



# RECORD OF PROCEEDINGS

Hansard Home Page: <http://www.parliament.qld.gov.au/work-of-assembly/hansard>  
 Email: [hansard@parliament.qld.gov.au](mailto:hansard@parliament.qld.gov.au)  
 Phone (07) 3553 6344 Fax (07) 3553 6369

## FIRST SESSION OF THE FIFTY-FIFTH PARLIAMENT

### Thursday, 1 December 2016

Subject	Page
<b>SPEAKER'S STATEMENTS</b> .....	<b>4815</b>
World AIDS Day .....	4815
Neville Bonner, Bust .....	4815
<b>PRIVILEGE</b> .....	<b>4815</b>
<b>Speaker's Ruling, Alleged Deliberate Misleading of the House by a Member</b> .....	<b>4815</b>
<i>Tabled paper:</i> Letter, dated 17 October 2016, from the Minister for Communities, Women and Youth, Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence, Hon. Shannon Fentiman, to the Speaker, Hon. Peter Wellington, regarding an alleged deliberate misleading of the House. ....	4816
<i>Tabled paper:</i> Letter, dated 21 November 2016, from the member for Mudgeeraba, Ms Ros Bates MP, to the Speaker, Hon. Peter Wellington, regarding an alleged deliberate misleading of the House. ....	4816
<b>Speaker's Ruling, Alleged Deliberate Misleading of the House by a Minister</b> .....	<b>4816</b>
<i>Tabled paper:</i> Letter, dated 7 November 2016, from the member for Hinchinbrook, Mr Andrew Cripps MP, to the Speaker, Hon. Peter Wellington, regarding an alleged deliberate misleading of the House. ....	4816
<i>Tabled paper:</i> Letter, dated 25 November 2016, from the Minister for Environment and Heritage Protection and Minister for National Parks and the Great Barrier Reef, Hon. Dr Steven Miles, to the Speaker, Hon. Peter Wellington, regarding an alleged deliberate misleading of the House. ....	4816
<b>Speaker's Ruling, Alleged Deliberate Misleading of the House by the Premier</b> .....	<b>4817</b>
<i>Tabled paper:</i> Letter, dated 8 November 2016, from the Leader of the Opposition, Mr Tim Nicholls MP, to the Speaker, Hon. Peter Wellington, regarding an alleged misleading of the House. ....	4817
<i>Tabled paper:</i> Letter, dated 22 November 2016, from the Premier and Minister for the Arts, Hon. Anastacia Palaszczuk, to the Speaker, Hon. Peter Wellington, regarding an alleged misleading of the House. ....	4817

Table of Contents – Thursday, 1 December 2016

<b>SPEAKER'S STATEMENTS</b> .....	<b>4818</b>
Parliamentary Service, Questionnaire.....	4818
Visitors to Public Gallery .....	4818
<b>MOTION OF CONDOLENCE</b> .....	<b>4818</b>
Hewitt, Mr WD .....	4818
<b>PETITIONS</b> .....	<b>4824</b>
<b>TABLED PAPERS</b> .....	<b>4824</b>
<b>MINISTERIAL PAPER</b> .....	<b>4824</b>
Revocation of Protected Area.....	4824
<i>Tabled paper:</i> Revocation of State Areas: Proposal under section 32 of the Nature Conservation Act 1992 and a brief explanation of the proposal, relating to Lamington National Park.....	4824
<b>NOTICE OF MOTION</b> .....	<b>4825</b>
Revocation of Protected Areas.....	4825
<b>MINISTERIAL STATEMENTS</b> .....	<b>4825</b>
Back to Work Youth Boost .....	4825
Wild Dog Fencing.....	4825
<i>Tabled paper:</i> Photograph, undated, depicting truck transporting hay bales.....	4826
GoMA Turns 10.....	4826
Smith Family Christmas Appeal.....	4826
Dubai South Project; Trade & Investment Queensland, Appointment of CEO.....	4827
State Finances.....	4827
<i>Tabled paper:</i> 2015-16 Report on State Finances of the Queensland Government—30 June 2016.....	4827
Orange Sky Laundry .....	4828
World AIDS Day .....	4829
Education.....	4830
Ravenswood Mine .....	4830
Department of Transport and Main Roads, Achievements .....	4831
Gold Coast, Policing .....	4831
Mobile Black Spot Program.....	4832
Great Barrier Reef, UNESCO World Heritage Centre Progress Report.....	4833
<b>MOTION</b> .....	<b>4833</b>
Amendment to Standing Orders.....	4833
<b>PRIVATE MEMBERS' STATEMENTS</b> .....	<b>4834</b>
Industrial Relations .....	4834
Sale of Public Assets .....	4834
Electricity Prices .....	4835
<i>Tabled paper:</i> Letter, dated 5 February 2009, from the Treasurer, Hon. Andrew Fraser, to the Minister for Resources and Energy and Minister for Tourism, Hon. Martin Ferguson, relating to the Australian Energy Regulator's review of the weighted average cost of capital for regulated transmission and distribution businesses. ....	4835
Liberal National Party.....	4836
Palaszczuk Labor Government.....	4836
<i>Tabled paper:</i> Document, undated, titled 'Annastacia Palaszczuk & Labor Progress Report'. ....	4837
<b>QUESTIONS WITHOUT NOTICE</b> .....	<b>4837</b>
Electricity Prices .....	4837
Electricity Prices .....	4837
<i>Tabled paper:</i> Letter, dated 5 February 2009, from the Treasurer, Hon. Andrew Fraser, to the Minister for Resources and Energy and Minister for Tourism, Hon. Martin Ferguson, relating to the Australian Energy Regulator's review of the weighted average cost of capital for regulated transmission and distribution businesses. ....	4837
Carmichael Coal Project .....	4838
Electricity Prices .....	4839
Bundaberg, Turtles.....	4840
<i>Tabled paper:</i> Letter, dated 16 March 2016, from the member for Burnett, Mr Stephen Bennett MP, to the Deputy Premier and Minister for Infrastructure, Local Government and Planning, Hon. Jackie Trad, regarding protection for breeding turtles.....	4840
Infrastructure .....	4840
Backpacker Tax .....	4841
Palaszczuk Labor Government, Unemployment .....	4842
Council on Federal Financial Relations .....	4843
Minister for Child Safety .....	4843
Speaker's Ruling, Question Out of Order .....	4844
<i>Tabled paper:</i> Document, undated, titled 'Report Card: Name: Shannon Fentiman—Minister for Communities, Women and Youth, Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence'. ....	4844
Queensland Health.....	4844
Palaszczuk Labor Government, Report Card .....	4845
Education, Funding.....	4846
<i>Tabled paper:</i> Policy document titled Department of Education and Training: Reporting to parents.....	4846
Renewable Energy Target.....	4846
<i>Tabled paper:</i> Document, undated, titled 'Report card: Name: Mark Bailey—Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply'. ....	4846
<b>PRIVILEGE</b> .....	<b>4847</b>
Broadcast of Parliament, Alleged Breach of Terms and Conditions.....	4847

Table of Contents – Thursday, 1 December 2016

PRIVILEGE .....	4848
Alleged Deliberate Misleading of the House by a Member .....	4848
PRIVILEGE .....	4848
Alleged Deliberate Misleading of the House by a Member .....	4848
QUESTIONS WITHOUT NOTICE .....	4848
Training and Skills .....	4848
PRIVILEGE .....	4849
Alleged Deliberate Misleading of the House by a Member .....	4849
PRIVILEGE .....	4849
Alleged Deliberate Misleading of the House by a Member .....	4849
HEAVY VEHICLE NATIONAL LAW AND OTHER LEGISLATION AMENDMENT BILL .....	4849
Second Reading .....	4849
<i>Tabled paper:</i> Transportation and Utilities Committee: Report No. 27—Heavy Vehicle National Law and Other Legislation Amendment Bill 2016, government response. ....	4849
PRIVILEGE .....	4857
Alleged Contempt of Parliament by a Member .....	4857
MOTION .....	4857
Alleged Contempt of Parliament by a Member .....	4857
PRIVILEGE .....	4857
Alleged Contempt of Parliament by a Member .....	4857
MOTION .....	4857
Alleged Contempt of Parliament by a Member .....	4857
Division: Question put—That the debate of the motion be adjourned for two hours. ....	4860
Resolved in the affirmative.....	4860
LOCAL GOVERNMENT ELECTORAL (TRANSPARENCY AND ACCOUNTABILITY IN LOCAL GOVERNMENT) AND OTHER LEGISLATION AMENDMENT BILL .....	4860
Introduction .....	4860
<i>Tabled paper:</i> Local Government Electoral (Transparency and Accountability in Local Government) and Other Legislation Amendment Bill 2016. ....	4860
<i>Tabled paper:</i> Local Government Electoral (Transparency and Accountability in Local Government) and Other Legislation Amendment Bill 2016, explanatory notes. ....	4860
First Reading .....	4863
Referral to the Infrastructure, Planning and Natural Resources Committee .....	4863
Portfolio Committee, Reporting Date .....	4863
VICTIMS OF CRIME ASSISTANCE AND OTHER LEGISLATION AMENDMENT BILL .....	4863
Message from Governor .....	4863
<i>Tabled paper:</i> Message, dated 1 December 2016, from His Excellency the Governor recommending the Victims of Crime Assistance and Other Legislation Amendment Bill 2016. ....	4863
Introduction .....	4864
<i>Tabled paper:</i> Victims of Crime Assistance and Other Legislation Amendment Bill 2016. ....	4864
<i>Tabled paper:</i> Victims of Crime Assistance and Other Legislation Amendment Bill 2016, explanatory notes. ....	4864
First Reading .....	4866
Referral to the Legal Affairs and Community Safety Committee .....	4866
Portfolio Committee, Reporting Date .....	4866
HEAVY VEHICLE NATIONAL LAW AND OTHER LEGISLATION AMENDMENT BILL .....	4866
Second Reading .....	4866
MOTION .....	4881
Alleged Contempt of Parliament by a Member, Withdrawal .....	4881
ETHICS COMMITTEE .....	4881
Reports .....	4881
<i>Tabled paper:</i> Ethics Committee: Report No. 171—Matter of privilege referred by the Speaker on 15 September 2016 relating to an alleged deliberate misleading of the Transportation and Utilities Committee.....	4881
<i>Tabled paper:</i> Ethics Committee: Report No. 172—Matter of privilege referred by the Speaker on 15 September 2016 relating to an alleged deliberate misleading of the parliament. ....	4881
SPEAKER'S RULING .....	4882
Heavy Vehicle National Law and Other Legislation Amendment Bill, Amendment Out of Order .....	4882
HEAVY VEHICLE NATIONAL LAW AND OTHER LEGISLATION AMENDMENT BILL .....	4882
Second Reading .....	4882
<i>Tabled paper:</i> Answer to question on notice No. 878, asked on 17 September 2015. ....	4885
Consideration in Detail .....	4911
Clauses 1 to 140, as read, agreed to. ....	4911
Clause 141—.....	4911
Message from Governor .....	4911
<i>Tabled paper:</i> Message, dated 29 November 2016, from His Excellency the Governor recommending an amendment to be moved by the Minister for Transport and the Commonwealth Games, Hon. Stirling Hinchliffe, to the Heavy Vehicle National Law and Other Legislation Amendment Bill 2016.....	4911
<i>Tabled paper:</i> Heavy Vehicle National Law and Other Legislation Amendment Bill 2016, explanatory notes to Hon. Stirling Hinchliffe's amendments. ....	4911
<i>Tabled paper:</i> Heavy Vehicle National Law and Other Legislation Amendment Bill 2016, explanatory notes to Mr Andrew Powell's amendments. ....	4912

Table of Contents – Thursday, 1 December 2016

<b>Speaker’s Ruling, Amendment Out of Order</b> .....	<b>4913</b>
Clause 141, as amended, agreed to. ....	4913
Insertion of new clause—.....	4913
Non-government amendment (Mr Powell) agreed to. ....	4915
Clause 142, as read, agreed to. ....	4915
<b>Third Reading</b> .....	<b>4915</b>
<b>Long Title</b> .....	<b>4915</b>
<b>CROSS RIVER RAIL DELIVERY AUTHORITY BILL</b> .....	<b>4916</b>
<b>Second Reading</b> .....	<b>4916</b>
<i>Tabled paper:</i> Document, undated, by the Department of the Prime Minister and Cabinet, titled ‘Smart Cities Plan’. ....	4939
<i>Tabled paper:</i> Document, dated November 2016, by the Australian Government, titled ‘Using value capture to help deliver major land transport infrastructure: Roles for the Australian Government, Discussion Paper’ .....	4939
Division: Question put—That the bill be now read a second time. ....	4940
Resolved in the affirmative .....	4940
<b>Consideration in Detail</b> .....	<b>4941</b>
Clauses 1 to 32, as read, agreed to. ....	4941
Clause 33—.....	4941
<i>Tabled paper:</i> Cross River Rail Delivery Authority Bill 2016, explanatory notes to Hon. Jackie Trad’s amendments. ....	4941
Clause 33, as amended, agreed to. ....	4941
Clauses 34 to 77, as read, agreed to. ....	4941
Clause 78—.....	4941
<i>Tabled paper:</i> Cross River Rail Delivery Authority Bill 2016, explanatory notes to Mrs Deb Frecklington’s amendments. ....	4942
Division: Question put—That the amendment be agreed to. ....	4943
Resolved in the negative.....	4943
Non-government amendment (Mrs Frecklington) negatived. ....	4943
Clause 78, as read, agreed to. ....	4943
Omission of heading—.....	4943
Division: Question put—That the amendment be agreed to. ....	4946
Resolved in the negative.....	4946
Non-government amendment (Mrs Frecklington) negatived. ....	4946
Clauses 79 and 80— .....	4946
Clauses 79 and 80, as read, agreed to. ....	4947
Schedule 1—.....	4947
Division: Question put—That the schedule, as read, be agreed to. ....	4947
Resolved in the affirmative.....	4947
Schedule, as read, agreed to. ....	4947
<b>Third Reading</b> .....	<b>4948</b>
<b>Long Title</b> .....	<b>4948</b>
<b>SPECIAL ADJOURNMENT</b> .....	<b>4948</b>
<b>Valedictory</b> .....	<b>4948</b>
<b>ADJOURNMENT</b> .....	<b>4956</b>
<b>ATTENDANCE</b> .....	<b>4956</b>

## THURSDAY, 1 DECEMBER 2016

---

The Legislative Assembly met at 9.30 am.



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

### SPEAKER'S STATEMENTS

#### World AIDS Day



**Mr SPEAKER:** Honourable members, I advise that today is World AIDS Day. Members are wearing a red ribbon on their lapels to raise awareness about the issues surrounding HIV and AIDS, to show their support for people living with HIV and AIDS and to commemorate people who have died from AIDS conditions or conditions associated with HIV. Parliament House has also been lit in red today to raise awareness of this.

#### Neville Bonner, Bust



**Mr SPEAKER:** Honourable members, I advise that I have agreed, on behalf of the House, to assist in the ongoing honouring of the late senator Neville Bonner and his outstanding commitment to the state of Queensland and the nation.

As part of the upcoming program of works for the revitalisation of the nearby Queen's Wharf Brisbane Integrated Resort Development, the Neville Bonner Building is soon to be demolished. That building, named in honour of the late senator Bonner, had a formal cultural closure in August 2016, as the Department of Aboriginal and Torres Strait Islander Partnerships has moved to 1 William Street. That process included involvement of the late senator Bonner's family, especially his sole surviving son, Alfred 'Tiny' Bonner, from Palm Island.

A key element in that building's foyer is the vivid Neville Bonner bust created by the late John Elliot. I have agreed that the bust will be located temporarily on level 5 of the Annexe, between the lift columns and the Undumbi Room. This has been done in consultation with Mr Tiny Bonner and the late artist's representative. The level 5 location is a high-traffic area and near where the storyboard detailing Neville Bonner's election to the Senate is located. I said 'temporary location', as when the Queen's Wharf Brisbane integrated resort is built the bust will then be relocated into that area. The new Neville Bonner Bridge, a new inner-city pedestrian bridge to be built as part of the Queen's Wharf Brisbane, will continue to honour the life and legacy of Australia's first Indigenous parliamentarian.

Senator Bonner's historic appointment to the Senate took place here in June 1971, 45 years ago. His selection by the House to fill a casual vacancy was a turning point for Aboriginal and Torres Strait Islander Australians. Senator Bonner later became the first Indigenous Australian to be elected to the parliament by popular vote. He was elected in 1972, 1974, 1975 and 1980. In 1979 he was named Australian of the Year. As Tiny Bonner said of his late father at August's Bonner Building cultural close event—

He was a great man ... a great man.

He loved his country.

I understand that Mr Tiny Bonner and family members are listening to the broadcast of proceedings today. It is right that we in the 55th Parliament—45 years on from Neville Bonner's elevation to the Senate by the 39th Parliament—can, in a simple way, continue to honour this truly great Australian. The bust should be in place in the House before the New Year, and I thank the Minister for State Development, the Hon. Dr Anthony Lynham, and his officers for arranging this matter.

### PRIVILEGE

#### Speaker's Ruling, Alleged Deliberate Misleading of the House by a Member



**Mr SPEAKER:** Honourable members, on 17 October 2016 the Minister for Communities, Women and Youth, Minister for Child Safety, Minister for Prevention of Domestic Violence and member for Waterford wrote to me alleging that the member for Mudgeeraba deliberately misled the House in her matter of public interest statement on 11 October 2016.

I have circulated a ruling on this matter. On the evidence before me I am satisfied with the member for Mudgeeraba's explanation for the basis of her statements. There is no material before me to indicate that the member knew that her statements could be misleading at the time she made them. Accordingly, I have decided that the matter does not warrant the further attention of the House via the Ethics Committee and I will not be referring the matter. I table the correspondence in relation to this matter.

*Tabled paper:* Letter, dated 17 October 2016, from the Minister for Communities, Women and Youth, Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence, Hon. Shannon Fentiman, to the Speaker, Hon. Peter Wellington, regarding an alleged deliberate misleading of the House [2205].

*Tabled paper:* Letter, dated 21 November 2016, from the member for Mudgeeraba, Ms Ros Bates MP, to the Speaker, Hon. Peter Wellington, regarding an alleged deliberate misleading of the House [2206].

I seek leave to incorporate the ruling.

Leave granted.

#### SPEAKER'S RULING—ALLEGED DELIBERATELY MISLEADING THE HOUSE

MR SPEAKER: Honourable Members,

On 17 October 2016, the Minister for Communities, Women and Youth, Minister for Child Safety, Minister for the Prevention of Domestic Violence and Member for Waterford wrote to me alleging that the Member for Mudgeeraba deliberately misled the House in her Matter of Public Interest statement when she stated:

*... we have it confirmed that this minister simply shut down a record number of suspected child abuse cases with no action or no outcome recorded. We have 1,124 cases closed without follow-up, without any attention, whilst children waited for Child Safety to come knocking on their door.*

In her letter to me, the Minister contended that the Member for Mudgeeraba's statements deliberately misled the House. The Minister stated that she did not shut down a record number of suspected child abuse cases because she does not have the authority to interfere with the statutory authority provided to child safety officers, and that investigations did commence on the 1,124 cases but could not be recorded as such because the child or family could not be sighted.

I sought further information from the Member for Mudgeeraba about the allegations made against her, in accordance with Standing Order 269(5).

The Member for Mudgeeraba advised that the Minister has responsibility for the actions of her department under the Westminster system and therefore was responsible for the shut down of cases, and that as the children or families in the 1,124 cases were not sighted, there was not follow up or attention.

Standing Order 269(4) requires:

*In considering whether the matter should be referred to the committee, the Speaker shall take account of the degree of importance of the matter which has been raised and whether an adequate apology or explanation has been made in respect of the matter. No matter should be referred to the ethics committee if the matter is technical or trivial and does not warrant the further attention of the House.*


On the evidence before me I am satisfied with the Member for Mudgeeraba's explanation for the basis of her statements.

There is no material before me to indicate that the Member knew that her statements could be misleading at the time she made them.

Accordingly, I have decided that the matter does not warrant the further attention of the House via the Ethics Committee and I will not be referring the matter.

I table the correspondence in relation to this matter.

#### Speaker's Ruling, Alleged Deliberate Misleading of the House by a Minister

 **Mr SPEAKER:** Honourable members, on 7 November 2016 the member for Hinchinbrook wrote to me alleging that the Minister for Environment and Heritage Protection, Minister for National Parks and the Great Barrier Reef and member for Mount Coot-tha deliberately misled the House during his contribution to debate on a private member's motion on 1 November 2016.

I have circulated a ruling on this matter. On the evidence before me I find that both members differ in their interpretation of the phrase 'with no approval'. However, I am satisfied with the minister's explanation regarding his statement and, accordingly, I have decided that the matter does not warrant the further attention of the House via the Ethics Committee and I will not be referring the matter. I table the correspondence in relation to this matter.

*Tabled paper:* Letter, dated 7 November 2016, from the member for Hinchinbrook, Mr Andrew Cripps MP, to the Speaker, Hon. Peter Wellington, regarding an alleged deliberate misleading of the House [2207].

*Tabled paper:* Letter, dated 25 November 2016, from the Minister for Environment and Heritage Protection and Minister for National Parks and the Great Barrier Reef, Hon. Dr Steven Miles, to the Speaker, Hon. Peter Wellington, regarding an alleged deliberate misleading of the House [2208].

I seek leave to incorporate the ruling.

Leave granted.

#### SPEAKER'S RULING—ALLEGED DELIBERATELY MISLEADING THE HOUSE

MR SPEAKER: Honourable Members,

On 7 November 2016, the Member for Hinchinbrook wrote to me alleging that the Minister for Environment and Heritage Protection, Minister for National Parks and the Great Barrier Reef and Member for Mount Coot-tha deliberately misled the House during his contribution to debate on a Private Member's Motion on 1 November 2016 when he stated:

*They brought in legislation that guaranteed an unlimited right to take groundwater for large-scale mining projects with no approval.*

In his letter to me, the Member for Hinchinbrook contended that the Minister's statement was false because under the Water Reform and Other Legislation Amendment Act 2014 introduced by the former government, the mining tenure holder is required to produce and submit an Underground Water Impact Assessment Report and Baseline Assessment for the Chief Executive's consideration and approval, and that the Member for Mount Coot-tha knew the statement was false given he is the Minister for Environment and Heritage Protection.

I sought further information from the Minister about the allegations made against him, in accordance with Standing Order 269(5).

The Minister refuted the allegation, contending that his statement was true and correct because the Underground Water Impact Assessment Report and Baseline Assessment referred to by the Member for Hinchinbrook are assessment tools and do not constitute an approval of the act of taking or interfering with water.

Standing Order 269(4) requires:

*In considering whether the matter should be referred to the committee, the Speaker shall take account of the degree of importance of the matter which has been raised and whether an adequate apology or explanation has been made in respect of the matter. No matter should be referred to the ethics committee if the matter is technical or trivial and does not warrant the further attention of the House.*

On the evidence before me, I find that both members differ in their interpretation of the phrase 'with no approval'. However, I am satisfied with the Minister's explanation regarding his statement, and accordingly, I have decided that the matter does not warrant the further attention of the House via the Ethics Committee and I will not be referring the matter.

