently, I encourage them to visit as it is the original and still the best.

### Nudgee Electorate, School Leaders

 **Ms LINARD** (Nudgee—ALP) (7.21 pm): Recently, I welcomed school leaders from Earnshaw State College, along with deputy principal Kathleen Wenban, to parliament for a school leaders lunch. Nineteen years ago, as school captain of the former Banyo state high school, which is now Earnshaw State College, I was invited to a similar lunch by my local member, the then member for Nudgee Neil Roberts. As the now member for Nudgee, it is a great privilege to have the opportunity to continue this tradition and invite these brilliant young leaders to share their ideas, their values and their reflections on leadership, youth and politics in this honoured place.

Jemma, Britney, Zachary and Chelsea were bright, engaging, humble and grounded. They have been distinguished by their peers and selected to these important leadership roles. I know they will lead and serve the Earnshaw community with distinction in the coming year. Earnshaw State College is one of three high schools in my electorate and I look forward to also welcoming school leaders from Nudgee College and Mary Mackillop College in the coming sitting weeks.


Having school leaders and students visit parliament is always a special occasion for members. I would like to acknowledge the generous and warm way that all members greet respective members' visiting students. During our time together, members from across the political divide took the time to stop and say hello to my school leaders. This year, the timing of our lunch was impeccable as the Premier walked through the dining room just as the students were finishing their lunch and without hesitation stopped for a quick chat and photos with the students. I know it was a day that they will not forget in a hurry.

I hope that young people will always feel welcome and celebrated in this place and are inspired to hope and strive for much greater heights than we can yet imagine. With Queensland Youth Week commencing next week, I think it is timely to stop and acknowledge the considerable achievements and contributions that young people make to our state. The theme for 2019 is Unlimited, celebrating the boundless energy that young people bring to our communities and encouraging them to look to the future and see limitless possibilities.

Although Youth Week focuses on young people aged 12 to 25, I think it is a message that children and young people of all ages need to hear, because the world they live in and will inherit is full of limitless possibilities—although the events of this past week may make it seem anything but—and because it is too often the reverse of hope and possibility that fills our conversations and fuels the social media and media sound bites that dominate their lives. As we approach Youth Week, and as I am never one to miss an opportunity to quote RFK, I say to the young people of my electorate and to all young Queenslanders, including my own children—

All of us might wish at times that we lived in a more tranquil world, but we don't. And if our times are difficult and perplexing, so are they challenging and filled with opportunity.

### Gold Coast Convention and Exhibition Centre

 **Mr STEVENS** (Mermaid Beach—LNP) (7.24 pm): I rise to highlight what the Gold Coast really needs to ramp up its tourist visitation numbers and it is not the non-viable, fanciful cash grab of a global tourism hub, aka the Gold Coast casino that is being bandied around by an out-of-touch tourism minister and wannabe mayor, Kate Jones. It is the immediate extension of the Gold Coast Convention and Exhibition Centre in Broadbeach to accommodate large national and international conventions and conferences that will bring an instant increase to tourism visitation numbers to the Gold Coast and Queensland.

Every tourism operator on the Gold Coast understands that the convention market attracts high-end spenders for a longer stay period. Currently, the convention centre does a wonderful job under the astute guidance of Ms Adrienne Readings, but we need it to grow as our global tourism hub rather than having another slot machine palace that will only cannibalise further the local market provided by community clubs, pubs and our existing tourism hub called the Star casino. To think that three major slot machine casinos are sustainable in a minuscule market compared to Macau, Las Vegas and even Sydney and Melbourne shows how financially ignorant are the Labor Party boffins running the state's investment decisions.

The current convention attendance capacity of 3,500 fails to satisfy large exhibition demands. With the convention centre operating at around 85 per cent of booking capacity, international and national conventions are bypassing the Gold Coast for other larger venues. Even retaining existing convention centre users is proving difficult because of the lack of exhibition space.

Despite Broadbeach being the main beneficiary of any convention centre enlargement, there are unquestionably flow-ons to other accommodation hotspots if the conventions were too large for Broadbeach to cater for completely. That would turn Broadbeach into a genuine global tourism hub without the need to sacrifice other public lands across the Gold Coast.