I table the correspondence in relation to this matter.

#### Speaker's Ruling, Alleged Deliberate Misleading of the House by the Premier



**Mr SPEAKER:** Honourable members, on 8 November 2016 the member for Clayfield wrote to me alleging that the Premier, Minister for Arts and member for Inala deliberately misled the House in her answer to a question without notice and in her ministerial statement on 3 November 2016.

I have circulated a ruling on this matter. On the evidence before me I am satisfied with the Premier's explanation that she was not aware until after she had given her response to the question without notice that the former minister's rates had been paid by a third party and therefore did not know her statement was misleading. I am also satisfied that the Premier's second statement was neither factually incorrect nor misleading and intended to clarify her earlier statement. Accordingly, I have decided that the matter does not warrant the further attention of the House via the Ethics Committee and I will not be referring the matter. I table the correspondence in relation to this matter.

*Tabled paper:* Letter, dated 8 November 2016, from the Leader of the Opposition, Mr Tim Nicholls MP, to the Speaker, Hon. Peter Wellington, regarding an alleged misleading of the House [\[2209\]](#).

*Tabled paper:* Letter, dated 22 November 2016, from the Premier and Minister for the Arts, Hon. Anastacia Palaszczuk, to the Speaker, Hon. Peter Wellington, regarding an alleged misleading of the House [\[2210\]](#).

I seek leave to incorporate the ruling.

Leave granted.

#### SPEAKER'S RULING—ALLEGED DELIBERATELY MISLEADING THE HOUSE

MR SPEAKER: Honourable Members,

On 8 November 2016, the Member for Clayfield wrote to me alleging that the Premier, Minister for the Arts and Member for Inala deliberately misled the House in her answer to a Question Without Notice on 3 November 2016 when she stated:

*I thank the Leader of the Opposition very much for the question. We have heard very clearly in the House today that the Minister for Agriculture, Leanne Donaldson, last night made a statement in the House stating very clearly that she had paid those outstanding rates notices. Frankly, it is unacceptable not to pay your rates notices. She apologised for that and she has fixed that up. She has come into this House and apologised to this House. She has apologised to the people of Bundaberg.*

and again, in her Ministerial Statement on 3 November 2016 when she stated:

*I wish to clarify that I was advised yesterday by the member for Bundaberg about the issue of outstanding rates. As the member indicated last night, those outstanding rates were paid yesterday.*

In his letter to me, the Member for Clayfield contended that the Premier's statements were both false and deliberately sought to mislead the House, as the Premier's first statement led the House to believe that the former Minister for Agriculture and Fisheries had personally paid her outstanding rates debt, and the Premier's second statement did not alter the impression the Premier had previously created as to who was responsible for the payment of the outstanding debt.

I sought further information from the Premier about the allegations made against her, in accordance with Standing Order 269(5).

The Premier explained that at the time she responded to the Question Without Notice her response correctly reflected her understanding of the situation, and that it wasn't until after she had given her response that she was informed the former Minister's rates had been paid by a third party.

The Premier also explained that her Ministerial Statement was intended to clarify her first statement to set out the true state of affairs regarding the debt repayment and to reflect the former Minister's statements.

Standing Order 269(4) requires:

*In considering whether the matter should be referred to the committee, the Speaker shall take account of the degree of importance of the matter which has been raised and whether an adequate apology or explanation has been made in respect of the matter. No matter should be referred to the ethics committee if the matter is technical or trivial and does not warrant the further attention of the House.*

On the evidence before me, I am satisfied with the Premier's explanation that she was not aware, until after she had given her response to the Question Without Notice, that the former Minister's rates had been paid by a third party, and therefore did not know her statement was misleading.


I am also satisfied that the Premier's second statement was neither factually incorrect nor misleading and intended to clarify her earlier statement.

Accordingly, I have decided that the matter does not warrant the further attention of the House via the Ethics Committee and I will not be referring the matter.


I table the correspondence in relation to this matter.

## SPEAKER'S STATEMENTS

### Parliamentary Service, Questionnaire

 **Mr SPEAKER:** Honourable members, I reminded honourable members about the Parliamentary Service questionnaire on Tuesday. The feedback that the questionnaire is designed to elucidate is very important. I would ask all members, if they have not already completed the questionnaire, to please take a few minutes to complete the questionnaire and place it in the ballot box on the table of the House or forward it to the Clerk's office.


### Visitors to Public Gallery

 **Mr SPEAKER:** Honourable members, we will now recognise the passing of the late Mr Bill Hewitt. Accordingly, I acknowledge the presence in the gallery of family of the former member: Mr Hewitt's wife, Mrs Shirley Hewitt; Mr Hewitt's daughters, Wendy Broxham and Sue Donnan; his grandchildren Erin Brown, Katie Hewitt, Thomas Donnan and Michael Brown and his wife, Laura Brown; and Mr Hewitt's great-grandson Archer Brown. I welcome you this morning.

**Honourable members:** Hear, hear!

## MOTION OF CONDOLENCE

### Hewitt, Mr WD

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for the Arts) (9.39 am), by leave, without notice: I move—

1. That this House desires to place on record its appreciation of the services rendered to this state by the late William Douglas Hewitt, a former member of the parliament of Queensland and minister of the state.
2. That Mr Speaker be requested to convey to the family of the deceased gentleman the above resolution together with an expression of the sympathy and sorrow of the members of the parliament of Queensland in the loss they have sustained.

William Douglas Hewitt was born in Mooloolaba on 31 October 1930. I am indebted to the online Queensland Speaks series that boasts a wideranging interview with Mr Hewitt. I commend it to honourable members.

From his own unhappy childhood—his father had been a veteran of the First World War—Bill left school after completing scholarship. He joined Carricks Furniture Factory as a floor boy before securing work at Castlemaine Perkins, where he worked at day so he could undertake night school. He later became an office manager and then a business manager.

With a strong interest in politics, Mr Hewitt first joined the Liberal Party in 1950 and was to become president and then a life member of the Queensland Young Liberals. In 1960 he unsuccessfully contested the seat of Belmont, despite knocking on more than 4,000 doors. The following year, for the 1961 federal election, Mr Hewitt served as campaign director for James Killen to hold Moreton. Mr Killen won the seat by the narrowest of margins. Whether Menzies sent the 'Killen, you are magnificent' telegram or not, the victory of the Moreton campaign returned the coalition government, and it held office for another 11 years.

Mr Hewitt was selected by the Liberal Party to contest the seat of Chatsworth in the 1966 election. He represented the seat of Chatsworth until 1977 before moving to represent the seat of Greenslopes from 1977 to 1983 following an electoral redistribution.

During his time in the parliament Mr Hewitt served in many parliamentary, party and executive government roles. Even as a new member, Mr Hewitt was determined to see the institution of parliament doing well. From his first speech he criticised the questioning and scrutiny in the parliament when he said—


As to our form of questioning, Mr Speaker—I say this with respect—I content myself simply with this comment: that questions without notice are the champagne of politics; in Queensland we content ourselves with flat lemonade.

He was a temporary chairman of committees, or temporary Speaker as we call the position today, from 1972 to 1975. He served as Deputy Speaker and Chairman of Committees from February 1975 to October 1980. It was in that capacity that Mr Hewitt took the principled decision to not support then premier Bjelke-Petersen's nomination of Albert Patrick Field to fill the Senate vacancy resulting from the death of Labor senator Bertie Milliner.

In December 1980 Mr Hewitt was elevated to cabinet as minister for environment, survey and valuation and administrative services in the Bjelke-Petersen government. He served in that ministry until August 1983, when he was appointed minister for welfare services. However, along with his Liberal Party colleague Colin Miller, whose passing the House marked in a condolence motion earlier this week, Mr Hewitt was one of the Liberal Party ministers in the then coalition government who resigned from the cabinet on 18 August 1983. Mr Hewitt contested the state election that was held shortly thereafter but was defeated in the seat of Greenslopes by Leisha Harvey of the National Party.

While he was a member of this House Mr Hewitt was a keen advocate for the importance of the institution of parliament and he led many calls for parliamentary reforms, in particular an improved parliamentary committee system. Mr Hewitt retained these interests long after he left parliament.

William Douglas Hewitt passed away on 23 November 2016 aged 86 years, and a funeral service to commemorate his life was held yesterday at the Mt Thompson crematorium at Holland Park. I place on record the government's thanks for the dedicated years of service Mr Hewitt gave to the institutions of our democracy and to the Queensland community and on behalf of the Queensland government. I take this opportunity to extend my deepest sympathies and those of this House to Mr Hewitt's family and friends. I also pay tribute to his family who are here in the House today. All members of the House pass on our condolences and acknowledge his contribution to public life.

 **Mr NICHOLLS** (Clayfield—LNP) (Leader of the Opposition) (9.43 am): I join with the Premier and, on behalf of myself and the opposition, offer our condolences on the passing of Bill Hewitt. I welcome Shirley, Wendy and Sue here today. I note that Bill passed away at the age of 86 and only recently celebrated the 60th anniversary of his wedding.

Bill Hewitt will be especially remembered for the standing he maintained in two key areas throughout his 17 years in the Queensland parliament: from 1966 to 1977 as the member for Chatsworth and then from 1977 to 1983 as the member for Greenslopes. His two key areas of concern were, first, as an advocate for genuinely liberal positions on a range of contemporary policy issues at the time and, second, as a champion of the role of parliament and particularly the functions and responsibilities of the backbencher.

Like many of us, Bill said he held no 'burning ambition to enter politics' and in his early days felt he did not have the self-confidence. Bill's father was a First World War veteran, and it could be said that the Hewitt family shared the scars of their father's terrible experiences in the Great War daily. Bill's father often reminded his children that he saw 6,000 men killed in a day. By his own admission, Bill said this made him a 'rather serious child' who kept a war diary from the age of 12. His father's stories and experiences created in Bill an interest in all things political, even though he may not have realised it at the time and may not have felt he was able to take on that role because he did not have the self-confidence.

As the Premier has said, Bill's first job was as a floor boy at the Carricks Furniture store in Brisbane. From that, he felt he would try to secure an apprenticeship in a trade. Due to tough economic times, that was not meant to be. Instead, he took a job as an office boy at Castlemaine Perkins. The company paid for Bill's night schooling in accountancy and he grew in competence and confidence.

Bill's first contact with established politics was after his lifelong friend Ian Bunsley encouraged him to attend a meeting of the metropolitan zone of the Young Liberals, who met in Edward Street every Thursday night. In Bill's own words, he 'loved it and was hooked'. He loved the people, the questions, the arguments, the guest speakers. He was 'trapped'—in a good way, I think we would all agree. Through his involvement in the Young Libs, Bill became close to Jim Killen and took part in many campaigns. In 1960, after redistribution, he was asked to contest the seat of Belmont. He then took it as a compliment but later realised it was going to be a bit of a battle. He knocked on about 4,000 doors in that first campaign and secured 38 per cent of the vote. He said of that time that 'fighting a losing campaign doesn't do you any harm at all'. I am not sure that everyone would agree necessarily with those sentiments.

Bill was more successful in running for the seat of Chatsworth in 1966, when he was first elected as the local member. From that time Bill and several of his backbench colleagues sought to embrace a so-called small-l liberal approach. This reflected the changing nature of politics in Queensland where, after 10 years of coalition government, the winds of change were beginning to blow through both the parliament and, more broadly, society.

In the 30 years after Bill Hewitt left active parliamentary politics, his commitment to his principles never wavered. He continued to advocate for his beliefs and will be remembered as one of those members who was always willing to take the fight to his political foes. Indeed, I can remember in my own time in this place—much shorter than Bill's—the tremendous amount of advice that Bill sought to impart not only to me but also, I am sure, to other new members in this place over many years. It was no surprise to receive a call in the electorate office, one of the ministerial offices or the opposition office from Bill wanting to catch up and have a chat to discuss some matter of contemporary political interest. As I say, he was always happy to have a chat and provide the benefit of his years of experience.

While Bill Hewitt served as a minister for nearly three years, it is as Chairman of Committees and as a campaigner for and guardian of the parliament that his memory will be treasured. In March 1971 Bill called for the establishment of a series of all-party parliamentary committees to review various significant policy areas, and in the late 1970s, along with future premier Mike Ahern, Bill Hewitt was one of the first to advocate for the role of the backbencher in parliament and for a system of parliamentary committees: public accounts, public works, subordinate legislation and parliamentary privileges—committees now regarded as the norm but which aroused considerable suspicion among the cabinets of decades ago. Bill always believed that parliament could function more effectively if its procedures better reflected modern practices. He was a measured but consistent critic of outdated standing orders and parliamentary procedures, something I wholeheartedly support. In 1972 he said—

There is a ground swell of opinion among honourable members that our procedures are not good enough.


...

It is our task to administer the affairs of this State efficiently and well. How can we be seen to do that when our own procedures are more in keeping with those of a bygone age?

As Chairman of Committees Bill forged a reputation for even-handedness at a time when bipartisanship could be said to have been in limited supply. Even Bill's opponents recognised his professionalism as a presiding officer. The late Kevin Hooper, predecessor to the Premier's father as the member for Archerfield and one of Labor's most robust debaters, lavished praise on Bill Hewitt just before his elevation to cabinet in 1980 when he said—

It would be churlish of me if I did not pay tribute to the manner in which he has discharged his duties as Chairman of this Parliament ... I believe that the member for Greenslopes has been one of the fairest and most impartial Chairmen to have held that position since I have been in this House.

For those who recall Mr Hooper, this is a high mark indeed, but it captures the sweeping regard held for Bill Hewitt and his mastery of principled politics. Both the member for Mansfield and the member for Chatsworth attended Mr Hewitt's funeral yesterday. On behalf of the opposition, I join with the Premier in expressing our condolences to Shirley, Wendy and Sue and to their extended family here in the House today.

 **Hon. CR DICK** (Woodridge—ALP) (Minister for Health and Minister for Ambulance Services) (9.49 am): It was a great pleasure to get to know the late Bill Hewitt when I served as the state member for Greenslopes in the 53rd Parliament. When I was a boy, Bill was the state member for Greenslopes. Almost 30 years later, I was pleased to represent Bill in this place as his state MP. Bill was one of those


old-styled politicians who very much believed in putting his community first. He would almost without fail seek me out for a chat or discussion at any community event or function where our paths would cross. He was greatly respected in the community, particularly on Brisbane's south side, and by those who served with him in the parliament. Bill had an enormous respect for the institution of parliament and for the idea that all members of this House should be well-rounded and engaged parliamentarians. While the contest of wills is always strong in this chamber, members of parliament like Bill demonstrate that civility and integrity matter greatly.

As the Premier has noted, Bill Hewitt's integrity, his belief in parliamentary process and his respect for constitutional convention was demonstrated when he determined not to support the nomination by the then premier Joh Bjelke-Petersen in this House of Mr Albert Patrick Field to fill a casual vacancy in the Australian Senate.

Despite Bill and I being from opposite ends of the political spectrum, he was always very good to me. He was generous with his time and kind and polite in any setting where we met. I would often meet Bill and his wife, Shirley, at various functions in the Greenslopes electorate, particularly functions involving seniors, veterans and Rotary, of which he was a very proud and longstanding member. Bill was very much respected within those groups and the broader community. While it is fair to say that I probably never benefited from Bill's vote, I certainly appreciated the effort he went to to encourage me in my endeavours as a newly elected member of parliament. I acknowledge the presence of the Hewitt family in the chamber this morning, in particular his wife, Mrs Shirley Hewitt, with whom Bill celebrated 60 years of marriage in September this year.

**Honourable members:** Hear, hear!

**Mr DICK:** In conclusion, I join with the Premier, the Leader of the Opposition and other members of this House in expressing my sympathies and condolences to Mrs Shirley Hewitt and the Hewitt family.

 **Mr MINNIKIN** (Chatsworth—LNP) (9.52 am): How do you define character? I will give it a go in three words: William Douglas Hewitt. When I was first preselected in 2010, Bill Hewitt was one of the first people I turned to for advice and mentoring. His strength of character and of having, as author Tom Wolfe would say, the right stuff was best exemplified to me back in 2011 when I was first running for Bill's old seat of Chatsworth. I can distinctly recall a hot summer's day when my campaign team was out and about letterbox dropping and I asked who had taken the whole area of Carina Heights to drop, with all the undulating hills in that area. I was informed by my campaign team that 80-year-old Bill Hewitt had taken several bags and did not stop for two solid days delivering pamphlets.

William Douglas Hewitt passed away peacefully on 23 November, aged 86. As has been previously stated, he was the state Liberal member for Chatsworth from 1966 to 1977 and also the state Liberal member for Greenslopes from 1977 to 1983. From 1975 to 1980 Bill served as the Chairman of Committees and from 1980 to 1983 Bill served with distinction as minister for the environment, valuation and administrative services. It was in this role that he focused on water purity and improvements to the funding of fire services. He also served as the minister for welfare services in 1983.

Bill was born in 1930 in a tent on a railway siding in Mooloolah. He was the youngest of six children and his father, William, worked as a fettler and their life was itinerant. His father, as has been previously outlined, was a survivor of World War I and suffered many of the psychological issues which befell many veterans of that terrible conflict. During this era Australia was emerging from the Depression, so it is no wonder that he related that two of the highlights of his childhood were about food or the lack of it. His family advised me that early report cards showed Bill had an inquisitive mind and had a strong aptitude for English and maths.

At 15 his scholarship was complete and he joined the workforce. In 1946 he began in what many people would say would be a dream job, as an office boy at Castlemaine Perkins XXXX Brewery, and was extremely pleased when it offered to pay—at this point in time it was extremely rare—for his night school fees to complete an accountancy qualification. It was during this period that his interest in politics began. Lifelong friend Ian Bunsley invited him to be at the fourth ever Young Liberals meeting, which was held in the city on a Thursday night. Bill immediately, as has been expressed earlier, caught what we all know is the political bug. He was absolutely captured by it. He was hooked. It was at one such meeting where a young lady, Shirley, caught his eye and a 64-year love affair began. They married in 1956 and, as has also been stated, celebrated their 60th anniversary on 15 September this year.

By this stage Bill had a full-time job, raced bicycles at weekends, his first child was born in 1959 and from 1957 to 1959 he was president of the Young Liberals in Queensland. Bill Hewitt was indeed a busy man during 1960 and 1961. He contested Belmont for the Liberal Party. He loved campaigning and he loved the public debate. Campaigning was indeed different then. In those days it was common

for candidates to put out a sign at 8.30 in the morning on the street corner telegraph pole saying words to the effect 'Bill Hewitt speaks here tonight at 6 pm'. Bill would honour those promises, often in heavy Brisbane storms.

In 1961 he signed up to be Jim Killen's campaign manager. It was Sir Robert Menzies's toughest election, and Jim Killen won by about 120 votes on Communist Party preferences. In the run-up to the 1966 election he gained the support of Sir Thomas Hiley, the Liberal treasurer of the day and member for Chatsworth, who was retiring and who supported Bill to get the endorsement. Bill ran and won the seat, and so began the 17-year political career of Bill Hewitt.

It is interesting to note that Bill got on well with most Labor men. He had a great respect for and great friendship with Labor luminaries like Tom Burns, Terry Mackenroth and Clem Jones, amongst others. Bill and Clem stood side by side as conveners of the Crackerjack Carnival for many years in the Carina electorate. Bill often said to me that no one side of the political chamber had a mortgage on the best and brightest.

From 1975 to 1980 he served as Chairman of Committees and was also the Deputy Speaker in that role. Bill adored—absolutely adored, according to his family—the procedure of parliament and the whole committee process. The highlight during this time was a trip to the United Kingdom to examine its parliamentary systems. In 1980 Bill was elevated to the ministry in the portfolio of valuation, environment and administrative services. In this ministry he found a fire service that had no funding and whose infrastructure around the state was literally crumbling. I believe one of Bill's great contributions was that he devised a fire levy scheme to be collected by local government from rates notices which effectively is still in use today.


Then came the split of 1983 and Bill was defeated in his seat. Through contact with research papers and contact with his family, there was one lady who did not live in the Chatsworth electorate or the Greenslopes electorate but who wrote to Bill Hewitt stating—

You seemed to be one of the few MPs prepared to stand up for principles rather than court popularity. I believe you were genuinely concerned about parliamentary reform and matters of public accountability not merely related to the issue of a Public Accounts Committee. I saw you as one person willing to fight for true democracy no matter what the odds.

After politics—he was never one to sit still and it was no surprise—he bought a couple of news agencies, in Mount Gravatt and Toowong. Throughout it all, he continued to assist and mentor LNP politicians such as Gail Chiconi, Ian McKenzie, Ian Walker, George Brandis, Graham Quirk, David Jull, Don Cameron and many others. Bill was deservedly awarded life membership of the Liberal Party, which he regarded as a great honour, and in the late nineties he started to regularly attend Rotary meetings.

It will not come as any surprise that Bill went on to become chairman of the Stones Corner branch and was presented with the prestigious Paul Harris medal for his services to Rotary. Bill continued his Rotary work and his mentoring and his interest in current affairs until recently. I was proud to have Bill as a mentor, because he stood firm in his beliefs, even though it cost him at times politically. He was willing to wear that cost because, in the end, Bill said to me, 'You must be able to look at yourself in the mirror.'

In closing, beside every great man is an equally great woman. I acknowledge Bill's wife, Shirley, and other family members in the gallery today. I extend to them my personal condolences and also those of the Chatsworth state electoral council. I want Bill's family to know that just occasionally someone enters your life who makes a lasting impression. Bill Hewitt was one such man. Rest in peace, my friend.

 **Mr KELLY** (Greenslopes—ALP) (10.01 am): I would like to join previous speakers in paying my respects to the late Hon. Bill Hewitt. I pass on my condolences to Mr Hewitt's wife, Shirley, and the rest of his family who are here today. It is only fitting and proper that they are here.


When preparing for my first speech to the House someone suggested that I research former members who represented the seat. I listened to the Queensland Speaks interview that was conducted with Mr Hewitt. For anyone who is interested in Queensland political history, it is worthwhile listening to the Queensland Speaks interviews. To me, throughout that interview, Bill's honesty, integrity and his commitment to democracy shone through.

In that interview, Bill described a difficult childhood and a challenging start to working life. These situations could have led to bitterness and negativity, but Bill chose a path of reflection, growth and ultimately public service. The trauma Bill's father suffered in World War I and the resultant difficulties for Bill became his motivation for entering politics. Bill also described his early involvement in the Young Liberals. He described that feeling of being hooked by the people, the questions, the arguments and the policies.

I met Bill on only one occasion and his passion for politics was evident. Earlier this year, I attended the opening of the park that was named in Bill's honour. At this stage, Bill was very unwell and confined to a wheelchair. I took the opportunity to introduce myself. Bill immediately plied me with questions about state parliament, revealing a very in-depth knowledge of the workings of this place. I asked Bill if he had any advice for a new member. He told me to always be open to learning from any source and not to close my mind off to people with different ideas. Bill also told me that if anyone ever came to me for help I should listen carefully to them and do all that I could. He said, 'You can't keep everyone happy, Joe, but people respect you if you have a go and you'll respect yourself.' Perhaps this willingness to listen to people in the community was the reason that, when Councillor Adrian Schrunner surveyed the community to determine the name of the new park, the people of the area chose to name the park after Bill.

As I said, I met Bill only once, but I have met so many people in the community, particularly many who are active in Rotary, who held him in the highest regard. When I was seeking election, I was out doorknocking in Bill's area with a volunteer. I started at one end of the street and the volunteer started at the other end. When we met up in the middle, the volunteer told me very excitedly that he had doorknocked the former member for the area, Bill Hewitt. I am a hard taskmaster so, of course, I asked the volunteer if I could count on Bill's vote. The volunteer advised me that Bill's vote was definitely not going my way but that if I ever wanted a lively, respectful and intelligent debate then I should go and see him. The volunteer had some warnings for me—'Don't expect to win that debate.'

I again pay tribute to Mr Hewitt. I pass on my condolences to his family. I acknowledge the significant contribution that Bill made to the community of Greenslopes and to the state of Queensland.


 **Mr WALKER** (Mansfield—LNP) (10.03 am): So far, rightly, we have heard from speakers the commitment that Bill Hewitt had to this place and its important procedures, protocols and customs. I want to speak about Bill from a slightly different perspective, because he was my local member—not once, but twice. As a boy in Carina, Bill was the local member for Chatsworth and then, when I married and moved to Coorparoo and there was a redistribution, Bill became my local member for Greenslopes.

For us as private members of parliament serving our electorates, Bill was the ultimate model. I remember that my dad was a JP, he was on the P&C at Camp Hill State School and he was in Lions. In each of those areas Dad met Bill frequently. Bill worked his electorate well. He knew his people. He was heavily involved in all of those events plus more—Carina Senior Citizens and Rotary, as has subsequently been said. Bill was totally immersed in his local community and he knew it well and respected it well.

Bill was an important influence in my life. In my teenage years I became interested in politics. I have told this story in this place before. I wondered what party I would want to support. I asked my local Labor councillor, Joe Bradfield, to bring around a copy of the Labor platform and I asked my local state member, Bill Hewitt, to bring around the Liberal one. Both of them did that. They came to my house and left it with me. In the end, the blue one appealed to me better than the red one. Therefore, Bill's influence was crucial to me in joining the Young Liberals, of which Bill had been president and was a life member, and following in his footsteps. Certainly, when I was preselected for the seat of Mansfield, I made a pilgrimage to his house at Spinel Street to get the wisdom that he has passed on to so many of us.

Yesterday at Bill's funeral the respect in which he was held by both sides of politics was on show. There was the Lord Mayor, a number of councillors, a number of former members—Denver Beanland from my side but also his old foe but mate Terry Mackenroth, John Mickel and Kerry Shine. It was great to see that universal respect in which Bill was held.

This week, we have spoken of Col Miller, Bill and, incidentally, Neville Bonner, who also was a life member of the Young Liberals. Certainly, in the case of Bill and Col, we are marking a changing of the guard in the loss of those members who have meant so much to those who have followed them and who have given us such high standards at which to aim and to follow. I join in this condolence motion. I pass on my sympathy to Shirley, Wendy, Sue, David—who is not here—and their families. I proudly acknowledge the contribution that Bill made to this place and to the state.

 **Miss BARTON** (Broadwater—LNP) (10.06 am): In the late 1960s and the early 1970s my grandfather, Clive Hughes, had the pleasure of serving in this House with Bill Hewitt. They soon became firm friends. Along with some other Liberals, they were members of the ginger group, to which the Leader of the Opposition referred earlier. Together, on occasion they took advantage of the right that Liberal members of parliament had to cross the floor. On one particularly memorable occasion, my

grandfather and Bill Hewitt took the opportunity to cross the floor against some very controversial legislation that the Bjelke-Petersen government had introduced, much to the very unparliamentary consternation of the late Russ Hinze.

On many occasions I had the great privilege to meet Bill when I would join my grandfather at former members' events and occasions. I was always struck by how much of a gentleman he was. Bill particularly acknowledged that my grandfather would have been very proud of the fact that I, too, went on to join the Liberal Party and followed in his footsteps into parliament.

My family has asked that I speak today on their behalf to acknowledge Bill's contribution not only to this House but also to his community. On behalf of my family, I pay tribute to Bill's family and acknowledge Bill's great contribution and service. May he rest in peace.

*Whereupon honourable members stood in silence.*

**SPEAKER:** Honourable members, I propose that question time will commence at 11.09 am.

## PETITIONS

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

### Catherine Street, Upgrade

From 131 petitioners, requesting the House to make Catherine Street at the Tolga State Primary School a one way street [\[2211\]](#).

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

### Townsville, Curfew

From 6,945 petitioners, requesting the House to place a street curfew on juveniles in the Townsville area, who are 16 years of age and under, between the hours of 11pm and 5am unless accompanied by an adult/parent/guardian, or have a valid reason [\[2212\]](#) [\[2213\]](#).

Petitions received.

## TABLED PAPERS

### MINISTERIAL PAPERS

The following ministerial papers were tabled by the Clerk—

Minister for Health and Minister for Ambulance Services (Hon. C R Dick)—

[2214](#) Response from the Minister for Health and Minister for Ambulance Services (Hon. C R Dick) to an ePetition (2645-16) sponsored by the Member for Buderim, Mr Dickson, from 2,061 petitioners, requesting the House to grant an amnesty for Steve Peek to administer whole plant medicinal cannabis to his terminally ill 8-year-old daughter

Minister for Education and Minister for Tourism and Major Events (Hon. Jones)

[2215](#) Response from the Minister for Education and Minister for Tourism and Major Events (Hon. Jones) to a paper petition (2657-16) presented the Member for Ashgrove, Ms Jones, and an ePetition (2642-16) sponsored by Member for Morayfield, Mr Ryan, from 15,016 and 5,119 petitioners respectively, requesting the House to support the Queensland Government's efforts in lobbying the Turnbull LNP Federal Government to guarantee that the current school transport assistance program for students with a disability in Queensland will continue to be available under the NDIS from 1 January 2020


[2216](#) Response from the Minister for Education and Minister for Tourism and Major Events (Hon. Jones) to an ePetition (2632-16) sponsored by the Member for Albert, Mr Boothman, from 238 petitioners, requesting the House to immediately reinstate the funding for the construction of a new administration block at Pimpama State School

Minister for Main Roads, Road Safety, Ports and Minister for Energy, Biofuels and Water Supply (Hon. Bailey)

[2217](#) Response from the Minister for Main Roads, Road Safety, Ports and Minister for Energy, Biofuels and Water Supply (Hon. Bailey) to a paper petition (2656-16) presented by the Member for Caloundra, Mr McArdle, and an ePetition (2592-16) sponsored by the Member for Caloundra, Mr McArdle, from 425 and 493 petitioners respectively, requesting the House to fast-track the completion of the Bells Creek Arterial from Caloundra Rd to the Bruce Highway and install traffic signals and exit slip-lanes at the Caloundra Rd/Nicklin Way roundabout

## MINISTERIAL PAPER


### Revocation of Protected Area

 **Hon. SJ MILES** (Mount Coot-tha—ALP) (Minister for Environment and Heritage Protection and Minister for National Parks and the Great Barrier Reef) (10.11 am): I lay upon the table of the House a proposal under section 32 of the Nature Conservation Act 1992 and a brief explanation of the proposal.

*Tabled paper:* Revocation of State Areas: Proposal under section 32 of the Nature Conservation Act 1992 and a brief explanation of the proposal, relating to Lamington National Park [\[2218\]](#).

## NOTICE OF MOTION

### Revocation of Protected Areas

 **Hon. SJ MILES** (Mount Coot-tha—ALP) (Minister for Environment and Heritage Protection and Minister for National Parks and the Great Barrier Reef) (10.11 am): I give notice that, after the expiration of at least 28 days as provided in the Nature Conservation Act 1992, I shall move—

1. That this House requests the Governor in Council, in accordance with section 32 of the *Nature Conservation Act 1992*, to revoke by regulation the dedication of parts of protected areas as set out in the Proposal tabled by me in the House today viz—


#### Description of the areas to be revoked

Lamington National Park	An area of 0.1849 hectares described as lot 99 on SP274809, as illustrated on the attached "Lamington National Park: sketch A".
Hays Inlet Conservation Park 2	An area of 0.0069 hectares described as lot 10 on SP285607, as illustrated on the attached "Hays Inlet Conservation Park 2: sketch B".
Palmview Conservation Park	An area of 0.7793 hectares described as lot 100 on SP284502, as illustrated on the attached "Palmview Conservation Park: sketch C".

2. That Mr Speaker and the Clerk of the Parliament forward a copy of this resolution to the Minister for Environment and Heritage Protection and Minister for National Parks and the Great Barrier Reef for submission to the Governor in Council.

## MINISTERIAL STATEMENTS


### Back to Work Youth Boost

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for the Arts) (10.12 am): Today my government's efforts to create jobs in regional Queensland get another boost—a youth boost. The Back to Work Youth Boost doubles the existing Back to Work incentive to offer \$20,000 for regional businesses that hire an unemployed young person aged between 15 and 24. I know many of Queensland's regions are facing challenging economic conditions and are experiencing rates of unemployment higher than the state average. Unfortunately, it is often young people who are disproportionately affected during these hard times. That is why the Back to Work Youth Boost is so important.

From today, 1 December, eligible regional employers will be able to access a \$20,000 incentive if they hire an unemployed young person and keep them employed for at least one year. The Youth Boost has been strategically timed to coincide with the end of the school year and will end on 28 February next year. Getting your first job is a huge milestone that every young person should get to experience. We want young Queenslanders in the workforce developing their skills and contributing to their local communities. I encourage regional employers to act quickly and make the most of this opportunity to grow their business.

The Back to Work Regional Unemployment Package is already supporting more than 800 jobs across regional Queensland, with more than 400 regional employers accessing the scheme. More than 300 of the jobs supported are for long-term unemployed jobseekers who have been out of work for more than 12 months. Now with the Youth Boost we will be supporting jobs for young people specifically and helping to drive down regional youth unemployment. The Back to Work Youth Boost is yet another initiative from my government helping to create jobs and lower unemployment in Queensland.

### Wild Dog Fencing

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for the Arts) (10.14 am): I have good news for Western Queensland. Today I can announce another key part of my government's ongoing, firm commitment to revive the sheep and wool industry in Western Queensland by tackling the scourge of wild dogs. I can today announce that an \$18 million scheme, to be funded through a one-off Queensland Treasury Corporation loan to the Longreach Regional Council, will see another 900,000 hectares of productive grazing land fenced off. I am sure the member for Gregory will welcome this announcement. This represents around 22 per cent of the Longreach region protected from wild dog attacks. The loan covers the cost of rolling out a massive 2,500 kilometres of exclusion fencing. Sixty-three ratepayers in the Longreach region will get their land wild dog proofed. The council will charge the ratepayer, due to the nature of the special benefit created for them.


I thank Longreach Regional Council Mayor Ed Warren for the bold thinking behind this scheme. Mayor Warren said it will be a game-changer and it will revitalise the economic prosperity of the central west. Over the next five years, as the dog-proof fencing rolls out, sheep numbers should increase by 200,000—up by 40 per cent. With sheep come shearers and more economic activity in the towns in Western Queensland. The Longreach Regional Council estimates an increase of 130 new jobs in the region, along with a potential population boost of around 500 people related to the job increases.

In January I visited the central west and met with graziers. In early May I once again met with them and told them that we were going to build fences. We do not need a wall, but we certainly need a barrier. I told graziers we would build more fences to protect productive sheep country from the wild dog menace. In May I committed an extra \$5 million for this initiative. With existing state funding, and now the QTC loan, we can protect more sheep and return the industry in this state to what it once was. I am advised that a total of 5,300 kilometres of fencing could be erected with our support. To give honourable members some perspective, this is longer than our Great Barrier Reef and longer again than the border between the United States and Mexico.

In terms of our wild dog fencing program, the guidelines have now been finalised by the oversight group. This group, with the input of our wild dog commissioners Vaughan Johnson and Mark O'Brien, will ensure funding is delivered where it is most needed. The new grants for this expanded wild dog cluster fencing program will be committed by the government before Christmas—a great Christmas present for Western Queensland. For the benefit of members, I table a photo that wild dog fencing commissioner Vaughan Johnson sent me earlier this month. It shows a truck carrying 220 bales of wool worth around \$330,000 from the Tambo region. As Vaughan said, the photo is living proof our wild dog fencing program is indeed working.


*Tabled paper:* Photograph, undated, depicting truck transporting hay bales [\[2219\]](#).

### GoMA Turns 10

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for the Arts) (10.17 am): Tomorrow marks 10 years to the day since the Gallery of Modern Art, GoMA, opened its doors, heralding a new chapter in Queensland's cultural life. Almost seven million visitors have passed through these doors since 2006, with more than \$60 million injected into our economy from tourists drawn here by the blockbuster exhibition series alone. Queenslanders have truly enjoyed the best of the world's contemporary art on our doorstep. International visitors have been United States President Barack Obama, tennis great Roger Federer and singer Katy Perry to name a few. Exhibitions over the decade have celebrated legends such as Picasso, Warhol and Matisse, as well as contemporary superstars such as David Lynch, Cindy Sherman and Valentino.


My government supports the gallery with \$32.2 million in operational funding per year, with an additional \$1.7 allocated for the GoMA Turns 10 exhibition and activities. My government recently committed an extra \$10.8 million over four years to support a new series of blockbuster exhibitions, ensuring the gallery's next 10 years will be just as impressive. The Australian exclusive *Marvel: Creating the Cinematic Universe*, due to open in 2017, is the first exhibition to receive support from this investment. I would like to put on record my thanks to the team at QAGoMA. Congratulations and thank you to Chris Saines and the board, along with the wonderful team at GoMA. Your passion for the arts is one of the reasons we are able to celebrate 10 years of GoMA.

### Smith Family Christmas Appeal

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for the Arts) (10.19 am): With the Christmas season upon us, our focus starts to turn to the excitement of celebrating with our family and friends, many of us looking to the new year ahead and what it may hold, but we also know that for some Queenslanders it can be a difficult and stressful time of the year. Christmas brings added financial pressure, particularly for those families who are already struggling to make ends meet in purchasing day-to-day needs, including food and clothing and schoolbooks for their children.

Often it is the unwavering commitment of charities such as the Smith Family that helps those in need and supports their families at Christmas time. I am pleased to announce that my government will continue to support the Smith Family and will provide a donation of \$100,000 to support its work with families most in need this Christmas. We all know that little can go a long way, so this Christmas I encourage everyone, including every member of this House, to consider what support they can give, whether big or small, to help bring joy to struggling families and to bring a bit of cheer to their children this festive season.

## Dubai South Project; Trade & Investment Queensland, Appointment of CEO

 **Hon. JA TRAD** (South Brisbane—ALP) (Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment) (10.19 am): In September this year, I led a delegation of eight Queensland companies to the United Arab Emirates. I would like to update the House on some of the outcomes of that productive trade mission, particularly in relation to the Dubai South project, which is the largest urban development project in the world.


During the trade mission, two Queensland companies, Greywater Solutions and Gruntify, signed memoranda of understanding with the Dubai government's facilities management arm, Duserve. The Greywater Solutions agreement will establish a pilot project using the company's water-recycling technology. That is on schedule to commence and will be installed by the beginning of December 2016. Dubai South partners are also finalising a trial of Gruntify technology. Gruntify, which is another Queensland company, specialises in data capture and management. If the pilot proceeds positively, Gruntify is expected to reach a partnership agreement within three months.

The TIQ Trade Commissioner for the Middle East is reporting significant increases in the number of inbound visits to the market by Queensland companies, with 12 proposed visits in the next 30 days. To further capitalise on that interest, TIQ organised a program of meetings for Queensland companies with Dubai South's Senior Vice-President Commercial, Mr Justin Wilshaw, when he visited Queensland in mid-November, with four Queensland companies now developing business cases for Dubai South to consider. Encouragingly, Dubai South's interest in Queensland has expanded from innovative smart-city solutions to include food and aviation training. Dubai South and Duserve are currently negotiating with nine Queensland companies and I am advised that a number of those are expected to proceed to reality in the near future.

Queensland companies winning contracts in Dubai South will mean more jobs for Queenslanders, which is why the work of TIQ is so important. That is why I am also very pleased to inform the House that, after an extensive selection process, a new chief executive officer has been appointed to lead Trade & Investment Queensland. The TIQ board has appointed Ms Virginia Greville to the CEO position. Ms Greville is currently Australia's Ambassador to Spain, Andorra and Equatorial Guinea and has significant experience in supporting, dealing and negotiating with a range of governments, international markets and industries. Ms Greville was also involved in Australia's negotiations of the free trade agreements with the United States and China.

I take this opportunity to place on record the government's thanks to Jack Noye, who has served as interim CEO at TIQ since March 2016. In that time, he has played a key role in delivering jobs for Queensland, including through our new International Education and Training Strategy. I look forward to Ms Greville commencing in early 2017. She will lead the delivery of our comprehensive trade and investment agenda, developed specifically to drive economic growth and job creation right throughout Queensland.

## State Finances

 **Hon. CW PITT** (Mulgrave—ALP) (Treasurer, Minister for Aboriginal and Torres Strait Islander Partnerships and Minister for Sport) (10.22 am): I have good news for Queensland. Today it gives me great pleasure to table the 2015-16 report on state finances.

*Tabled paper:* 2015-16 Report on State Finances of the Queensland Government—30 June 2016 [\[2220\]](#).

This report details the actual outcomes for the 2015-16 financial year, which is our first full financial year in government. My first budget was designed to restore growth and services to Queenslanders after three years of cuts and negativity. The 2015-16 report on state finances serves to further demonstrate the government's achievement of the economic strategy outlined in the 2015-16 budget and continued in the 2016-17 budget.

Members will recall that the 2016-17 budget estimated actual surplus for last year was \$152 million. Today I can report to the House that the net operating surplus for 2015-16 was \$970 million—that is, \$818 million higher than forecast. That is the largest surplus in a decade and it has been achieved in the face of challenging domestic and global economic conditions. The 2015-16 outcome and the improved surplus are driven by stronger than expected revenues and a lower depreciation expense following a review of asset lives for road infrastructure. The stronger revenues are in a range of areas, including departmental sales of goods and services, dividends and tax equivalent payments from government owned corporations, and royalty revenue.

At 30 June 2016, general government borrowings were \$35.486 billion, which is below the estimated actual and, more importantly, significantly below the LNP's 2014-15 budget projection of \$48.023 billion and the 2015-16 budget of \$38.151 billion. In keeping with Labor's key principles around delivering responsible economic management, that reduction in debt has been achieved without job- and confidence-destroying policies, without cutting services, without increasing taxes on Queenslanders and without selling our state owned income-producing assets.

At 30 June 2016, total state debt, including the debt serviced by the commercial operations of our government owned corporations, which thankfully are still in public hands, was lower by \$2.3 billion compared with the actual level of debt a year earlier. The report on state finances also details the government's achievement of the fiscal principles established in the 2015-16 budget. Those principles underpin the government's commitment to managing the state's finances responsibly, restoring front-line services, building the infrastructure we need, attracting investment and encouraging innovation to continue to transition our economy away from the mining boom.

Non-financial public sector gross borrowings of \$72.922 billion were \$7.697 billion lower than the 2014-15 budget projection under the former government. That outcome was \$1.191 billion lower than the 2015-16 budget. Relative to 2014-15, the GGS gross borrowings decreased by \$7.619 billion in 2015-16, while revenue increased by \$1.23 billion. Accordingly, with lower debt and increased revenue, the general government sector debt-to-revenue ratio has improved significantly, falling from 87 per cent in 2014-15 to 70 per cent in 2015-16, as a result of the government's debt action plan. The report on state finances also details that the FTE result, like for like with the budget in 2015-16, is just 0.1 per cent, or 286 FTEs, higher than the budget estimated actual.

The report on state finances represents further confirmation of the government's disciplined and methodical approach to improving the state's financial position. It is consistent with the recent commentary of credit rating agency Standard & Poor's in affirming Queensland's credit rating, noting 'very strong economy, strong financial management and budgetary performance, and low contingent liabilities'. It also noted—

Upwards rating pressure could occur in the next two years if the government successfully implements its debt action plan and contains expenditure growth reducing its total tax-supported debt in line with 'AAA' rated domestic peers.

That is more positive than the October 2014 analysis, which stated that 'upside rating potential is unlikely within the next two years'. Similarly, the Moody's updated discussion of key credit factors for Queensland identified improved results following a period of high deficits as a credit strength. It has taken a Labor government to restore Queensland's economy to higher growth, lower debt and lower unemployment, and to restore confidence in Queensland's future. We will continue our focus on jobs, on infrastructure and on service delivery, particularly for regional Queensland.

### Orange Sky Laundry



**Hon. MC de BRENNI** (Springwood—ALP) (Minister for Housing and Public Works) (10.28 am): On any given night in this state, too many people are experiencing homelessness. They are parents and young children, grandfathers, sisters, uncles and teenagers. They are Queenslanders who deserve to live with dignity. Many hundreds of them sleep rough in parks and cars, under bridges, in shop doorways and public toilets—wherever they can find shelter. Sometimes it is just for a night or two; sometimes it can become a couple of weeks or even years. Still more are referred to as our 'hidden homeless'. They are couch surfing, living in overcrowded or insecure dwellings or marginally housed in transitional shelters.

People experiencing homelessness are the most vulnerable members of our community and deserve as much support as we can possibly offer. Homelessness is something you go through; it is not something that you are. Making sure people experience homelessness with dignity is something that I know our Premier is passionate about. This government is committed to a human approach to homelessness supports, from the top down. That is why the government set up the Dignity First Fund to encourage services that promote the immediate dignity of people doing it rough on our streets.

The funding comprised a start-up category to encourage a fresh approach to the challenges people face, an innovation category for organisations to fund initiatives outside the traditional way of thinking and a small capital grants category to help homelessness providers upgrade their existing facilities. I am pleased to inform the House that the response to the Dignity First initiative has been overwhelming. There were 79 applications for funding from 66 Queensland organisations and the ideas generated leave me in no doubt about the difference this program is able to make. That is one of the

reasons that the \$2 million we were originally offering was increased to \$2.5 million. It is also why I repeat my call for certainty of a funding commitment from the Commonwealth for the National Partnership Agreement on Homelessness.

Later today, I will be joined on the precinct by the organisation's founders to announce that Orange Sky Laundry will be the first recipient of Dignity First funding in Queensland. Orange Sky Laundry was started by Brisbane boys Nic Marchesi and Lucas Patchett, who this year were named Young Australians of the Year for delivering not just laundry services and showers for the homeless but also invaluable human connection. Across the country Orange Sky Laundry services are provided by over 600 wonderful volunteers who provide 1,300 hours of conversation with homeless people each and every week.

Through the Dignity First Fund we will be assisting Orange Sky Laundry with close to \$300,000 in funding to build and operate a new mobile laundry and a new mobile shower van. These new vans will operate through Brisbane and the Sunshine Coast, adding to Orange Sky Laundry's existing capacity. On behalf of the government, we congratulate Orange Sky Laundry on their efforts. I look forward to announcing the full list of 22 recipients in coming weeks.