The convention industry is an integral part of the tourism industry. What better place to host an international convention than on the Gold Coast with its myriad natural and man-made attractions, World Heritage listed rainforest—which we can access via cable car if allowed—42 kilometres of pristine beach, a vibrant night-life, brilliant theme parks for the kids and a world-class dining and entertainment precinct? That makes the expansion of the convention centre a no-brainer.

Juxtaposed to this sensible, practical and doable boost to Gold Coast and Queensland tourism is the harebrained scheme by the Palaszczuk Labor government for a third casino in the south-east corner of Queensland with no idea as to where it should be located, no idea who the proponents might be and no idea what sort of entertainment and usage that is to be provided by this made-up zinger terminology of a global tourism hub.

### Springfield Central Park-and-Ride



**Mrs MULLEN** (Jordan—ALP) (7.27 pm): I am pleased to provide an update to the House on the government's commitment to deliver a new Springfield Central park-and-ride facility. This \$44.5 million project is being progressed with the announcement that the detailed design phase is underway, with design consultant GHD being awarded the tender to investigate and design new car parks for Springfield Central station and the surrounding area.

The park-and-ride project will deliver 650 additional car parks to Springfield Central station, increasing the number of car parks to more than 1,100. However, the consultants are designing more than just the multistorey car park on the identified site. Vehicle access in and out of the car park on to Springfield-Greenbank Arterial road, safe and easy pedestrian movements to the train station and the interface with other local roads and the recently announced AFL stadium will all be part of the design conversation. This is a big and complex project. We have only one opportunity to plan and design this project properly and I want to ensure that we deliver the best outcome for the community.

I appreciate the frustration being felt by commuters at the station. The current car park is overstretched. I understand how frustrating it is to turn up at the station and not be able to find a car park. At my urging, TMR has been investigating options for overflow parking but, to be honest, it has proven to be difficult to find available and suitable land in the interim. I am advised that work on this option is continuing.

The recent announcement of funding for the new AFL stadium at Springfield Central is also an important consideration in the planning of the commuter car park. With our funding commitment known and understood since the last budget, the state government has been waiting for some time to see if the federal government was going to support the stadium. Until now, there has been some uncertainty around whether the AFL stadium would proceed, so it has been difficult for the state government to know what impact this project will have on not only the new park-and-ride but also Springfield Central station.

I know that the community has expressed concern at how the station, the commuter car park, the stadium project and local roads will work together in a location that they know is already quite constrained. As a result, I have the support of all stakeholders to establish a project steering group involving the Brisbane Lions, Ipswich City Council, the Department of Transport and Main Roads and the master developer, Springfield City Group, to work together on the planning, design and construction

interface of all these projects. Last Thursday, we held our first meeting and I am confident that all stakeholders understand the importance of getting this precinct right. We owe it to our local community and to those visiting to ensure that we plan a stadium and station precinct that is well designed, easy to access and a positive contribution to our greater Springfield region.

The House adjourned at 7.30 pm.

### **ATTENDANCE**

Andrew, Bailey, Bates, Batt, Bennett, Berkman, Bleijie, Bolton, Boothman, Boyce, Brown, Butcher, Crandon, Crawford, Crisafulli, D'Ath, Dametto, de Brenni, Dick, Enoch, Farmer, Fentiman, Frecklington, Furner, Gilbert, Grace, Harper, Hart, Healy, Hinchliffe, Howard, Hunt, Janetzki, Jones, Katter, Kelly, King, Knuth, Krause, Langbroek, Last, Lauga, Leahy, Linard, Lister, Lui, Lynham, Madden, Mander, McArdle, McDonald, McMahon, McMillan, Mellish, Mickelberg, Miles, Millar, Miller, Minnikin, Molhoek, Mullen, Nicholls, O'Connor, O'Rourke B, O'Rourke C, Palaszcuk, Pease, Pegg, Perrett, Pitt, Powell, Power, Pugh, Purdie, Richards, Robinson, Rowan, Russo, Ryan, Saunders, Scanlon, Simpson, Sorensen, Stevens, Stewart, Stuckey, Trad, Watts, Weir, Whiting, Wilson