**Mr SPEAKER:** Before I call the Minister for Health and Minister for Ambulance Services, member for Toowoomba North and Chief Opposition Whip, have you finalised your speaking list for this morning's proceedings? Will you produce a copy for me? Is there a reason—

**Mr SEENEY:** I rise to a point of order, Mr Speaker. That is hardly—

**Mr SPEAKER:** That is not a point of order. Resume your seat. It is a request—


**Mr SEENEY:** I rise to a point of order, Mr Speaker. If there is a need for that speaking list it can be dealt with by the attendants through the Leader of the House. You do not have to record in *Hansard* your request for a speaking list. I would remind you, Mr Speaker, of comments—

**Mr SPEAKER:** Member for Callide, that is a reflection on the chair. Resume your seat. Member for Toowoomba North, will you produce your copy of your speaking list? Thank you very much.

**Mr SEENEY:** I rise to a point of order, Mr Speaker. I would respectfully suggest that the member for Toowoomba North, as Chief Opposition Whip, is owed an apology.

**Mr SPEAKER:** I apologise to the member for Toowoomba North.

### World AIDS Day


 **Hon. CR DICK** (Woodridge—ALP) (Minister for Health and Minister for Ambulance Services) (10.33 am): I rise today to draw to the attention of House World AIDS Day and the steps the Palaszczuk government is taking to help the global fight against HIV-AIDS. World AIDS Day is a way to remember and honour those who have lost their lives to that terrible virus. It is also a chance to show those living with HIV-AIDS that they are supported and in our thoughts.

The Palaszczuk government is committed to creating a Queensland characterised by equality, fairness and justice, where good health outcomes are experienced by everyone. That is why Queensland has become the first state in Australia to develop a comprehensive sexual health strategy. The Queensland Sexual Health Strategy 2016-2021, which I released today, is designed to proactively deal with challenges in the sexual health space. The challenges include population growth, rising rates of sexually transmissible infections, increasing numbers of people living with HIV and sexual health related risk behaviours.

Unfortunately, when those opposite were in government, they took an axe to the sexual health budget and to the organisations and services operating in the sexual health space, all but closing the Biala Sexual Health Service—a service I am pleased to say the Palaszczuk Labor government is revitalising. In order to reverse that damage, this government has already committed \$21.3 million to support and implement services that support the Sexual Health Strategy. That includes \$6 million announced earlier this year for an expanded QPrEPd trial and a \$15.3 million investment in the North Queensland Aboriginal and Torres Strait Islander Sexually Transmissible Infections Action Plan. This important action plan aims to halt the progression of STIs in Indigenous communities in the Far North. Additional to the \$21.3 million investment, \$5.3 million has been allocated towards priority areas outlined in the Sexual Health Strategy.

Further, this morning I announced \$35 million in new funding to continue partnerships with organisations supporting the sexual health of Queenslanders. All up, the Palaszczuk government is investing \$62 million to protect and advance the sexual and reproductive health of Queenslanders. This is all in addition to \$13.2 million to revitalise the Biala Sexual Health Service. I am confident that the detailed, targeted approach this government is taking towards sexual health will restore public confidence in our sexual health services, reduce the incidence of infectious diseases and advance the Palaszczuk government's goal of making Queenslanders among the healthiest people in the world by 2026.

### Education

 **Hon. KJ JONES** (Ashgrove—ALP) (Minister for Education and Minister for Tourism and Major Events) (10.35 am): In 2016 we have taken big steps forward to improve education for every child in Queensland. We are investing a record \$9.1 billion in education, including \$667 million to build new schools and new classrooms to cater for growth. A renewed focus on digital technologies and languages will help ensure students are prepared to meet the demands of a globalised and changing world.


It starts in the early years. We now have more than 95 per cent of Queensland children taking part in kindy, and through our Play Stars initiative more families are signing up to playgroup. We have also opened four new integrated early years services to support families in Gordonvale, Inala, Barcardine and Blackall. From next year, prep will be the first year of compulsory schooling, helping give more children a positive start to learning.

The foundation of every great education system is its teachers and school leaders. That is why we have employed 290 extra teachers in 2016 as part of our commitment to employ 875 extra teachers above growth over this term. These teachers are already having an impact on our class size targets, with 2016 seeing a decrease in average class sizes across all year levels in Queensland state schools, just as we promised. We have also increased access to teacher aides by more than 8,000 hours a week in state primary and secondary schools.

We also opened Australia's first Autism Hub and Reading Centre to support teachers, families and students with autism, dyslexia and other reading difficulties. We have also placed science, technology, engineering and maths front and centre of our children's learning. This year we set up the STEM hub, the Queensland Coding Academy, the regional STEM champions and the Advancing STEM teacher development program to support our teachers and students.

Our efforts to improve education are already delivering results. Our NAPLAN outcomes were the best ever. This year we expect our year 12 students to hit a new record in terms of the number of year 12 students achieving a Queensland Certificate of Education. Of course, there is much more to do. I look forward to keeping the House informed as we continue our reform agenda into 2017. I place on the record, on behalf of all members of the Queensland parliament, our support for the hardworking principals, teachers and school staff in all of our schools across Queensland.


### Ravenswood Mine

 **Hon. AJ LYNHAM** (Stafford—ALP) (Minister for State Development and Minister for Natural Resources and Mines) (10.37 am): The gold rushes of the 19th and early 20th centuries helped build regional Queensland, including the gold mining towns of Charters Towers and nearby Ravenswood. Today I am pleased to announce great news for Ravenswood. I have this week granted prescribed project status to Resolute Mining Ltd's \$165 million Ravenswood expansion project. The proposed expansion could extend the life of the Ravenswood mine by 13 years. This will ensure 280 existing jobs continue and create another 100 new jobs during construction over the first three years of the project. The independent Coordinator-General can now further assist Resolute Mining to navigate government approvals in a timely way and cut red tape.

Ravenswood lies about 65 kilometres east of Charters Towers and produced gold during the booms from 1868 to 1948. During the gold rush, the town had 48 hotels and in 1911 the population peaked at over 2,000. Today there are around 200 residents and 14 sites on the Queensland Heritage Register. The two remaining hotels, the Imperial and Railway hotels, built in 1901 and 1902, give us a glimpse into the town's heyday. Today, Resolute's operations in the underground mine are scheduled to end in 2017. The company's recently completed feasibility study confirmed the return to open pit mining could extend the mine life to at least 2029.

Resolute's preference is to employ people from within 150 kilometres of Ravenswood. This is great news for Townsville, Charters Towers, Ayr and Home Hill. Currently, 94 per cent of staff are drive in, drive out, sourced from local areas. I look forward to seeing one of North Queensland's historic mining towns kick on, creating jobs and business opportunities, just like the North Queensland Stadium and the Carmichael coal and rail project. This is yet another example of how the Palaszczuk government is working hard to get regional Queenslanders back to work.

### Department of Transport and Main Roads, Achievements

 **Hon. MC BAILEY** (Yeerongpilly—ALP) (Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply) (10.40 am): I would like to thank the hardworking staff at Transport and Main Roads for all of their work this year rolling out vital road infrastructure projects and jobs for Queensland. The Palaszczuk government is investing a record funding amount in infrastructure projects via our QTRIP program worth more than \$20 billion over the next four years. This is creating jobs, jobs and jobs for the construction industry and support sectors, particularly in our regional centres. We have continued delivery of the Accelerated Works Program through 21 infrastructure projects worth \$144 million and 400 jobs for regional Queenslanders. Five projects have been completed and 13 are under construction.

We have continued delivery of the Gateway upgrade north project; the Peninsula Development Road; the Townsville ring-road; the \$160 million Gold Coast Commonwealth Games package; and Bruce Highway packages all the way up the coast. Construction has commenced on the \$34 million duplication of the Bill Fulton Bridge, achieved by the member for Barron River; the 41-kilometre Toowoomba Second Range Crossing; the Peak Downs Highway Eton Range realignment in the member for Mirani's area; the \$57 million Sandy Gully Bridge upgrade north of Bowen; the Bruce Highway Cooroy to Curra section C, worth \$384 million; and the \$22 million upgrade of Kawana Way in preparation for the hospital. We have also completed the Yellow Gin Creek upgrade; the Flinders Highway upgrade between Hughenden and Cloncurry; the Toowoomba to Oakey Warrego Highway stage 1 duplication, worth \$110 million; and we have almost completed the exit 54 Coomera interchange upgrade, which just did not get done under the Newman government.


We have announced the contract awarded for the \$929 million Bruce Highway upgrade at Caloundra Road and the Sunshine Motorway, saving Beerwah State Forest and maintaining Aussie World access. The list goes on: the Mackay ring-road, the Ipswich Motorway, Riverway Drive at Townsville and the Urraween Drive and Maryborough-Hervey Bay Road intersection at Hervey Bay. This means jobs, jobs, jobs right across Queensland. We are also maintaining our commitment to local government in our fifty-fifty TIDS program over the next three years, giving local government certainty.

I have more good news for the House. On the energy side of my portfolio, the electricity disconnections I am pleased to report have reduced significantly over the last 12 months, with the latest Australian Energy Regulator's report showing that there were 37 per cent fewer Queensland households disconnected due to electricity debt in 2015-16 compared to the previous financial year. That means 8,000 fewer disconnections because our policy to stabilise electricity prices and give people relief is coming into effect. This is a very pleasing outcome.

In 2014-15, we saw disconnections hit a record 29,692 after three years of 43 per cent price increases under the Newman government, of which the opposition leader was the treasurer. Since our election, the Palaszczuk government has taken action. Consequently, the disconnections have fallen to their lowest level since 2012-13. We are keeping our promises, delivering better electricity outcomes for Queenslanders and fixing up the mess left by the opposition leader when he was treasurer.

**Mr SPEAKER:** Before I call the Minister for Police, Fire and Emergency Services and Minister for Corrective Services, I am informed that we have students from the Seven Hills State School in the electorate of Bulimba observing our proceedings in the gallery. Welcome.

### Gold Coast, Policing

 **Hon. MT RYAN** (Morayfield—ALP) (Minister for Police, Fire and Emergency Services and Minister for Corrective Services) (10.43 am): The Palaszczuk government recognises the crucial role of men and women in the Queensland Police Service in tackling crime in our communities. We recognise that each part of Queensland has a unique community and each one represents a unique challenge for policing.

The Palaszczuk government is delivering a safer community for the people of the Gold Coast. We now have tough new laws to tackle organised crime. These laws have been described by many as the most robust, the most stringent and the most rigorous in the country.

**Opposition members** interjected.

**Mr SPEAKER:** Order, members! I am having difficulty hearing the minister.

**Mr RYAN:** They will target all kinds of serious organised crime—outlaw motorcycle gangs, child sex exploitation, drug trafficking and boiler room fraud. We have backed up those new laws by giving police the funding and the resources that they need to tackle organised crime. Our investment is already paying dividends, just like we said it would. Today I am advised that Taskforce Maxima arrested a number of members of the Hells Angels outlaw motorcycle gang on the Gold Coast yesterday.

Our commitment to the Gold Coast is rock solid. Since we came to government, 24 additional police officers have hit the beat on the Gold Coast. We funded the priority rollout of 300 body worn cameras to front-line police on the Gold Coast last year. We are also rolling out 2,700 more body worn cameras to front-line police all over Queensland. We have new police leadership on the Gold Coast delivering great results and delivering a boost in confidence to the people of the Gold Coast and our front-line police officers.

**Mr Cripps** interjected.

**Mr SPEAKER:** Member for Hinchinbrook, you are warned under standing order 253A. I find that your interjections are designed to disrupt the minister.

**Mr RYAN:** I am very keen to meet with Gold Coast Mayor Tom Tate again to listen to any concerns he may have and discuss how we can work together to continue to keep the people of the Gold Coast safe. Mayor Tate is a strong advocate for his local community and I get that. I am keen to meet with him and work with him. The Palaszczuk government's investment in front-line policing will be backed by our strong new laws—laws designed to disrupt and dismantle organised crime and outlaw motorcycle gangs right across Queensland.

### Mobile Black Spot Program

 **Hon. LM ENOCH** (Algera—ALP) (Minister for Innovation, Science and the Digital Economy and Minister for Small Business) (10.47 am): In the 2016-17 state budget, the Palaszczuk government committed \$15 million to further improve mobile coverage throughout Queensland. I am pleased to be able to announce today that, under a joint Commonwealth-state government funding arrangement, communities around the state can look forward to improved mobile phone coverage through 76 new or upgraded mobile phone base stations.


The Queensland government will co-fund 72 of these tower locations with the Commonwealth government, Telstra, Optus and councils as part of round 2 of the national Mobile Black Spot Program. A further four locations were successful in being awarded funding under the program for Optus satellite small cells. From the original \$15 million allocation, \$13.67 million has been committed to the second round of the program, with the remaining funds to be allocated to future mobile coverage improvement projects to be determined in the coming months.

Across the first two rounds of the program, the state government has committed just under \$24 million to deliver 144 new and improved mobile base stations to communities across Queensland. Mobile phone coverage can be a matter of life or death for people dealing with natural disasters, but it is equally important for everyday life—from business and tourism to education and social connection.

Providing mobile coverage at key points along remote roads is critical for locals and tourists alike. In this round of funding, for example, the Burke and Wills Roadhouse located in the Cloncurry shire will have improved mobile coverage, with co-funding by the state government in partnership with three separate councils. The latest funding will also benefit townships such as Injinoo, Ayton and Cape Tribulation in Far North Queensland and locations in South-East Queensland such as Kholo and Wongawallan. Townships such as Clarke Creek are now receiving mobile coverage to households, businesses and government services, and the local school and residents in the Jambin area now have improved mobile coverage which was identified as critical for improved public safety in the wake of Cyclone Marcia in 2015.

The Mobile Black Spot Program is a three-year program, with construction of Queensland's first round of towers currently underway throughout the state. To date, 19 towers announced in round 1 have been installed, with round 2 tower construction to occur over the next two years. In addition to the 144 mobile base stations awarded to Queensland, at least 80 Telstra 4G small cells will also be deployed throughout the state. The Palaszczuk government is committed to ensuring communities around the state can connect with and participate in the digital economy, and we will continue to put in place infrastructure to ensure these aims.

## Great Barrier Reef, UNESCO World Heritage Centre Progress Report

 **Hon. SJ MILES** (Mount Coot-tha—ALP) (Minister for Environment and Heritage Protection and Minister for National Parks and the Great Barrier Reef) (10.51 am): Today Australia's diplomats in Paris will deliver a joint progress report to UNESCO's World Heritage Centre. Members will recall that last year UNESCO did not list the Great Barrier Reef as in danger, in large part thanks to the reef protection platform this government took to the election. This progress report demonstrates to the global community just how serious the Palaszczuk government is about implementing—

**Mr Seeney** interjected.

**Mr SPEAKER:** Order! Member for Callide, you are warned under standing order 253A for your interjections. If you persist, I will take the appropriate action. I call the minister.

**Dr MILES:** Thank you, Mr Speaker. If the member were so concerned, he would support all elements of the long-term sustainability plan. The future of our reef and its international status are just too important. Threats to the reef must be taken seriously and only Labor is addressing them.

We have made very substantial progress. We have increased funding for water quality to record levels. We first convened the water science task force and now we have accepted and acted on its recommendations. We have greatly reduced the impacts of ports and dredging. Only yesterday we released the maintenance dredging strategy, another action in the plan, and I thank Minister Bailey, his staff and department for their efforts.

We have reviewed fisheries management and bought back net fishing licences. Unfortunately, the report is not all good news. Last summer the reef experienced its worst ever bleaching event, as did many coral reefs worldwide. While the central and southern parts of the reef have recovered well, survey reports suggest a roughly two-thirds rate of coral death in the northern sections—those that were most pristine before this event. Obviously that will cause global concern and addressing it is unavoidable, but what was avoidable was the other significant action not implemented—reducing land clearing. In this report, a joint report of the Australian and Queensland governments—

**Opposition members** interjected.


**Mr SPEAKER:** Order! Honourable members, I am trying to hear the minister.

**Dr MILES:** Thank you, Mr Speaker. In this report, a joint report of the Australian and Queensland governments, we reassure the global community that we understand the role land clearing plays in driving pollutants onto the reef and we will act on land clearing as soon as we can.

I am also pleased to report that last week when Mr Frydenberg and I were finalising the progress report we also reached agreement to index funding for the Great Barrier Reef Field Management Program. The FMP is award winning and critically important. In fact, the Field Management Program is leading or supporting 39 of the 139 actions within the Reef 2050 Plan. It has always been fifty-fifty funded. The Palaszczuk government pledged our share of those funds some time ago. While the opposition did not support our calls for federal government funds, I am pleased to say that the Turnbull government has pledged to match our commitment. The World Heritage Committee will now consider our progress report. I hope that the good work of the Turnbull and Palaszczuk governments will see a positive result for our reef.

## MOTION

### Amendment to Standing Orders

 **Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Leader of the House) (10.55 am), by leave, without notice: I move—

That Schedule 6 of the Standing Rules and Orders of the Legislative Assembly be amended in accordance with the amendment circulated in my name.

1. **Schedule 6 (PORTFOLIO COMMITTEES)—**

**Column 2 (Area of Responsibility)**

*Omit—*

Agriculture and Fisheries

*Insert—*

Agriculture and Fisheries and Rural Economic Development

**Column 3 (Ministers)**

*Omit—*

Minister for Agriculture and Fisheries


*Insert—*

Minister for Agriculture and Fisheries and Minister for Rural Economic Development

Question put—That the motion be agreed to.  
Motion agreed to.

## PRIVATE MEMBERS' STATEMENTS

### Industrial Relations

 **Mr BLEIJIE** (Kawana—LNP) (10.55 am): Today's *Courier-Mail* says it all: 'Fools & Tools'. I hear the fools are abseiling down Parliament House in Canberra already this morning. If we look last night in the industrial relations debate, the Minister for Industrial Relations put a big red bow on that thousand-page document, handed it to the union movement and said, 'Ho, ho, ho; merry Christmas, union movement.' Over the year to September 2016 Queensland is home to almost half of all working days lost to industrial action. Queensland is the strike capital of Australia and they are proud of it.

Some 213,000 Queenslanders work in the construction industry in Queensland. There are currently 34 CFMEU Queensland representative officials before the courts for alleged breach of industrial law—the highest number in the country in Queensland. Over the last decade alone Queensland courts have issued \$1.1 million in fines to the union movement including work on Brisbane Airport car park, the Brisbane Convention and Exhibition Centre, Pacific Fair Shopping Centre, Gold Coast Hilton and University of Technology's common ground.

A few weeks ago when the Premier was asked about all the issues in the union movement by a journalist who said, 'Should the Labor Party disassociate with the union movement?', Premier Palaszczuk said, 'Why, what is wrong?' Yet a month before that when asked about the same disassociation from more matters with respect to CFMEU, the Premier said, 'Just because there's one bad apple in the bunch doesn't mean they are all bad.' How many bad apples in a bag do you need to make an issue for a case for change?

Then we have the health minister, the member for Woodridge, who I understand has one of those fly-in fly-out tickets for Woodridge. He flies in and when he wants out of Woodridge he flies out. He is a fly-in fly-out worker of Woodridge.

**Mr DICK:** Mr Speaker, I am a proud resident of the electorate of Woodridge and a ratepayer of the City of Logan.

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

**Mr DICK:** I find those words personally offensive and I ask the member to withdraw.

**Mr SPEAKER:** Member for Kawana, will you kindly withdraw?

**Mr BLEIJIE:** I withdraw.

**Mr SPEAKER:** Before you proceed, I am having difficulty hearing some of the contributions. I know I allow a fair bit of latitude during this section but I would ask you for some tolerance.

**Mr BLEIJIE:** The member for Woodridge attended a Labor conference a few years ago. One can never forget when David Hinchliffe, I think it was at the time, referred to the member for Woodridge as the gormless show pony of the Labor Party!

**Mr DICK:** Mr Speaker, I take personal offence to that. I might be a show pony but I am certainly not gormless.

**Mr SPEAKER:** Order! Minister, do you find those comments offensive and are you asking them to be withdrawn?


**Mr DICK:** No, Mr Speaker, I withdraw my objection.

**Mr SPEAKER:** I call the member for Kawana.

**Mr BLEIJIE:** At the same convention the member for Bundamba said that the member for Woodridge has no interest but self-interest. This is the strike capital of Australia—

*(Time expired)*

### Sale of Public Assets

 **Hon. CW PITT** (Mulgrave—ALP) (Treasurer, Minister for Aboriginal and Torres Strait Islander Partnerships and Minister for Sport) (11.00 am): It is always a pleasure to follow the member for Kawana. He always brings such joy and cheer to this place. Yesterday Western Australian Premier Colin Barnett announced that he will be going down the path of selling their electricity assets. It has been described in the media as a partial sale of the electricity network. I do not know how 51 per cent is a partial sale, but that is another thing we should take up with those who reported it.

We have had a debate in this state for many years, over two elections, about what should happen with our government owned assets. Those assets belong to the people of Queensland and actually continue to produce great income for our state. The member for Clayfield, 'Mr Strong Choices', has been one of the chief people pushing for asset sales in this state. He was the overseer of the asset sales sell job under the Newman-Nicholls government. He wasted \$100 million on asset sales and asset sales preparation before he had even asked people if they wanted them and he had approval to do up to \$250 million worth of works in Executive Council.

What has happened since that time? He was asked what his position was going to be, but what has happened? He has gone quiet. He has taken a vow of silence which has lasted about six months. Everyone is waiting with bated breath to see just what will happen. We have not heard from him and today is the last sitting day of the year. Perhaps in his contribution in this debate this morning he may finally come clean.


Why has he waited? It may be because he is waiting for that better asset sales messenger. We all remember how the *Australian* said that the biggest problem was that they needed 'a more succinct and clearer campaign'. Who is going to be the deliverer of that campaign? Is it going to be the member for Clayfield? Apparently not, because he will not tell us what he is thinking. Is it going to be the shadow Treasurer, the member for Indooroopilly? No, that is not on the cards either.

What we have now figured out, if we are to believe the media reports, is that they may have their advocate for asset sales. It could be Nick Behrens of the CCIQ, who announced his resignation yesterday. I will be the first to acknowledge that Nick Behrens has been a tireless advocate at the CCIQ and we have not always seen eye to eye. One thing we definitely never saw eye to eye on was asset sales. He continually asked our government to break our vow to Queenslanders, to sell assets and to take the easy way out, like those opposite. We were having none of it—we were having none of it then and we will not have any of it in the future. If they are waiting for that person—that asset sales whisperer they have been looking for—it may be that it will be Mr Behrens, if the reports in the paper are to be believed. That is what we may see.

What is our great hope? We have been saying this for a while. Who is going to champion this role for us? We will keep these assets in public hands. Who is going to join this side of the House? We have to take a look back at history and have a good read of *Can Do*. It is always a great read. Put it on your Christmas list or in someone's stocking. We know that Campbell Newman was exasperated. What did he say? He slammed his fists on the table and said, 'Are you [expletive] kidding me? Wake up and smell the'—

*(Time expired)*

### Electricity Prices

 **Mr HART** (Burleigh—LNP) (11.03 am): The hypocrisy of the Labor Party knows no bounds. Labor can claim no credit when it comes to stabilising electricity prices. It was the LNP who opposed the carbon tax, saving an average Queensland householder \$170 a year. The LNP reduced wasteful expenditure on network infrastructure by \$7 billion, which would have increased electricity prices. The LNP closed the Queensland gas supply scheme to drive down electricity prices. The LNP maintained the uniform tariff policy to ensure regional Queenslanders do not pay more than those in South-East Queensland. The LNP maintained over \$800 million of subsidies for Queensland energy users. The LNP started the deregulation process in South-East Queensland. The price stabilisation of electricity prices in Queensland is due to the LNP. Labor's legacy is stark.

**Honourable members** interjected.

**Mr SPEAKER:** Members, I am even having trouble hearing the member for Burleigh.

**Mr HART:** Labor's legacy is stark. Labor locked in higher network charges through the 2010 Australian Energy Regulator determination. These locked-in higher network charges and Labor's carbon tax were responsible for the majority of the electricity price increases from 2010 to 2015. Let me repeat that: the network charges that were locked in by the AER in 2010 and Labor's carbon tax led to the electricity price increases from 2010 to 2015. Not only did Labor lock in higher network charges, but former treasurer Andrew Fraser argued for a higher rate of return for network businesses. He was arguing for higher electricity prices for all Queenslanders to plug his budget black hole. I table a copy of Andrew Fraser's letter in which he was trying to sell out Queenslanders.

*Tabled paper:* Letter, dated 5 February 2009, from the Treasurer, Hon. Andrew Fraser, to the Minister for Resources and Energy and Minister for Tourism, Hon. Martin Ferguson, relating to the Australian Energy Regulator's review of the weighted average cost of capital for regulated transmission and distribution businesses [2221].


**Honourable members** interjected.

**Mr SPEAKER:** Pause the clock. I will start to name members under standing order 253A if you persist. We have two more speakers during this section.

**Mr HART:** Again, we saw yesterday in the Productivity Commission's final report that Labor's policy will increase electricity prices by \$1.3 billion for households, businesses and industry. Queensland families will pay \$317 million for electricity prices thanks to the Palaszczuk government's extreme renewable energy policy. This is going to take \$10.8 billion in subsidies, and there will be \$8 billion shed from the GOCs. That is \$19 billion worth of cost to the electricity users in Queensland.

*(Time expired)*

### Liberal National Party

 **Hon. JA TRAD** (South Brisbane—ALP) (Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment) (11.07 am): Today is the first day of December, which means that Queenslanders are starting to turn their minds to Christmas—up go the lights, up go the trees, and we start to receive Christmas cards to mark the season. Just this week, I got my first delivery. The first one came from the former leader of the opposition and the second one came from the current Leader of the Opposition—both wishing me all the best for 2017. I am pretty sure Nick Behrens also got a Christmas card, given he is the LNP's biggest advocate for asset sales.

I am a bit worried that some of his LNP colleagues may not feel the same thrill of tearing open that envelope and finding a card from the Leader of the Opposition. Could it be because they are on the naughty list or the deselection list? Are they on the disendorsement list? We all know that the naughty list has been growing pretty fast this year. The LNP is hopelessly divided. The backbench does not support the opposition leader, and the opposition leader does not support the backbench. Look at the poor member for Broadwater checking the letterbox, hoping to get a card, only to find it has been redirected to David Crisafulli. Then there are the members for Coomera, Gaven and Noosa. They are all facing preselection challenges. The opposition leader has definitely got his list and he is definitely checking it twice. Let us not forget Senator George Brandis. I am sure the Leader of the Opposition will be wishing him a very, very mediocre Christmas.


Let us not forget the ghost of Christmas past. Campbell Newman is springing up and spreading Christmas cheer all over the LNP. The festive season is also getting to the member for Callide. The Grinch has been grumpy all week. We have got Prancer, the member for Indooroopilly, who has been trying to drag the sled but he is not getting any help from Rudolph, the member for Kawana, who is distracting everybody with his face so bright.

**Honourable members** interjected.

**Ms TRAD:** All of this is incredibly funny but let me end on a serious note. They are so mediocre; they are so divided. The problem is that they are holding themselves out there to be the alternative government for Queensland.

**Mr SPEAKER:** Members, after that performance I am going to allow the Leader of the Opposition a significant degree of latitude for his contribution.

### Palaszczuk Labor Government

 **Mr NICHOLLS** (Clayfield—LNP) (Leader of the Opposition) (11.09 am): Does that include extra time, Mr Speaker?

**Mr SPEAKER:** No.

**Mr NICHOLLS:** We can tell who is going on holidays tomorrow. It is the Deputy Premier. She is having muck-up day today. I say good luck to her because the one person who will be happy that the Deputy Premier is on holidays is the Premier. Whilst I am happy to send a Christmas card to the Deputy Premier—I sent one to the Premier as well—I know there are a few people who will not be sending a Christmas card to the Deputy Premier. I know that the member for Bundamba will not have the member for South Brisbane on her Christmas card list nor will the member for Cairns. There is someone who will be on the Deputy Premier's Christmas card list. The member for Gladstone will be on the Christmas card list.

I know who will be on the member for Gladstone's Christmas card list and that is Michael Ravbar from the CFMEU; the Santa Claus of the left wing will be out there on that movement. We have to wonder what present the member for Gladstone will receive for all of those sorts of things because he had to give up his allegiance to one and move to the other. The reason I sent my Christmas card to the

Deputy Premier is that we all know she is just one number short. I wanted to give her every sense of encouragement that if she puts her hand up she can count on my vote to get her over the line. It is indeed the first day of summer and the last day of parliament, a day that could not come soon enough for this asleep-at-the-wheel Palaszczuk government.

The report card is in. It might be muck-up day, but when it comes to the QCS score it has not been a great year for this government. It is a report card that, like naughty children, the Labor government do not want Queenslanders to see. In the spirit of Christmas, I table the Labor Party's report card in respect of what has been going on.


*Tabled paper:* Document, undated, titled 'Annastacia Palaszczuk & Labor Progress Report' [2222].

Heading the list of failures is the failure by the Premier to keep her ministers accountable, to act responsibly, to act transparently and to sack ministers who are failing in this state. That is the failure of this government and so I must report that the Premier only gets an F. After talking about transparency, she failed to deliver and Queenslanders pay the price.

**Mr SPEAKER:** Before we commence question time I am informed that we have another group of students from the Seven Hills State School in the electorate of Bulimba observing our proceedings. Welcome. Members, question time will finish at 12.13 pm.

## QUESTIONS WITHOUT NOTICE

### Electricity Prices

 **Mr NICHOLLS** (11.13 am): My first question is to the Premier. Given the government's decision-making processes around either accepting or rejecting recommendations from the Queensland Productivity Commission report into electricity, how did the Premier satisfy herself that all ministers complied with section 1.3.1 of the *Cabinet Handbook* dealing with conflicts of interest when deciding the government's response to the recommendations of the Productivity Commission in relation to electricity?

**Ms PALASZCZUK:** I thank the Leader of the Opposition very much for the question. Our response is a government response to the Queensland Productivity Commission. This is a normal, routine part of business that happens across governments and would have happened when the Leader of the Opposition responded to different reports during his term of government. I will say this as the member has asked me about electricity. Let me state it very clearly—we discussed this yesterday, but let me say it again. We have heard the member for Burleigh go along today ignoring the past.

**Mr Hart:** Give us the facts.

**Ms PALASZCZUK:** Let's talk about the facts. The facts are very clear: under the LNP household electricity prices went up.

**Mr NICHOLLS:** I rise to a point of order. My point of order goes to relevance of the answer by the Premier. The question was: did the Premier satisfy herself that members complied with the requirements of the *Cabinet Handbook* in terms of dealing with conflicts of interest?

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

**Ms PALASZCZUK:** Yes, I want to make this issue very clear once again: we will always act in the best interests of families. We will also do everything we possibly can to keep household electricity prices down. That is why we have kept it to the barest minimum—1.2 per cent as opposed to 43 per cent increases under those opposite.

**Mr SPEAKER:** One moment, Premier. I do not know that you specifically answered the question.

**Ms PALASZCZUK:** Mr Speaker, it is about the Queensland Productivity Commission and it is very, very clear. Once again, let me reiterate that the Queensland government provided a response to the Productivity Commission report. If the Leader of the Opposition has anything specific that he wishes to raise I am more than comfortable to address the specific nature of the question.

### Electricity Prices

**Mr NICHOLLS:** My second question is to the Premier. I table a letter from former Labor treasurer Andrew Fraser to the then federal minister for resources and energy, Martin Ferguson. Does the Premier accept that it was the decision of the Bligh Labor government, of which she was a member, that locked in increasing power bills for Queensland households from 2010 to 2015?

*Tabled paper:* Letter, dated 5 February 2009, from the Treasurer, Hon. Andrew Fraser, to the Minister for Resources and Energy and Minister for Tourism, Hon. Martin Ferguson, relating to the Australian Energy Regulator's review of the weighted average cost of capital for regulated transmission and distribution businesses [2223].

**Mr Seeney** interjected.

**Mr SPEAKER:** Thank you, member for Callide. You are already under your first warning.

**Ms PALASZCZUK:** I thank the Leader of the Opposition for the question. Here he goes again; he wants to go back to the past. If we go back to his time in government when he was the treasurer of this state, what families saw across Queensland was a 43 per cent increase. What my government has done is made sure that we listen to families. We have also ensured that over 150,000 vulnerable families are also entitled to that electricity rebate. The other thing my government has done is made sure that the CSO remains in place.

**Mr Mander:** Why didn't you speak up?

**Ms PALASZCZUK:** There is not much Christmas cheer here today from those opposite.

**Mr Mander** interjected.

**Mr Watts** interjected.

**Mr SPEAKER:** Thank you, member for Everton. I have my notes here and you are now warned under 253A. That is your first warning. If you persist I will take the appropriate action. Member for Toowoomba North—you have had a pretty good go this morning—if you persist you will also get a warning.

**Ms PALASZCZUK:** Just in summary, let me say I will back my government's position when it comes to dealing with electricity in this state as opposed to those opposite. What they wanted to do was sell off our electricity assets in this state and that would have meant higher prices for electricity consumers, higher prices for people in this state. The real challenge today is will the Leader of the Opposition rule out the partial privatisation of electricity assets?

**Mr SPEAKER:** Thank you, Premier. I know that is what you want to talk about, but that is not answering the question.

### **Carmichael Coal Project**

**Mr PEARCE:** My question is of the Premier. I ask: will the Premier update the House on the Carmichael coal project and the opportunities it will provide for workers in regional Queensland?

**Ms PALASZCZUK:** I thank the member for Mirani for that very important question. I want to see regional Queensland getting jobs and getting into work. This is one thing that drives my government each and every day. We know very clearly that the Adani project will potentially create up to tens of thousands of jobs for regional Queensland. I know how important it is for people to have a job in this state. I also note Adani's recent announcement of a \$200 million solar energy project in Moranbah, so here we see that both coal and renewables can happen at the same time.

**Mr Hart** interjected.

**Mr SPEAKER:** Pause the clock. Premier, I apologise for interrupting your answer. Member for Burleigh, you have had more than a sufficient go this morning. You are now warned under standing order 253A. If you persist I will take the appropriate action.

**Ms PALASZCZUK:** Projects of this size and scale go through a comprehensive approval and scientific assessment process by both the Queensland and Commonwealth governments and more than 200 conditions have been applied to this project. As promised, my government has protected the wetlands and the Great Barrier Reef from the dumping of dredge spoil. It is very important to protect the environment. As promised when we went to the election, my government will not allow Queensland taxpayers' money to be used to fund the infrastructure associated with this project, unlike those opposite.

I can confirm to the House today that next week I will be meeting with the chairman, Mr Adani, in regional Queensland. There will be very good news next week for regional Queensland, and this is great for regional Queensland. There are a couple of things I want to make very clear to Mr Adani: fundamentally, I want Queensland jobs from this project. I want an ironclad guarantee from Mr Adani that Queenslanders will be given the first opportunity to get jobs in this state from this project. Furthermore, I will ensure that regional Queenslanders get jobs, and I want a commitment that the priority will be on Queensland jobs. I do not want to see foreign people coming in here to get jobs from Queenslanders when we know that our economy and our people need jobs.

I will be joined by the Minister for State Development next week and I welcome the chairman, Mr Adani, to Queensland. I look forward to progressing this project, because it means tens of thousands of jobs for regional Queensland. That is what my government has promised and that is what my government is delivering.

### Electricity Prices

**Mr SEENEY:** My question without notice is to the Premier. I refer the Premier to the answer that she gave to the Leader of the Opposition's previous question and I ask: does the Premier accept that the power price increases in Queensland between 2010 and 2015 were a direct result of the deal that was done by Andrew Fraser, the treasurer of the government of which the Premier was part, and the federal Labor government at the time? Does the Premier accept that she was part of a decision to enter into a five-year contract—

**Mr HINCHLIFFE:** I rise to a point of order. This so-called question has become a rolling set of questions which seems to be debate. It is also repetition of questions that have been asked before. I ask you to consider that and rule on the member's question and potentially rule it out of order.

**Mr SEENEY:** I rise to a point of order. I can make it very brief for the Leader of the House if he likes. My question is—

**Mr SPEAKER:** We have two speakers who want to make points of order. Member for Callide, I am aware of your question. The Premier is aware of your question. I do not need you to repeat it. Leader of the House, what is your point of order?

**Mr HINCHLIFFE:** It seemed that the Leader of Opposition Business's point of order was just an opportunity to repeat the same question again. I wanted to clarify whether there was actually a point of order.

**Mr SPEAKER:** There was a lengthy preamble that led into the question. The question has been asked. I call the Premier to answer the question.

**Ms PALASZCZUK:** Does the LNP accept the 43 per cent increase that they put on Queensland families during their term in government? My government—

**Opposition members** interjected.

**Ms PALASZCZUK:** They are still arrogant, still out of touch.

**Mr Seeney** interjected.

**Ms PALASZCZUK:** You are the most arrogant person in this House!

**Mr SPEAKER:** Member for Callide, you have already been warned under standing order 253A. Will you please leave the chamber for 15 minutes. Premier, do you have anything further you wish to add that is relevant to the question?

*Whereupon the honourable member for Callide withdrew from the chamber at 11.25 am.*

**Ms PALASZCZUK:** This is entirely relevant to the question, because under my government we have stabilised electricity prices. That is what we have done: we have stabilised electricity prices.

**Ms Simpson** interjected.

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

**Ms PALASZCZUK:** We have also guaranteed that people on senior's cards and veteran's cards continue to get access to the electricity rebate.

**Opposition members** interjected.

**Mr SPEAKER:** I am having difficulty hearing the Premier. I call the Premier.

**Ms PALASZCZUK:** We have also ensured that over 157,000 vulnerable families will now get access as well.

**Mr STEVENS:** I rise to a point of order. Under standing order 118, I refer the Premier to relevance in directly answering the question that was asked by the Leader of Opposition Business.

**Mr SPEAKER:** The member for Mermaid Beach has made a relevant point of order, Premier. I know that we are all a bit willing after finishing at three o'clock this morning, but there are certain standards that we all have to comply with. Premier, do you have anything to add that is relevant to the question?

**Ms PALASZCZUK:** I think that was an audition for the job.

**Mr SPEAKER:** No, resume your seat—

**Ms PALASZCZUK:** It is highly relevant.

**Mr SPEAKER:** Premier, you have answered the question. I call the member for Bundaberg.

### Bundaberg, Turtles

**Ms DONALDSON:** My question is of the Deputy Premier. Will the Deputy Premier outline to the House the steps that the Palaszczuk government is taking to protect turtle breeding grounds in the Bundaberg region?

**Ms TRAD:** I thank the honourable member for the question.

**Mr Watts** interjected.

**Mr SPEAKER:** Deputy Premier, I will interrupt you there. Member for Toowoomba North, you are now warned under standing order 253A for your continual interjections. If you persist I will take the appropriate action.

**Ms TRAD:** I thank the honourable member for Bundaberg for the question. I know that she is keenly interested in the protection of turtles and turtle breeding grounds in Bundaberg.

We have taken a very important step towards protecting loggerhead turtles. I have requested that the Bundaberg Regional Council amend its planning scheme to limit future development adjacent to the Mon Repos Turtle Centre. This decision is based on good science and expert independent advice from the Department of Environment and Heritage Protection and the Department of National Parks, Sport and Racing. It showed that the current planning scheme was unlikely to be adequate to ensure the council is able to manage impacts to the turtle rookery from development in the area.

The rookery at Mon Repos is one of the key breeding sites, and successful breeding in this area is critical to the survival of the species. When the news broke, the member for Burnett said he was furious that we had intervened to protect the turtles. He was dead against it and he likened it to something out of communist Russia. Well, before he was against protecting the turtles, he was for protecting the turtles. I have here a letter from the member for Burnett asking me to ensure that the turtle breeding grounds were protected because of the lack of protections afforded under the local planning scheme. I table that letter for the benefit of the House and also for the recollection of the member for Burnett.

*Tabled paper:* Letter, dated 16 March 2016, from the member for Burnett, Mr Stephen Bennett MP, to the Deputy Premier and Minister for Infrastructure, Local Government and Planning, Hon. Jackie Trad, regarding protection for breeding turtles [\[2224\]](#).

I thought I was giving him an early Christmas present—something he had asked for—but it turns out he has changed his mind and he wants something else entirely.

Let us be clear: in Bundaberg turtles mean jobs. It is as simple as that. Turtles are one of the major tourist drawcards to Bundaberg. They deliver approximately \$620 million annually to the local economy and support 6,200 direct and indirect jobs. That is one in seven jobs in the region. If the turtles disappear, so will these jobs. It is as simple as that.

**Ms Jones:** That's right. He should pull his head in.

**Ms TRAD:** I will not take that interjection. Turtles are a major part of our new \$90 million tourism campaign which was recently launched by the Minister for Tourism and the Premier. We are spending \$10 million on critical tourism infrastructure from the Significant Regional Infrastructure Projects Program to redevelop, expand and improve Mon Repos Turtle Centre. We are taking strong action to protect them. The LNP should be supporting regional jobs, not playing political games.

### Infrastructure

**Mrs FRECKLINGTON:** My question without notice is to the Deputy Premier. I refer to the Deputy Premier's report card, which has been tabled in this House, and I ask: does the Deputy Premier take responsibility for the jobs crisis that many people believe is from the Deputy Premier's failure to deliver \$2 billion worth of infrastructure as promised in this government's first budget?

**Ms TRAD:** I wish she could ask a question like she meant it! On their watch, those opposite racked up an underspend of \$2.54 billion—at the same time they were sacking thousands of workers, at the same time they were talking down the Queensland economy, at the same time they were trashing the lives of Queenslanders. They want to come in here and talk about an underspend on our watch?

I have said in this House, and the Premier has made it clear, that we will work hard to get infrastructure dollars out the door, and it is working. The latest state demand figures show that the public essential infrastructure spend is up and it is driving growth in the Queensland economy.

We are doing the necessary work to plan for the big infrastructure jobs for the future such as TEARC and the Bill Fulton Bridge. We are delivering construction on the Bill Fulton Bridge in Cairns. We also have new schools, a new hospital in Roma and the paediatric wing at Townsville Hospital. We will not be lectured to by those opposite when it comes to infrastructure spending. Gold Coast Light Rail Stage 2: this government. Gold Coast Light Rail Stage 1: Labor. Those opposite do not support it at all.

The true test of their mettle, the true test of their commitment, will come later today when we will find out if the LNP will support Queensland's No. 1 infrastructure project. They will be put to the test later today. They need to put up or shut up. The test today will show whether they truly support infrastructure, jobs and city-making projects that will set up our economy for decades to come.

I am enormously proud of the significant contribution made by state and federal Labor governments to infrastructure in our state such as the Moreton Bay Rail Link. If those opposite had spent more time working cooperatively with Labor governments at the federal level we would be seeing a lot more infrastructure being built in Queensland now. It would have been already planned and we would be delivering it now. Instead, they played politics to get Tony Abbott elected and they played politics with infrastructure.

**Mr SPEAKER:** Before I call the member for Mackay, member for Redlands, you will join the list of those with a first warning under standing order 253A. If you persist I will take the appropriate action. Deputy Leader of the Opposition, you will also join that list after that performance. If you persist I will take the appropriate action. If members from the government want to play up, they will also join the list. It may be the case that some of the members of the opposition are more vocal and are more easily identifiable. If I need assistance, I am more than happy to receive assistance from members.

### Backpacker Tax

**Mrs GILBERT:** My question is to the Minister for Agriculture and Fisheries and Minister for Rural Economic Development. Will the minister update the House on the backpacker tax?

**Mr BYRNE:** I thank the member, a member keenly engaged and interested in the future of agriculture in this state, for her question. What a timely question it is, given the ongoing shemozzle we see in the federal parliament. It is 18 months since 'Smoking Joe' Hockey dropped the grenade that continues to wound most rural and regional Queensland economies. When he announced a 32.5 per cent rate of tax on backpackers, from the very first cent they earned, there were loud and sustained howls of derision from across Queensland, except from most of those opposite. Who did he discuss the matter with prior to his decision of 2015? As it turns out, he consulted with absolutely nobody. It is now 18 months later and we are still seeing the collateral damage because the coalition federal government has completely failed to find a resolution. Joe Hockey has paid the price for his errors as treasurer: he was turfed out soon enough after the palace coup, something those on the other side of the chamber are familiar with, that continues to white-ant the cohesion of the federal coalition.

The mess has been left to fester. Queensland producers continue to stress over how they will be harvesting their crops in the near future. As reinforced to me by the QFF yesterday, they want certainty. The Turnbull government's prevarication has given them nothing but uncertainty, fear and frustration that goes on. All the coalition could do was offer a delayed review and a vague promise from Barnaby Joyce that he would sort it out. Sorting things out is certainly not one of the strengths of Barnaby Joyce. He is not able to sort out much at all.

Yesterday the Senate once again supported a 10.5 per cent rate—a rate that is internationally competitive—for those who come to Australia on working holiday visas. The coalition has repeatedly refused to accept the will of the Senate. I can say that today federal Labor, as an act of good faith and love to the government, is prepared to compromise to 13 per cent. I wonder what those opposite would like to see happen now. I have not heard a peep this week, or at any time in this House. If they had a genuine concern for Queensland fruit and horticultural producers, they would be lobbying their mates and they would be making statements in the House. Instead, what do we hear? We hear crickets. If those opposite had any influence they would be getting out there and—

**Honourable members** interjected.

**Mr SPEAKER:** The member for Lockyer will join the list of those with a first warning under standing order 253A.

**Mr Rickuss:** He was being very provocative, Mr Speaker.

**Mr SPEAKER:** No, you have had a pretty good go. The Minister for Education is also going to join the list, with a first warning.

**Mr BYRNE:** I am trying to be provocative; that is the whole point. Those opposite should be supporting our farmers. They should be out there making comments and holding the federal coalition to account. What have we seen? We have seen Oakey Beef, with this government's support, going forward—hundreds of jobs in the future. We have seen investment in fencing. As the Premier announced today, there has been not a peep from the—

**Mr Cripps** interjected.

**Mr SPEAKER:** Member for Hinchinbrook, you have already been warned under standing order 253A. Will you please leave the chamber for 15 minutes.

*Whereupon the honourable member for Hinchinbrook withdrew from the chamber at 11.39 am.*

**Mr Krause** interjected.

**Mr SPEAKER:** Member for Beaudesert, you now have a first warning under standing order 253A. If you persist I will take the appropriate action.

**Mr BYRNE:** Merry Christmas, member for Hinchinbrook. The contrast is stark in terms of what we are doing with Oakey Beef—hundreds of jobs, very happy, very pleased—

**Mr SPEAKER:** I would urge you not to provoke the opposition, Minister. Do you have anything to say?

**Mr BYRNE:** I am trying to provoke them, Mr Speaker. That is the whole point of question time.

*(Time expired)*

### **Palaszczuk Labor Government, Unemployment**

**Mr EMERSON:** My question is directed to the Treasurer. The Premier described the latest unemployment figures as great news for Queensland. Treasurer, given that Queensland led Australia for job losses last month with 16,900 jobs lost, 28,000 people gave up looking for work and youth unemployment is now more than 27 per cent in places like Cairns, is this not just another example of Labor's failing in Queensland?

**Mr PITT:** It truly is Christmas: I finally get a question from the member for Indooroopilly, and I thank him for the question because, unlike some of the tone of other questions we get in this place, this is a question about a serious matter which is affecting Queenslanders right across our state. When it comes to looking at unemployment and what we can do as a government to improve the opportunities for people to have access to employment or skilling and training, you will not find a better friend of the people of Queensland than the Labor Party.

This government, led by Anastacia Palaszczuk, has been very clear from opposition right through to coming to government that our focus is on jobs. You will see that reflected in our \$40 billion capital program over four years. In 2016-17 we will have a \$10.7 billion capital program supporting around 31,000 jobs. On numerous occasions we have talked about how there are some significant patches in the economy which need more support than others, and that is why you see us as a government that listens and a government that is responsive. We have been focusing very strongly in delivering our package of Skilling Queenslanders for Work, and I give the Attorney-General great credit for the work she has been doing in that space and my cabinet colleague the Minister for Employment, Grace Grace, has been doing some great work with our Back to Work package. The Back to Work package was our government's response to what we saw as a drag on employment, and that was regional Queensland. We know that the post mining boom economy has impacted regional Queensland more. That is why almost half of our capital spend is going to regional Queensland and that is why we put in place the \$100 million Back to Work package.

As we know, this package is supporting employers to take on and keep for 12 months young people and long-term unemployed people, offering between \$10,000 and \$15,000. We know that youth unemployment is critical, and no-one in this government is more cognisant than me that in Cairns and Far North Queensland the unemployment rate for young people aged between 15 and 24 is around 27 per cent. This is a serious issue. It is why we have taken the big step to put in place as of today a new Back to Work Youth Boost supporting employers to the tune of \$20,000 to ensure that they can take on a young person. That is so important because we want our young people to have the opportunity to finish school, to get into work and of course to ensure that they will have a lifelong opportunity to be employed and get new skills to create a future for themselves.

That is something that I care about. It is something that all members of this House care about. In the broader community you will not find an issue that touches more people than this. People want their sons and their daughters and grandparents want their grandchildren to have those opportunities. That is what we on this side of the House bring and it is galling to hear on this from those opposite, who saw unemployment rise to over seven per cent at one point. We have created almost twice as many jobs in half the time, and that is what those—

*(Time expired)*

### Council on Federal Financial Relations

**Ms BOYD:** My question is directed to the Treasurer. I refer to the meeting tomorrow in Canberra of the Council on Federal Financial Relations and ask: as the meeting involves federal, state and territory treasurers, will the Treasurer advise the House of the main issues to be discussed and how they might affect Queensland?

**Mr Rickuss** interjected.

**Mr SPEAKER:** Before I call the Treasurer, member for Lockyer, you are already under warning under standing order 253A. You were interjecting on the questioner as she asked the question. Will you kindly leave the chamber for 15 minutes?

*Whereupon the honourable member for Lockyer withdrew from the chamber at 11.44 am.*

**Mr PITT:** I thank the member for Pine Rivers for her question. I am looking forward to going down to see my state and territory colleagues and to speak with the federal Treasurer, Scott Morrison, tomorrow. The treasurers' meeting is an important meeting and an opportunity for us to put our best foot forward as a state to ensure that we as the government of the day in Queensland represent the best interests of Queensland, and that is something we have consistently done whether it is through any of our ministerial councils and with the Premier at COAG. We know though that the contrast between federal and state governments and their budgets has been quite considerable. We know that Joe Hockey followed the Nicholls-Newman template in his 2014 federal budget where he concocted that faux budget emergency and said that the sky was falling. The Campbell Newman equivalent was power dive into the abyss; you have heard all of the rest. They then used that as an excuse to cut jobs and services, and that is where they went wrong. It was the beginning of the end for Joe Hockey, but of course he got rewarded with going overseas.

I do not want to be too harsh on Mr Hockey because you have to give credit where credit is due. He actually offered at a previous treasurers' meeting to give state and territory treasurers enough of an early insight into what they were thinking about expiring national partnership agreements. He put firmly on the table that he as treasurer of the day would tell us at the Mid-year Economic and Fiscal Outlook, the MYEFO, and that was a very important thing because it gives states certainty. It gives us certainty, and that is a critical thing for us to do our planning going towards the federal budget coming in May and budgets in other jurisdictions. What we have not had is that same commitment from Mr Morrison, and it is a very important point. If we do not have that sort of certainty, state and territories do not have the same kind of revenue options as the Commonwealth does. We do not have the same revenue base.

In Queensland's case, we rely on almost 50 per cent of our revenue coming from the Commonwealth. These agreements are important. They deliver in very critical areas. We know that we are still feeling the legacy of the 2014-15 budget and that in future years it will bite even further. No-one knows this more than the Minister for Health or the Minister for Education with those \$18 billion of cuts. It was a disgraceful thing from Joe Hockey and no-one on that side of politics federally has bothered to try and fix it and no-one has tried to meet the states and territories halfway.

What we know though is that in the previous government the now opposition leader, the former treasurer, had been labelled many times as being MIA—missing in action—and that included during the campaign by former premier Campbell Newman. Read more about it in Gavin King's book *Can Do*, available at all good book stores. National partnership agreements are critical. We will be taking a very clear case to see that at least 32 of the 42 expiring national partnership agreements are renewed, and those include the areas of early childhood education, skills reform, homelessness, the remote housing strategy and adult public dental services, to name just a few. Today's report on state finances shows that the Queensland government is fiscally disciplined and working hard. We expect our Commonwealth counterparts to do the same.

### Minister for Child Safety

**Ms BATES:** My question is directed to the Minister for Child Safety. Over the last 12 months the minister's department has lurched from crisis to crisis, with recent revelations now showing 3,889 cases of suspected abuse now being caught up in an intake backlog and investigations stalling in some regions, and I table the minister's epic fail report card, and I ask: are the multiple failures—

**Honourable members** interjected.

**Mr SPEAKER:** Pause the clock.

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

**Mr SPEAKER:** Before I get to the point of order, Minister for Health, you are now warned under standing order 253A for your interjections during the questioner asking the question. Leader of the House, what is your point of order?

**Mr HINCHLIFFE:** My point of order is that the member is quite entitled to table a document, but there are rulings around brandishing props. Using the document as some sort of prop is something that I draw your attention to.

**Mr SPEAKER:** Thank you. I call the member for Mudgeeraba.

**Ms BATES:** I table the minister's epic fail report card, and I ask: are the multiple failures of 2016—

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

**Mr SPEAKER:** Pause the clock. What is the point of order?

**Mr POWER:** We are finally getting to the question but under standing order 115 there should be no lengthy or subjective preamble, and there certainly has been.

**Mr SPEAKER:** Thank you, member for Logan. I am aware of the standing orders and rules. I find that that is a frivolous point of order and you are now warned under standing order 253A. Member for Mudgeeraba, have you finished your question?

**Ms BATES:** No, I have not. My question to the minister is: are the multiple failures of 2016 what Queenslanders can expect from this failed minister in 2017?

### Speaker's Ruling, Question Out of Order

**Mr SPEAKER:** I am going to rule that question out of order as there is an imputation contained in it.

**Ms BATES:** I rise to a point of order. Mr Speaker, generally your rulings are that the member has an opportunity to rephrase the question.

**Mr SPEAKER:** No. Twelve months ago—early in the piece—I certainly was allowing latitude. Member, you have been here for a number of years. You are aware of the standing orders. You are aware of the opportunities to have questions checked by the Clerk or the Table Office. I find that question out of order.

*Tabled paper:* Document, undated, titled 'Report Card: Name: Shannon Fentiman—Minister for Communities, Women and Youth, Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence' [2225].

### Queensland Health

**Mr KELLY:** My question is to the Minister for Health and the Minister for Ambulance Services. Will the minister please provide an update on the performance of the Queensland Health system and how it compares to other approaches?

**Mr DICK:** I thank the member for Greenslopes for his question and acknowledge his commitment to health services in his electorate. Since this is the final sitting day of the day, it is useful to reflect on some of the significant achievements in the Queensland health system this year. Waiting lists for specialist outpatient appointments for elective surgery have been cut. Front-line services have been restored and the budget is in surplus across the system.

I was also pleased to note the release today of the Australian Institute of Health and Welfare's report into elective surgery waiting lists. I have good news for the people of Queensland. I can inform the House that Queensland continues to report the shortest median waiting times for elective surgery in the country. The report of the Australian Institute of Health and Welfare shows that the median wait for elective surgery in Queensland was 29 days, which is significantly better than the national median wait of 37 days.

I am also pleased to report to the House that the AIHW report also shows that Queensland has the lowest percentage of people waiting for longer than a year for elective surgery at 0.4 per cent. That is in stark contrast to the 2.8 per cent figure under the LNP in 2013-14. The report also shows that 90 per cent of all elective surgeries in Queensland occurred within 163 days, placing us second in Australia—just two days longer than the wait in Western Australia and much shorter than the national 90 percentile wait time of 260 days. Queensland's wait time is 163 days. The national target is 260. Our figure is 23 days better than it was under the Newman-Nicholls LNP government, when 90 per cent of all elective surgeries occurred within 186 days.

There has been a lot of discussion in the media by opposition members in particular about resourcing and staffing the public sector. This report shows that, when you fund the front line, you lose the long wait. This report also demonstrates the work that we are doing as a government. We know the legacy of those members opposite. They opened a children's hospital when it is risky to do so. They

closed an adolescent mental health centre when it was risky and dangerous to do so. They thrashed and trashed nurses and midwives and forced doctors at industrial gunpoint onto contracts. Of course, when the Leader of the Opposition was the treasurer, their government was the only government to cut funding to mental health.

This Christmas, I want to recognise the one constant through all of this, and that is the mighty staff of Queensland Health, who deliver each and every day for Queenslanders. We run a 24-hour, seven-day-a-week operation in Queensland. They will work over Christmas and they are deserving of an award.

**Mr SPEAKER:** Before I call the member for Glass House, I have spoken earlier about the correct reference to previous governments. Minister, will you withdraw the reference that was not in accordance with the ruling?

**Mr DICK:** Yes, I am happy to withdraw.

### Palaszczuk Labor Government, Report Card

**Mr POWELL:** My question without notice is to the Minister for Transport. I refer the minister to the Labor fail report card, tabled by the Leader of the Opposition. Boy, where do I start? To the minister's ignorance—

**Mr PITT:** I rise to a point of order. Was, 'Boy, where do I start?' the question?

**Mr SPEAKER:** No. That is not a point of order.

**Mr PITT:** I rise to a point of order. If that is not the question, then the shadow minister is putting unnecessary preamble and commentary into a question. Mr Speaker, I ask you to rule.

**Mr SPEAKER:** Thank you, members. Member for Glass House, will you please ask your question?

**Mr POWELL:** Thank you. I refer the minister to the Labor fail report card, tabled by the Leader of the Opposition, and to the minister's ignorance of the Queensland Rail crisis, his cutting of 330 train services and his failure to deliver the Redcliffe peninsula rail line and the new generation rolling stock. I ask: would the minister like me to tweet him a copy of his report card so that he can brush up on what is going on in his portfolio?

**Mr SPEAKER:** I will allow the question and I will allow the minister latitude in answering the question.

**Mr HINCHLIFFE:** I thank the member for Glass House for the question. I look forward to him sharing all sorts of documents on social media. Like many commuters, I find out how our network is working and what is happening via social media. That is something that commuters do each and every day. As a commuter, that is what I do. I also make sure that, when I see things on twitter that are unusual and pique my interest, I follow them up. That is how, as I described it and quite honestly said to the parliament, I found out about some issues that related to the situation that we are now in that we are recovering from.

I can confirm that, after the LNP freeze, we have been recruiting drivers and guards. We are moving forward. We are making sure that we have a Citytrain network that can deliver a sustainable timetable—an average of 94 per cent on-time running during peaks since the sustainable timetable has come into place. During this morning's peak, there was 97.26 per cent on-time running. I might add that, during Monday's morning peak, there was 100 per cent on-time running.

I acknowledge that the member for Glass House is wanting us to distribute information via social media. I think that is entirely appropriate and welcome. He should make sure that, if he is going to be supplying documents, he should remind and make sure that his leader supplies the appropriate documents to the Strachan inquiry so that information about what happened in the past is made clear and available to all of those people who need it. Until the Premier took the appropriate action, the LNP members had been maintaining their arrogant denial that the mass sackings and their secret plan to franchise, to sell QR, had left a negative legacy in the business that we are now managing. That is what I reckon we need to get to the bottom of.

I want to make sure that we go forward positively and deliver services that our commuters need. That is why I have been focused on working so closely with the acting CEO of Queensland Rail to make sure that we see that delivery. As I say, since the sustainable timetable has been put in place, on average, there is a 94 per cent on-time running performance, delivering the certainty, security and reliability that passengers expect and demand. That is entirely appropriate. I welcome any suggestions from the member for Glass House. I welcome any opportunities for him to share information about—

*(Time expired)*

## Education, Funding

**Mr STEWART:** My question is of the Minister for Education, Minister for Tourism and Major Events. Will the minister advise the House of what actions are being taken to fight for a better deal for Queensland students at the education ministerial council meeting later this month?

**Ms JONES:** I thank the honourable member for his question. I thank him for his work as the chair of the Education, Tourism, Innovation and Small Business Committee throughout the year. We have been working very collaboratively in the interests of providing the best possible education we can for all students in Queensland. There is a growing body of evidence about the critical importance of early years learning. That is why our Treasurer, the Treasurer of Queensland, will be going down to Canberra tomorrow to take the fight up to the Treasurer of our country who is cutting funding to regulate and to expand early years education in our nation.

Despite agreement in 2009, which had bipartisan support, ensuring that every child no matter where they live in this state, no matter where they live in this country, gets the very best start in life, Simon Birmingham yesterday was complaining about the standards of education in this country while at the same time he is part of a cabinet that is cutting funding for the very critical early years of learning.

**Mr Stewart:** They should hang their heads in shame.

**Ms JONES:** They should hang their heads in shame. The worst thing that we have seen is through the payments made by the federal government to support access to child care and to kindy, which we support, they are cutting the funding to regulate this growing industry. They are cutting the funding to give assurances to every working parent, like myself, who relies on good quality child care.

Fortunately here in Queensland we did not just accept the dodgy deal from those in Canberra. I went to my colleagues, the Premier and the Treasurer, and asked for additional money because I did not think it was good enough to wash our hands of this issue. That is why we have another \$9 billion in this year's budget to boost regulation of this sector. In actual fact, in April we started a task force looking at family day care. Through our risk based matrix we have already identified that family day care is one of the areas most at risk. That is why I am very proud that our task force here in Queensland is delivering results on safety concerns of parents.

In addition to that, Queensland has the highest record compared to every other state in the country. In actual fact, we have knocked back 60 per cent of applications to become a family day care provider in this state because we will always ensure the best quality standards for our children. When it comes to the best quality standards, there has been a lot of talk about report cards here this morning. Given those opposite have started writing report cards for the first time I thought that I might table the state education department's 'how to write a report card' policy because I thought it might help them. I know they are trying to give us marks from A to E, but they might still be in prep where they have things such as 'making connections'.

*Tabled paper:* Policy document titled Department of Education and Training: Reporting to parents [2226].

**Mr SPEAKER:** Before I call the member for Burleigh, I am informed that we have the former member for Ferny Grove, Dale Shuttleworth, observing our proceedings from the public gallery.

## Renewable Energy Target

**Mr HART:** My question without notice is to the Minister for Energy. I refer to the minister's failed report card, and I will table that, and the Queensland Productivity Commission's final report into electricity prices which shows the government's reckless 50 per cent renewable energy target will require \$10.8 billion in subsidies and \$8.3 billion in forgone income, a total of \$19.8 billion.

*Tabled paper:* Document, undated, titled 'Report card: Name: Mark Bailey—Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply' [2227].

That is over \$4,000 per Queenslanders, Mr Speaker.

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

**Mr SPEAKER:** Pause the clock. I am concerned with the length of the preamble. What is your question, please?

**Mr HART:** That is over \$4,000 per Queenslanders.

**Government members** interjected.

**Mr SPEAKER:** Member for Maryborough, you are now warned under standing order 253. If you persist I will take the appropriate action. Member for Burleigh, will you please ask your question without a lengthy preamble.

**Mr HART:** That is over \$4,000 per Queenslanders.

**Mr SPEAKER:** What is your question?

**Mr HART:** How does the minister expect householders to pay this? Is it through higher electricity prices?

**Mr SPEAKER:** I call the minister and I will allow the minister latitude to answer that question.

**Mr BAILEY:** I thank the honourable member for Burleigh for the question. It was a little bit like a Judean People's Front suicide squad kind of question really. I have just been made aware of the so-called report card, which is a highly deceptive and inaccurate document.

**A government member** interjected.

**Mr BAILEY:** Another LNP lie. They say we are advocating a carbon tax, which is absolutely untrue. It is Christmas and we are getting absolute outright lies from the opposition.

**Mr SPEAKER:** One moment, Minister. I do not think the word 'lies' is appropriate. Could you withdraw that and use a more appropriate word.

**Mr BAILEY:** I withdraw. They are highly deceptive and inaccurate accusations. The opposition can make up any big numbers it likes, but we are doing the hard yards in terms of the transition to clean energy in this state. We have an independent expert panel full of energy specialists who outlined three different pathways. They estimate the highest possible likely cost is up to a \$900 million figure over 14 years.

**Mr Seeney** interjected.

**Mr SPEAKER:** Pause the clock. Member for Callide, I know you are back in the chamber. You are now warned again under standing order 253A for your interjections. I give the Deputy Leader of the Opposition latitude. You are already under notice. If you persist I will take the appropriate action.

**Mr BAILEY:** We will consider the full report when it is submitted to us and we will respond to it. We believe in the transition to clean energy.

**Mr HART:** I rise to a point of order. My question was about the Productivity Commission's report, not the expert panel report. The question was: will Queenslanders face higher electricity charges because of this?

**Mr SPEAKER:** Thank you, member for Burleigh. I have heard your question. I have allowed the minister the opportunity to answer the question with a significant degree of latitude. I call the minister.


**Mr BAILEY:** What an extraordinary little exercise to try to cover up their shocking record of allowing 43 per cent rises in electricity prices under the opposition leader. That is what today has been about.

**Mr SPEAKER:** Minister, you are now debating the point. Resume your seat. You have answered the question.

Interruption.

## PRIVILEGE

### Broadcast of Parliament, Alleged Breach of Terms and Conditions

 **Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Leader of the House) (12.08 pm): I rise on a matter of privilege suddenly arising. I refer to the broadcast terms and conditions for the broadcast of proceedings of this House. Those terms and conditions provide—

The material must only be used for the purposes of fair and accurate reports of proceedings and must not in any circumstances be used for;

- i. political advertising, election campaigning or any advertising campaign that would normally require at law a broadcaster to announce who has authorised the material;
- ii. satire or ridicule;


I note that—

Use of the broadcast material in contravention of a condition imposed by the Legislative Assembly or its committees will constitute a contempt of Parliament.

The report card distributed by the Leader of the Opposition this morning appears to use images taken from a broadcast of proceedings in breach of the terms and conditions of use. I wish to advise that I will be writing to you, Mr Speaker, about this matter.

## PRIVILEGE


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

 **Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Leader of the House) (12.09 pm): I seek to raise a further matter of privilege suddenly arising relating to the so-called report card. These matters, which have also not only been distributed more generally but tabled in the House, contain, in relation to one that was tabled by the member for Glass House repeating the tabling of the one from the Leader of the Opposition, a factual inaccuracy and I believe a deliberately misleading statement. I wish to flag that I intend to write to you about this matter.

**Mr SPEAKER:** I look forward to receiving the letter and I will consider it and make my decision.

## PRIVILEGE

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

 **Mr de BRENNI** (Springwood—ALP) (Minister for Housing and Public Works) (12.10 pm): I rise on a matter of privilege suddenly arising. I refer to the document tabled by the Leader of the Opposition earlier and the series of questions in a coordinated strategy—

**Honourable members** interjected.

**Mr SPEAKER:** Members, I wish to hear the matter that the minister is rising on.

**Mr de BRENNI:** I refer to the report card that uses—

**Mr Bleijie** interjected.

**Mr SPEAKER:** I am sorry, Minister; resume your seat. Member for Kawana, I warn you under standing order 253A for those interjections. I will take the appropriate action if you persist. Minister, please clarify the issue that you are raising.

**Mr de BRENNI:** I refer to the report card that uses the images from parliamentary proceedings in relation to the report card for the Minister for Housing and Public Works. The material contained in that and the reference there is misleading. I put it to the House that the Leader of the Opposition knew that the statements in there were false.

**Honourable members** interjected.

**Mr SPEAKER:** Members, the procedure is that if a member is already on their feet speaking to a point of order, we will hear that person and then I am happy to hear you. Resume your seat, member for Callide. If you disregard my ruling, that is a reflection on the chair and I will take the appropriate action. Resume your seat, member for Callide. The minister is already on his feet, trying to finish a point of order. I will hear him out and then I will hear you.

**Mr BLEIJIE:** I rise on a point of order.

**Mr SPEAKER:** Members, I will hear from the minister, the member for Callide and the member for Kawana in that order.

**Mr de BRENNI:** I conclude: the Leader of the Opposition knew that the matters relayed were deliberately and knowingly false and he misled the House. Mr Speaker, I will be writing to you and seeking a referral to the Ethics Committee, given that the Leader of the Opposition has deliberately misled the House with this document.

**Mr SPEAKER:** Member for Callide, what is the matter that you want to raise?

**Mr SEENEY:** My point of order is that the argument that the minister was advancing does not qualify as a matter of privilege. He is arguing a point in the parliament. It is not a matter of privilege.


**Mr SPEAKER:** Thank you. I will consider the matter. Member for Kawana, do you wish to raise a matter?

**Mr Bleijie:** No.

## QUESTIONS WITHOUT NOTICE

Resumed from p. 4842.

### Training and Skills

 **Mr PEGG:** My question is to the Attorney-General and Minister for Justice and Minister for Training and Skills. Will the minister please update the House about the recent training and skills ministerial council and any progress on the National Partnership Agreement on Skills Reform?

**Mr SPEAKER:** Minister, you have one minute.


**Mrs D'ATH:** I will be quick. Those on the other side have failed to stand up for Queenslanders when it comes to skills reform and funding for this state. Members opposite and the shadow minister for training and skills have been completely silent on the National Partnership Agreement on Skills Reform, which expires on 30 June this year. We are calling on the treasurers' meeting tomorrow to reaffirm these national partnership agreements that are expiring, giving important dollars to Queensland students and a commitment to training.

Those opposite circulated their childish sheets about report cards, but they forgot to include one grade. There is something below an F. It is N for insufficient evidence to make a judgement. That is what we think of those on the other side. There is nothing on which to make a judgement. They are void of any policies or initiatives and they do not stand up for the people of Queensland. They should be ashamed of themselves.

**Mr SPEAKER:** Thank you, members. Question time has finished.


## PRIVILEGE

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

 **Hon. MT RYAN** (Morayfield—ALP) (Minister for Police, Fire and Emergency Services and Minister for Corrective Services) (12.14 pm): I rise on a matter of privilege suddenly arising. During question time, the Leader of the Opposition tabled a document that contains material that may be deliberately misleading. I will be writing to you seeking a referral to the Ethics Committee.

## PRIVILEGE


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

 **Hon. MC BAILEY** (Yeerongpilly—ALP) (Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply) (12.15 pm): I also rise on a matter suddenly arising in relation to a document tabled by the Leader of the Opposition. Mr Speaker, I will be writing to you in regards to that document. It contains an allegation that is factually untrue, which I believe is against parliamentary standing orders. I will be raising it with you.

## HEAVY VEHICLE NATIONAL LAW AND OTHER LEGISLATION AMENDMENT BILL

Resumed from 3 November (see p. 4151).

### Second Reading

 **Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Minister for Transport and the Commonwealth Games) (12.15 pm): I move—

That the bill be now read a second time.

At the outset, I thank the Transportation and Utilities Committee for their consideration of the Heavy Vehicle National Law and Other Legislation Amendment Bill 2016. The committee has recommended that the bill be passed. Of the committee's 30 recommendations, two related to the Heavy Vehicle National Law section of the bill, with 28 covering the bill's amendments to the Transport Operations (Passenger Transport) Act. Of those recommendations, 14 are supported by the government, 12 are supported in principle, two are not supported and two require further consideration. I table the government's response to the committee's report.

*Tabled paper:* Transportation and Utilities Committee: Report No. 27—Heavy Vehicle National Law and Other Legislation Amendment Bill 2016, government response [\[2228\]](#).

The committee made two recommendations with regards to the Heavy Vehicle National Law changes. As recommended by the committee, I will consult with the National Transport Commission and the National Heavy Vehicle Regulator to encourage consideration of pre-transport stock preparation and consistent mass limit matters in future legislative amendments. I take this opportunity to thank the National Transport Commission for all its hard work in preparing the heavy vehicle amendments within the bill, as well as facilitating an extensive program of national consultation with industry and jurisdictions over the past 12 months.

The role of the industry in helping develop and continually improve the Heavy Vehicle National Law cannot be understated. I thank the industry for their detailed consideration and feedback on the bill, and for those associations that provided submissions to the committee and then appeared as witnesses. The Heavy Vehicle National Law, which commenced in February 2014, regulates the operation of heavy vehicles, including the mass and dimensions of heavy vehicles, vehicle safety standards, measures to manage fatigue, heavy vehicle accreditation, speed compliance and the use of intelligent transport systems. It also includes chain of responsibility offences, enforcement powers and administrative provisions.

Amendments in this bill will result in harmonisation between national safety laws and the Heavy Vehicle National Law through the implementation of key policy initiatives related to chain of responsibility. Chain of responsibility, in a heavy vehicle context, is about ensuring all parts of the transport and logistics supply chain contribute to safer roads. However, as it currently exists within the Heavy Vehicle National Law, chain of responsibility does not promote a proactive and systemic approach to risk identification or allow regulators to proactively address risks in the industry. In addition, there are a number of practical problems with the existing approach. Many obligations are simply prescriptive, not all parties understand how chain of responsibility applies to them and their chain of responsibility obligations are often complex and can be costly to comply with.

It is for those reasons that chain of responsibility within the Heavy Vehicle National Law will adopt the primary duties approach within the model Work Health and Safety Law and the Rail Safety National Law. The key change is to restructure the existing prescriptive chain of responsibility obligations as an overarching and positive primary duty of care on all chain of responsibility parties and executive officers to ensure the safety of their road transport activities so far as is reasonably practicable. By replacing existing prescriptive obligations with the primary duty, industry will experience a reduction in regulatory burden. This will allow operators to focus more readily on safety outcomes. The primary duty will apply to all current chain of responsibility parties as defined in the Heavy Vehicle National Law, consistent with their role in the supply chain.

This means the chain of responsibility obligations will apply to operators, prime contractors, employers, schedulers, consigners, consignees, loading managers, loaders, unloaders and packers. Due to the familiarity of concepts and terms such as 'primary duty', 'reasonably practicable' and 'due diligence' and their current application in national workplace health and safety legislation, the regulatory burden on industry regulators and enforcement agencies will decrease.

The proposed amendments will enable a more flexible, outcomes based approach to compliance and enforcement and lead to better safety outcomes. The introduction of the primary duty and chain of responsibility reforms principally impacts parties in the transport and logistics supply chain, including executive officers. I note that these amendments will be complemented by revisions to the national heavy vehicle load restraint guide. For compliant operators and executive officers who are already doing the right thing under the Heavy Vehicle National Law and their work health and safety act obligations there should not be any significant changes.

The changes are focused on safety, but they remove some of the existing prescriptive requirements, which will give more flexibility to determine how operators ensure safety when considering the risks involved with their activities. It should be noted that these chain of responsibility reforms will have a limited impact on drivers. In general, drivers who do not have an additional role under the law as defined under the chain of responsibility parties will experience limited practical impact. Owner-drivers will be impacted in their role as the operator.

In a further alignment with national safety laws, penalties for breach of the primary duty are set to align with penalties for breach of duty under work health and safety laws and the national rail safety law. Penalties for serious safety offences under the Heavy Vehicle National Law are currently significantly less than the penalties for offences under these laws.

Where people recklessly endanger others or engage in conduct that exposes an individual to the risk of death or serious injury or illness, then the highest penalties will apply. The maximum penalty for the most serious cases concerning an individual will be \$300,000 or five years imprisonment or both, while corporations will face a maximum penalty of \$3 million. These penalties are based on similar categories of risk in the other national safety laws.

The Heavy Vehicle National Law amendments in the bill also provide for the inclusion of heavy vehicle roadworthiness and vehicle standards as part of the primary duty of care for chain of responsibility parties. The extension of the primary duty obligation to include the maintenance or repair of a heavy vehicle is a new obligation and has been subject to a regulatory impact assessment process.

In other amendments, a new information gathering power, section 570A, is to be added to the Heavy Vehicle National Law. This provision is intended to give the National Heavy Vehicle Regulator, NHVR, and enforcement agencies greater ability to access information from third parties for the purposes of investigating breaches of the primary duty. This is necessary because of the change in burden of proof. As it currently stands, the onus is on the defendant to prove that they took all reasonable steps to avoid the offence, known as reverse onus of proof. Under the proposed primary duty approach, the obligation will be on the prosecution to prove each element of the offence, including that a party did not do everything reasonably practicable in the circumstances to avoid the offence.

This power aligns with the information gathering powers under work health and safety laws, and has similar checks and balances on the use of the power. These include a requirement for an authorised officer to have formed a reasonable belief that a person has the information, and that the request must be made by notice in writing. There are also safeguards to ensure procedural fairness and natural justice. As an example, information provided by an individual pursuant to section 570A cannot be used as evidence in proceedings against that individual.

Finally, chapter 3 of the bill contains a range of minor and technical drafting amendments that will help to clarify existing provisions, streamline administrative processes, reduce the regulatory burden and improve productivity for the heavy vehicle industry. I look forward to the benefits the Heavy Vehicle National Law amendments will bring to industry, road safety and the Queensland economy as a whole.

I will now turn to the amendments in the bill relating to the Transport Operations (Passenger Transport) Act and the industry adjustment assistance package for the taxi and limousine industry. The Transportation and Utilities Committee received a large number of submissions on the personalised transport reforms and the industry assistance package. The committee held public hearings on the bill across the state during October of this year, which raised a number of issues for the committee's consideration in examining the bill.

These issues primarily relate to the amount and timing of payments to the industry and the eligibility criteria to receive these payments. I thank members of the industry for the time and effort that went into making their submissions and attending the committee hearings. I would like to particularly thank those individuals who were often out of their comfort zone in making submissions to a process that they would normally not have exposure to. I appreciate the passion and sometimes great emotion with which they gave evidence to the committee.

I would particularly like to thank and acknowledge the work done by the committee's chair, the member for Kallangur, on this body of work. It is one of the most thorough and considered committee reports I have seen in this place and it is testament to his measured consideration of the issues, the stakeholders, the community and the policy. To have worked so diligently with the subject material but also, clearly, with his fellow committee members in handing down this report speaks volumes. I thank him and the committee again for this report.

The government has carefully considered the committee's recommendations on the industry adjustment assistance package and is undertaking further consultation with the industry in finalising the package to be implemented. I am pleased to be able to outline further details of this today. This package is designed to assist the industry transition to a new regulatory framework for personalised transport services in line with the industry reforms announced by the Queensland government on 11 August 2016. The first stage of the reforms involved immediate regulatory changes to legalise ride booking in Queensland from 5 September 2016. The second stage, which will introduce comprehensive industry reform through changes to primary legislation, will be implemented from August 2017.

The government is confident that this assistance package strikes the right balance between supporting the industry through the transition and the government's fiscal responsibilities. We have listened to the industry and tailored the available funding to reflect their feedback. The total funding available for the assistance package will not increase, as any additional funding would be at taxpayers' expense. Further, we believe that a user-pays levy on personalised transport trips is not supported for the reasons given in my introductory speech on this bill.

The current bill before the Legislative Assembly facilitates the industry adjustment assistance package, the main components of which are transitional assistance and hardship payments. The amendments in the bill provide a legislative framework for administering these payments ahead of the comprehensive industry reforms that we have flagged in stage 2. I will ensure that these payments are made to the industry as soon as possible. Subject to the passage of this bill and the approval of regulatory amendments by the Governor in Council, it is expected the government will be in a position to send invitations to eligible taxi and limousine licence holders regarding the transitional assistance in December to enable payments shortly thereafter.

The government is currently finalising arrangements with the Queensland Rural Adjustment Authority to administer the payments. This approach echoes the recommendation of the committee. The \$100 million industry adjustment assistance package includes \$86.7 million for transitional assistance and hardship payments. An immediate payment of \$20,000 for each taxi service licence capped at two licences per holder will be made pending the passage of supporting regulations. An assistance payment of \$10,000 for each limousine service licence, excluding special purpose limousine licences, will also be made.

I can announce, based on the recommendations of the committee, that all ownership structures will be eligible for transitional assistance payments, including individuals, trusts, companies and superannuation funds. I want to acknowledge the committee for highlighting the complex nature of taxi ownership and operation structures. It is important that transitional payments reach those who most need it, including those who have taken steps to incorporate or purchase a taxi licence as an asset in their superannuation fund.

The remaining value of this pool, in excess of \$26.7 million, will be distributed as hardship payments. As noted in the government response, we are continuing to work with the industry to finalise the eligibility requirements for the hardship fund. I reiterate the government's desire for these payments to target those sections of the industry for which the funding is titled—that is, those owners and operators who have been hit hardest by the market transformation of the industry. I am committed to working with the industry reference group to determine the appropriate criteria for distributing these payments. The engagement of the Queensland Rural Adjustment Authority will be crucial in this process.

I can also announce to the House that I intend to move an amendment to the bill during the consideration in detail stage to broaden the regulation-making power to include operators within the taxi and limousine industry in addition to licence holders. This will allow flexibility to make hardship payments to a wider range of industry participants affected by the reforms.

Business advisory services will be provided to the industry as an important part of the assistance package. The amount of \$3.7 million has been allocated to these services to help taxi and limousine businesses adapt to changes in the industry, capitalise on new opportunities and remain competitive in the market. These reforms are about creating a sustainable personalised transport industry into the future. I believe the availability of business advisory services to the industry is a critical component of this package. In a period of significant change for the industry, it is important that those owners and operators who do not have access to the resources of large operators are appropriately supported.

The Queensland government will ensure the design of this aspect best suits the needs of the industry. As recommended by the committee, active consideration is being given to including legal assistance and advocacy support to assist industry participants in their negotiations with financial lending institutions regarding loans for licences. This is an area of the package that I feel particularly strongly about and I mirror the committee's desire to see this expanded. I am a believer in the power of knowledge and empowering small businesses to be armed with the tools they need to compete with larger players. I thank the Minister for Small Business for her support during the shaping of this package.

The industry adjustment assistance package also includes \$4.3 million in fee waivers and reimbursements—over \$2.8 million of which has already been received by existing industry participants. I note the concerns raised by the committee in relation to reports that lending institutions are foreclosing on taxi licence loans and the ability for people from within the industry to access Commonwealth social security benefits. I can advise the House that I have written to the Commonwealth Minister for Finance and the Commonwealth Minister for Social Services raising these issues.

The committee also identified the need for ongoing consultation with the industry on the industry adjustment assistance package and the broader personalised transport reform program. The government will continue to work with the industry including through the Personalised Transport Industry Reference Group. This consultation will be undertaken in finalising the administration of industry adjustment assistance and in developing the new regulatory framework in stage 2 of the reforms. A comprehensive communications strategy is also being developed to support the implementation of the package and a further strategy will be developed for the introduction of stage 2 reforms next year.

Another important issue raised by the committee is the accessibility of personalised transport to people with a disability. The Queensland government is committed to ensuring that people living with a disability have access to a range of transport options. The industry adjustment assistance package includes \$5.6 million to incentivise wheelchair accessible services by assisting with the additional time

and training needs associated with their delivery. The \$5.6 million will fund the first full year of this initiative, but it is intended that this payment will continue into subsequent years subject to the normal budgetary processes. I am pleased to be able to advise that this incentive payment for drivers of wheelchair accessible taxis will be implemented from 12 December 2016. Eligible journeys will receive a \$20 payment, inclusive of GST, per journey for services provided to Taxi Subsidy Scheme members.

It is a priority of the Palaszczuk government to ensure that vulnerable members of our community continue to have access to services, ensuring their mobility and social inclusion. The stage 2 reforms will include the investigation of new opportunities for personalised transport operators to provide services to people living with a disability, including members of the Taxi Subsidy Scheme. There will be ongoing consultation with representatives from the disability sector to determine how best to meet their needs. We have ensured that a representative of the disability access sector is a standing member of the Personalised Transport Industry Reference Group for this very purpose. The government will also continue to monitor the provision of personalised transport services to people living with a disability. If evidence indicates that government intervention is needed to maintain or enhance the availability of services, appropriate options will be examined.

The committee also considered various aspects of stage 2 reforms proposed to be introduced next year and recommended that certain matters, such as changes to the licensing framework, compulsory third-party insurance, security camera requirements and penalties for noncompliance be brought forward urgently. While the government recognises the need to provide certainty to the industry, these matters are complex and require detailed policy consideration and consultation before any necessary legislative amendments are progressed. It is not feasible to bring the time frames forward for the implementation of stage 2 reforms. However, the work of the committee directly feeds into that policy work. When legislation is presented next year on the second stage of reforms, it will be further enhanced and informed as a consequence of the committee's comprehensive report.

To demonstrate the government's commitment to the continued protection of rank-and-hail services to the taxi industry, I can announce that I intend to progress an urgent regulation to increase the fine for illegally stopping in a taxi zone from \$48 to \$243. This change builds on recent increases to fines for related offences of soliciting and touting and providing an unlicensed taxi service and will support effective enforcement of illegal activity by ride-booking services. The government will continue to ensure that the penalties for these offences are set at the appropriate level to ensure that they provide an effective deterrent.


I will now turn to a number of matters the committee specifically recommended that I address in this speech. First, I will clarify why the previous requirement for taxis to have a valid safety certificate issued six-monthly has been amended to an annual requirement for all personalised vehicles. Road safety crash data indicates that the risk rating for taxis and limousines is lower than it was when the six-month requirement was first introduced. This is partly due to the use of modern vehicles, which have improved safety technologies that reduce the likelihood of an accident and the severity of injury in the event of a crash. Additionally, the overall risk rating for the taxi industry is lower than other industries using heavy vehicles, which are subject to 12-monthly programmed inspections. These changes do not remove the longstanding requirement that all vehicles are in a safe and roadworthy condition at all times.

The committee also recommended that I clarify whether the term 'personalised transport vehicle' will be defined in passenger transport legislation. It is not the government's intention to define this term. The personalised transport reforms are focused on services provided in either a 'taxi' or a 'booked hire vehicle', with these terms currently defined in the legislation. It is not proposed to introduce the more generic term 'personalised transport vehicle' because the stage 2 legislation is intended to introduce a new regulatory framework for taxis and booked hire vehicles, including limousines, only.

Finally, the committee recommended that I provide an analysis of the revenue impact of ride-booking services on the Queensland public transport sector. While this data is not currently collected by the Department of Transport and Main Roads, it has been discussed and encouraged at the Personalised Transport Industry Reference Group that ride-booking platforms provide open data on ridership figures to improve policy planning. The issue of data collection in relation to ride-booking services is something that will continue to be explored through stage 2 of the reforms.

I can confirm that, since the announcement of the personalised transport reforms on 11 August this year, the number of driver authorisation holders entitled to provide personalised transport services has increased by approximately 3,500. The consequential revenue increase of approximately \$490,000 is primarily used to offset the cost of processing applications, undertaking criminal history checks on drivers and administering the driver authorisation scheme.

The Queensland government is introducing a new framework to deliver certainty to the personalised transport industry and increased choice for customers in Queensland. The reforms are designed to support a competitive and sustainable industry for the benefit of Queenslanders. I ask members to support this bill to enable the government to administer and distribute financial assistance to the taxi and limousine industry as soon as possible. In short, these amendments and the small amendment I will move during consideration in detail allow for the provision of transitional payments to traditional taxi licence holders and operators. That is the only question before the House in this bill. I am pleased to commend the bill to the House.

 **Mr POWELL** (Glass House—LNP) (12.39 pm): I, too, rise to contribute to the second reading debate on the Heavy Vehicle National Law and Other Legislation Amendment Bill 2016. As I think the minister alluded to, this bill is really a tale of two cities. There are the rather uncontentious matters contained in the amendments to the Heavy Vehicle National Law but also the very different and unrelated issues to be considered through the other legislative component of this bill. I want to turn my attention first of all, as the minister did, to the amendments to the Heavy Vehicle National Law.

The LNP has a longstanding record of supporting national heavy vehicle reforms. During our time in government we introduced and passed the original Heavy Vehicle National Law, which had lapsed in the previous parliament. We supported the National Heavy Vehicle Regulator setting up in Queensland because we know just how important the trucking industry is for our state. These reforms also have the support of the trucking industry, including peak bodies, which want the standardisation of heavy vehicle laws and regulations around the operation of the heavy vehicle industry including road network access, mass and dimensions, fatigue management and safety accreditation.

It is fair to say that the process has not been without its hurdles. As many members would know, the regulator initially faced difficulties regarding access for heavy vehicles. I believe progress has been made but it is not yet perfect. The Local Government Association of Queensland has been assisting the regulator in supporting councils which need to access applications on local roads, but issues still remain around the movement of oversized and overmass vehicles as well as specifically heavy agricultural vehicles, especially around harvest time. These harvesters and tractors are critical to our agricultural industry. Whilst I know there is a lot of goodwill and plenty of effort underway to solve these issues, perhaps the minister could give the House an update when he sums up the debate later this afternoon on how the resolution of those issues is progressing.

The amendments proposed in the bill primarily seek to modify chain of responsibility provisions and make a number of minor tidy-up alterations. The reformed chain of responsibility provisions go to the heart of safety and accountability in the trucking industry. This duty of care approach has been adopted in other national safety laws such as the model Work Health and Safety Act.

Each party in the chain of responsibility has a primary duty of care to ensure safety. Breaches of this care will attract penalties. A positive due diligence obligation on executive officers is also introduced in relation to the new primary duties obligation. Due diligence for executives includes taking reasonable steps to acquire and keep up-to-date knowledge about the safe conduct of transport activities. It is important that every person along the chain is accountable for their responsibilities. Safety is everyone's responsibility and everyone must be aware of the hazards and risks associated with those activities. The changes shift the burden of proof for chain of responsibility offences from the defendant who previously had to prove to the prosecution they took all reasonable steps to avoid the offence to prove that everything reasonably practical was not done to avoid the offence.

The bill also includes a range of minor technical amendments to reduce the administrative burden on the heavy vehicle industry and clarify existing requirements outlined in the HVNL. When appearing before the committee, Gary Mahon, the CEO of the Queensland Trucking Association, who at the time was representing the Australian Trucking Association, supported the changes. The ATA had made recommendations as to further changes, reforms and clarifications but concede they can be made in a future iteration of amendments due to the complex and time-consuming nature of making national legislative change. Mr Mahon said—

In prosecutions for breaches of this duty, the authorities would have to prove their case beyond reasonable doubt, which is entirely reasonable. This approach is in line with the fundamental principles of our criminal law. Individuals should not have to prove that they are innocent. The change in the burden of proof would be accompanied by a substantial increase in maximum penalties to match the work health and safety law and increase the investigative powers. The ATA supports these amendments which have to be considered together as a package. It is reasonable for the change in the burden of proof to be accompanied by stronger powers so investigators can gather enough evidence to establish a case beyond reasonable doubt. The increase in maximum penalties is also appropriate, but it is only acceptable because of the shift to conventional liability.

I am pleased to share with the House that the LNP will be supporting the amendments to the Heavy Vehicle National Law.

I now want to turn to the other legislative aspects of this bill; namely, the changes to the Transport Operations (Passenger Transport) Act 1994. The changes in this bill create a head of power for the Palaszczuk Labor government's taxi and limousine industry assistance package but, like everything the Minister for Transport has touched, this is flawed and botched policy. It has been bungled from the beginning.

To be fair, he has had some help in botching this, because it first took the Deputy Premier when she was transport minister nine months before she did anything despite the Queensland taxi strategy expiring and drivers, operators and passengers increasingly uncertain about the future. Did the Deputy Premier have any plan or vision for what needed to change in the personalised transport laws which regulate the industry? No. In true Palaszczuk Labor government style she announced—wait for it—a review; not action, just another review. When the now transport minister received the outcomes of that review—a review that so many stakeholders across the industry said was a farce and a charade—he chose to deregulate the taxi industry across the state with no immediate compensation and with an anticipated 18-month-long legislative agenda before he would even remotely achieve a new even playing field. It is those two elements that infuriate our state's taxi and limousine licence owners and operators the most—fair compensation and an even playing field.

That policy decision by the Minister for Transport and the Palaszczuk Labor government—this bill before the House—is a kick in the guts to our taxi licence owners and operators, to our limousine licence owners and operators, and to the values that Queenslanders hold dear and the LNP holds dear. Like nearly all Queenslanders, the LNP believes in reward for effort and that hard work is recognised. We believe in small business like the mum-and-dad taxi and limousine operators across the state. We certainly do not believe governments should act like a bully, pulling the rug out from established industries and putting financial stress on their enterprises.

Let me be clear: the LNP also welcomes competition but there must be fair compensation and a fair and level playing field for the personalised transport industry. Unlike the Labor Party, we fundamentally believe in the property rights of Queenslanders. Labor, however, has thrown out the rule book on Queenslanders' property rights and, as we see in their policy and this bill, refuse to offer fair and reasonable compensation.

We should not be that surprised because this minister has form. He pushed through his first tranche of regulatory changes with very little consultation. We in the LNP were alarmed by some of the issues raised with us by stakeholders in that piece of regulation, and it was up to the LNP to move a disallowance motion on the provisions that this lazy minister did not think through properly—the provisions that unacceptably put passengers at risk.

The Palaszczuk Labor government has been arrogant and dismissive of those affected by their policies. One group which has particularly felt forgotten and neglected in this debate and by this government are the limousine licence holders. I want to share with the House some of their stories, written by them. Jacqui from Doolandella wrote to me about how she has been affected by the way this minister has handled this issue. She said—

After the break-up of a 17-year marriage I found myself a single mother in my 30s, one child with a disability and another with a seizure disorder and brain tumour. Needless to say, I have been through my fair share of troubles. My ex-husband lives in another country and offers no form of support. My capacity to work has been and still is limited due to the care of my children and especially my son with a disability. I struggled financially and had to twice draw money from my super in times of hardship.

Things got a little easier in the last few years with my children getting older and all of the therapy I put my son through starting to show results. Now in my 40s I was worried about my lack of retirement planning so I entered into what was thought to be a fairly safe entry level investment of purchasing a limousine licence. This was secured by my home and has a 10-year loan with repayments being \$800 per month. The licence cost \$72,500. I was receiving \$700 a month for the lease of the licence and paying the difference in my loan. My licence is now a worthless piece of paper that I have to pay \$800 per month to the bank for loan repayments. This severely impacts our family life.

The day the government legalised rideshare on 5 September 2016 the need for a limousine licence ceased. The proposal says that I may be entitled to a \$10,000 transitional payment sometime in the future. I do not know what the Palaszczuk government thinks I am transitioning to. Perhaps it's poverty.

These were perpetual licences sold by the Queensland government. If these licences cease to exist, then a fair price buyback is required or similar compensation in the next reforms. I am counting on the members of the Queensland parliament to do what is right and insist that the Minister for Transport develop a fair passenger transport reform that will not leave me and my children in a state of hardship.

I will also share the story of Martin and Patricia, 90 and 89 years old respectively, from Forest Lake. They said—

We were brought up in the years of World War II. We have lived through the Depression. We have raised nine children, struggled through the difficult times and enjoyed the peaceful joy of our lives with our family. We worked hard in our own nursery business during our working years and invested in five limousine licences to fund us through our retirement. The lease from these licences was not grand but it has been enough to support our simple life and achieve our responsibility of being self-sufficient.

If the current proposals for the passenger transport reform go through, our income will be completely extinguished with no chance of ever being recouped. Our licences will be cancelled. The government proposes to give us a \$10,000 assistance payment for each of our licences. Being 90 years old, we are not physically or mentally able to invest these funds into another venture. The only option we would have would be to bank that money. On the current interest rate on my bank account, I will earn \$1,125 per annum. That means we have gone from \$32,400 to \$1,125 a year in income.

As our health is starting to fail, we are requiring extra support for our basic needs. I implore the government not to take away our income. Please be fair to your senior citizens.

Through the committee process, we also heard from taxi licence holders and the pain that this Palaszczuk Labor government has caused them. Anne Awabdy spoke to the committee in Brisbane about her family's investment in taxis and her concerns about the future. She said—

Our story is very similar to that of many new Australians. Queensland has benefited from a very safe, very reliable taxi system. The regulations and standards to protect both the drivers and the consumers have been put in place over many years. The bill removes those protections and destroys the livelihoods of over 2,000 Queenslanders, who have spent their lives and their life savings serving Queensland in their small businesses.

My husband worked for years 12 shifts a day, seven days a week. That is over 100 hours a week and that is not unusual for a taxidriver. He started that in the 1970s, I believe, and in the 1990s he put a deposit down on a taxi licence. When he first started driving a taxi there was no way in the world that he could even dream of purchasing a taxi licence. He did that in the 1990s. It was not an easy life at all, but he took great pride in the hard, honest work and the contribution that he made to getting people home safe. On a number of occasions, he was physically assaulted, including having a number of ribs broken when attacked by three men. He was always driven by a desire to be financially independent and not rely on welfare. It was our expectation that the taxi licence would continue to provide an income. No way would he have worked so hard to the detriment of his own health if he had known that everything that he had worked so hard for was going to be unfairly ripped away.

Queensland now has taxidrivers struggling to survive, or leaving the industry to go on Centrelink payments.

Taxi licence owners in the regions are also hurting thanks to the action of this minister and this government. The committee heard from Trevor Moore in Mackay. Trevor is a taxi licence owner and operator as well as a driver. Let me read from his evidence to the Transportation and Utilities Committee. He said—

My partner, Lyn, and I own one taxi licence which is an unrestricted wheelchair accessible taxi. We purchased the licence in 2003 and it is operated in the Whitsunday region of the Mackay Taxis service area. This was seen as a long-term investment that would appreciate in value over time and form a substantial part of our retirement fund, but sadly this appears to no longer be the case. We are also operators and we both drive on a regular basis which allows us to see the industry from all levels. We are a small business and like all businesses, regardless of their size or what they do, they must have a sustainable business model to work to in order to continue into the future.

The upheaval and uncertainty that is currently experienced by the taxi industry is 100 per cent the result of the state government's decision to totally deregulate the taxi industry over the next couple of years. That is my belief. This government policy, which would have to rate as one of the worst thought-out and even worse implemented policies ever seen, will see the complete demise of the taxi licence from what was a valued asset of the owner's to nothing.

The Palaszczuk Labor government's deregulation of the industry has hurt hardworking Queenslanders and has shown disrespect for values that Queenslanders hold dear, but it does not stop there. The Palaszczuk Labor government is causing further distress by adding more uncertainty and by again refusing to consult. Nobody knows exactly when the government's next proposed tranche of legislative and regulatory reform will go ahead or what it will look like. I am not sure if the transport minister even knows what is going to be happening next. It is unacceptable that the government refuses to give any dates or details to provide certainty to the taxi industry. The government cannot continue to operate like this. The government cannot continue to trash our taxi and limousine industry.

With respect to the bill, we are particularly concerned that this minister is setting up his compensation package without outlining the specific eligibility criteria for those receiving payments. He has flagged what we consider to be an unfair cap of two licences to receive transitional payments, and the minister has ruled out mum-and-dad investors whose licences are held in family trusts and companies. Licence owners have varying reasons for having licences in different financial structures, whether they be a small company or a trust. They still bought and paid for their licences, fair and square.

Similarly, the cap on compensating only two licences should be removed. I note the minister stated any increase in the overall \$100 million package will need to be funded by Queensland taxpayers. My question to the minister is this: who is funding the existing \$100 million? Is that not also the Queensland taxpayer? Or is there some other magic source of funding that the minister has found that he is not willing to share with the people of Queensland?

The minister promised a fair and level playing field, and it is about time he delivered on that promise. It is about time the minister detailed his plans and gave the industry a date they can work to. He needs to articulate his plans for his new licensing scheme, provide clarity around cameras in vehicles, introduce an interim—

**Mr DEPUTY SPEAKER** (Mr Crawford): Member for Glass House, are you summing up? I am trying to work out when to adjourn the debate.


**Mr POWELL:** I am happy to break for lunch now.

Debate, on motion of Mr Powell, adjourned.

Sitting suspended from 1.00 pm to 2.30 pm.


## PRIVILEGE

### Alleged Contempt of Parliament by a Member

 **Mr FURNER** (Ferry Grove—ALP) (2.30 pm): I rise on a matter of privilege suddenly arising. Mr Speaker, as the chair of the Legal Affairs and Community Safety Committee, I rise to advise you and the House of the apparent publication of evidence given at a private hearing of the committee without the committee authorising the publication of that evidence. Mr Speaker, I will be bringing the apparent breach of standing order 211 to the attention of the committee for its consideration. However, the more immediate issue is that the proof of the *Record of Proceedings* from Tuesday, 29 November 2016 contains evidence given at a private hearing of the committee. The publication of this evidence not only may be a contempt but also may breach undertakings by the committee to a witness and may raise safety concerns for that witness. I suggest that the immediate concern of the House should be to cause the removal of the reference to the evidence and quotes from the evidence appearing in the speech of the member for Southport, Mr Molhoek, at page 4616 of the proof of the *Record of Proceedings*.

## MOTION

### Alleged Contempt of Parliament by a Member

 **Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Leader of the House) (2.31 pm), by leave, without notice: I move—


That this House:

1. notes the report by the chair of the Legal Affairs and Community Safety Committee of the apparent publication of evidence given at a private hearing of a committee without the committee authorising the publication of that evidence;
2. orders the removal of the reference to the evidence and quotes from the evidence appearing in the speech of the member for Southport, Mr Molhoek, at page 4616 of the proof of the *Record of Proceedings*; and
3. prohibits any further publication of that evidence without the authority of the committee or this House.

Interruption.

## PRIVILEGE

### Alleged Contempt of Parliament by a Member

 **Mr MOLHOEK** (Southport—LNP) (2.32 pm): I also rise on a matter of privilege suddenly arising. The quote that I believe the government has raised concern about was actually from a document that was emailed to me by the witness, who is a general manager of one of the local clubs in my electorate. I had his permission to quote from that letter. I was not aware, however, that that information had been previously provided to the committee in a private, closed hearing.

## MOTION

### Alleged Contempt of Parliament by a Member

Resumed.

 **Mr SEENEY** (Callide—LNP) (2.32 pm): Mr Speaker—

**Mr SPEAKER:** You are speaking to the motion?

**Mr SEENEY:** The Leader of the House has moved a motion, so I believe I can speak on the motion.

**Mr SPEAKER:** You are speaking to the motion.

**Mr SEENEY:** This has taken us on this side of the House completely by surprise, which disappoints me. I have had a chance to have a 20-second conversation about it with the member for Southport. I would have thought that if there was an issue, the member—whoever that member was on whatever side of the House—could have been spoken to by the chair of the committee rather than trying to play some sort of a stupid gotcha game. We could have had a discussion about it and the member could have been given a chance to respond and to react. Until that is done, until that basic courtesy is extended, we will oppose the motion—not because I think the motion moved by the Leader of the House does not have credibility or because I do not think it is the right thing to do. I do not know. Until I and the member for Southport can have a discussion with the chairman of the committee, we will oppose the motion. I invite the Leader of the House to delay the consideration of the motion by the House to allow us to have that discussion. Otherwise, he will force me to oppose the motion.

**Mr SPEAKER:** Does anyone else wish to speak to the motion?

**Ms TRAD:** I rise to a point of order. I have been in this place for a while and there are quite clearly standing orders and procedures that govern how committees function and how documents are treated. That has not been adhered to in this instance. I think it is entirely—

**Honourable members** interjected.

**Ms TRAD:**—and let me say: this is not the first time—

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

**Honourable members** interjected.

**Mr SPEAKER:** Members, this is not an opportunity for a debate or an argument across the House. Member for Toowoomba North, what is your point of order?

**Mr WATTS:** My point of order is that the evidence is not clear as yet, and to suggest that it is clear is a debate and a discussion rather than a point of order.

**Mr SPEAKER:** Thank you, member for Toowoomba North. It is not a point of order. Resume your seat. You will have an opportunity to speak to the motion if you choose to do so.

**Ms TRAD:** Clearly there are standing orders and procedures that govern how documents, evidence and information considered by committees and considered by members of committees—

**Mr SEENEY:** I rise to a point of order. The Leader of the House has moved a motion, so there is a question before the House. The member for South Brisbane rose on a point of order. If the member for South Brisbane wants to speak to the motion, that is a completely different thing. However, the member for South Brisbane rose on a point of order. I would like to know what the point of order is.

**Ms TRAD:** Mr Speaker, you asked for additional speakers to the motion.


**Mr Seeney:** You rose on a point of order.

**Mr SPEAKER:** Member for Callide, my understanding is that the Deputy Premier rose as a speaker to the motion.

**Ms TRAD:** That was my intention. That was clearly my intention.

**Honourable members** interjected.

**Mr SPEAKER:** Members, we are not going to have an argument here. I called any other speakers who wished to speak to the motion. I will check *Hansard*. I call the Deputy Premier. The Deputy Premier is speaking to the motion. If anyone else wants to speak to the motion, will you please indicate by giving me your name in advance so we can make sure you do not get lost on the speaking list.

 **Hon. JA TRAD** (South Brisbane—ALP) (Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment) (2.37 pm): Mr Speaker, for clarification, I was responding to your request for further speakers to the motion. If I inadvertently said, 'I rise to a point of order,' I was mistaken. I am speaking to the motion.

I reiterate: I have been in this place long enough to know that the courtesy of notice has never been extended by those opposite. Clearly there are procedures and standing orders that govern how documents, information and evidence are treated by parliamentary committees in this place. It was absolutely appropriate for the committee chair to stand in this place and to report on such a matter and it was completely appropriate for the Leader of the House to stand up and propose a motion before this House in relation to this issue.

I make the point again that this is not the first time opposition committee members have breached the rules of evidence and parliamentary committee standing orders in relation to how information is dealt with by committees in this House.

**Mr SEENEY:** I rise to a point of order. I think it is appropriate that the member for South Brisbane advises the House how she knows about what has gone on in the committee. Does she have information?

**Ms TRAD:** That is not a point of order, Jeff. You are being a wrecker. That is not a point of order.

**Mr Seeney:** It is a point of order, because you are providing information—

**Mr SPEAKER:** Member for Callide, you are warned under standing order 253A. That is a frivolous point of order. If you persist I will take the appropriate action.

**Ms SIMPSON:** I rise to a point of order. I would say that the minister is actually outside the scope of the motion that has been moved, but we do not in fact have a circulated copy of that motion. I do believe, though, that the minister is speaking outside the full scope. She is also speaking prejudicially and assuming that the matter is a done deal and is accusing the member of guilt, which I think unfortunately is well and truly outside the scope of the motion.

**Mr SPEAKER:** Thank you, member for Maroochydore. My ruling is that it is not a point of order. Resume your seat. You have an opportunity—

**Ms SIMPSON:** I would like to draw to the attention of the House that the motion did not actually mention—

**Mr SPEAKER:** Member for Maroochydore, do not speak over the top of me.

**Ms SIMPSON:** I rise to a point of order. My point of order is relevance to the motion. Could I seek your assistance, Mr Speaker, in ensuring that that motion is actually circulated to the House because it has been moved without the courtesy of the members on this side seeing the full scope of it. My understanding in listening to it is that the minister is, in fact, speaking outside the scope of that. She is speaking prejudicially in respect of the member who has been mentioned. I would ask you, Mr Speaker, to please allow that motion to be circulated in the House. I would also ask that the minister stay relevant to that and not prejudicially impose guilt on another member, which I think is well and truly over the top.

**Mr SPEAKER:** Thank you, member for Maroochydore. The wording in the motion will be circulated before the debate concludes, and as soon as I receive it I will make it available to all members. I call the Deputy Premier.

**Ms TRAD:** I will remind the member for Maroochydore that I did follow after the contribution made by the member for Southport in relation to this matter. Let me say again that the chair of the committee was well within his rights and did what was appropriate in terms of bringing to the attention of the chamber the issue regarding how certain evidence was dealt with by a member of that committee. It was entirely appropriate for him to do that. I will remind those opposite that, in terms of extending courtesies around notices, they need only look at the years 2012 to 2015 in this place and analyse their own behaviour before they come in here acting like absolute hypocrites.

**Mr SPEAKER:** I call the member for Callide. You are speaking to the motion?

**Mr SEENEY:** No, Mr Speaker, I have already spoken to the motion. I rise on an amendment.

**Mr SPEAKER:** What is your amendment?

**Mr SEENEY:** I move—

That the motion be amended to add the words 'and that this motion lay on the table of the House for a period of two hours to allow it to be circulated in writing to all members of the House and to allow members of the House to understand what the motion entails.'

**Mr HINCHLIFFE:** I rise to a point of order. That is an entirely illogical piece of parliamentary practice. How can we vote on a motion that provides a procedural action? If you are voting for it you are obviously agreeing to it, but with an amendment which says that it somehow lays on the table for some period of time is entirely illogical and I suggest that you should rule the amendment out of order.

**Ms SIMPSON:** I rise to a point of order.

**Mr SPEAKER:** One moment, member for Maroochydore. I am taking some advice and then I will call you on your point of order. First, I would like to comment that, member for Callide, you have already spoken to the motion. You are not able to move an amendment, so your amendment has no standing. The motion that is being moved by the Leader of the House—

**Mr SEENEY:** Therefore, Mr Speaker, I rise on a procedural motion. I move—

That the motion moved by the Leader of the House lay on the table of the House for a period of two hours to allow—

**Mr SPEAKER:** Resume your seat, member for Callide. I am taking advice. Member for Callide, if your intention is to delay the vote on this motion, someone else must move that the debate be adjourned.



**Mr POWELL** (Glass House—LNP) (2.43 pm): I move—

That the debate of the motion be adjourned for two hours.

Division: Question put—That the debate of the motion be adjourned for two hours.

**AYES, 44:**

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

**KAP, 2**—Katter, Knuth.

**INDEPENDENT, 1**—Pyne.

**NOES, 42:**

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

**INDEPENDENT, 1**—Gordon.

Pair: Russo, McArdle.

Resolved in the affirmative.

**Mr SPEAKER:** The debate on this matter will resume at 4.50 pm.

## LOCAL GOVERNMENT ELECTORAL (TRANSPARENCY AND ACCOUNTABILITY IN LOCAL GOVERNMENT) AND OTHER LEGISLATION AMENDMENT BILL

### Introduction



**Hon. JA TRAD** (South Brisbane—ALP) (Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment) (2.50 pm): I present a bill for an act to amend the Associations Incorporation Act 1981, the Building Act 1975, the Local Government Electoral Act 2011, the Planning Act 2016, the Planning and Environment Court Act 2016, the Planning (Consequential) and Other Legislation Amendment Act 2016 and the Sustainable Planning Act 2009 for particular purposes. I table the bill and the explanatory notes. I nominate the Infrastructure, Planning and Natural Resources Committee to consider the bill.

*Tabled paper:* Local Government Electoral (Transparency and Accountability in Local Government) and Other Legislation Amendment Bill 2016 [[2229](#)].

*Tabled paper:* Local Government Electoral (Transparency and Accountability in Local Government) and Other Legislation Amendment Bill 2016, explanatory notes [[2230](#)].

Queenslanders expect transparency and accountability from their candidates at every level of government, and transparency and accountability are paramount when it comes to political donations. In February 2015 the Premier made a commitment that the Palaszczuk government would work with the Electoral Commission of Queensland and others to develop a system for real-time online disclosure of electoral donations. In July this year the Premier announced that the government would implement real-time online disclosure of electoral donations to allow for greater transparency during state and local government elections.

I am now pleased to introduce this significant reform package for local government elections. It delivers on our commitment by paving the way for the real-time online disclosure of donations so that Queenslanders will be fully informed about donations before they head to the polling booths. It directly addresses the recommendations of the Crime and Corruption Commission in its December 2015 report titled *Transparency and accountability in local government*.

**Madam DEPUTY SPEAKER** (Ms Farmer): Order! There are a lot of members standing around and talking in aisles. Could I ask members to take their seats, and if they need to have a conversation can they please take it outside of the chamber. I can barely hear the Deputy Premier and it is very distracting.

**Ms TRAD:** It represents another big step by this government in ensuring that Queensland is amongst the most progressive, open and transparent political systems in the country. Once again, the Palaszczuk government is ensuring that integrity and accountability are cornerstones of our electoral process.

The CCC report concluded that governance around local government electoral donations was confusing and did not clearly outline how campaign funds and donations should be treated. It made six recommendations for legislative reform to improve transparency and accountability in local government electoral disclosure requirements and to further remove inconsistencies and confusion.

On 20 July 2016 I tabled the government's response to the CCC report. The response was informed by a review panel which included representatives of the Local Government Association of Queensland, the Electoral Commission of Queensland and state agencies. The government response supported the CCC's recommendations 1 to 4 and part of recommendation 5. To implement the government's response to recommendation 1, the Department of Justice and Attorney-General will progress separately to this bill's amendments to the Associations Incorporation Regulation 1999. These proposed amendments will address the CCC's concerns about the use of official titles such as 'mayor' in the name of incorporated associations. To implement the remaining CCC recommendations the bill includes a suite of key measures which will achieve the following:

- clarify that incorporated associations cannot be used to receive or hold electoral campaign funds which are intended to be applied for a member's benefit, either directly or indirectly;
- make the disclosure of donations more contemporaneous with the receipt of the donation by the candidate—

**Madam DEPUTY SPEAKER:** Order! I am sorry, Deputy Premier. I am finding it really hard to hear what the Deputy Premier is saying. I again ask for members to either take their conversations outside or keep their conversations to an absolutely necessary minimum.

**Ms TRAD:** I repeat:

- make the disclosure of donations more contemporaneous with the receipt of the donation by the candidate and others required to make a disclosure;
- provide for the implementation of a real-time online system to disclose local government election donations, consistent with the state system;
- set the candidate and third-party election disclosure donation threshold at \$500 to align with a councillor's register of interest gift disclosures threshold;
- require unspent campaign donations to be either held for future campaign expenditure, returned to the relevant political party or transferred to a registered charity; and
- provide that a candidate's account can only be used for gifts and loans received and expenditure made for campaign purposes.

Subject to the bill being passed, amendments to the Local Government Electoral Regulation 2011 will be proposed to implement local government real-time online electoral donation disclosure, consistent with proposed amendments to the subordinate legislation governing state elections. For this reason, the provisions of the bill that provide for the contemporaneous disclosure of returns will commence by proclamation.

The government is also taking the opportunity to amend the Local Government Electoral Act 2011 to clarify that the ECQ may continue to recover from local governments the indirect costs associated with the conduct of local government elections. This amendment aligns the legislation for state and council elections. These amendments build on the government's reforms of the legislation applying to state elections. They will ensure that Queenslanders can have confidence in the accountability, transparency and integrity of the donation disclosure requirements for council elections.

The bill I introduce today also contains amendments to the Sustainable Planning Act 2009, the Building Act 1975, the Planning Act 2016, the Planning (Consequential) and Other Legislation Amendment Act 2016 and the Planning and Environment Court Act 2016 to address particular issues in three areas.

Firstly, the bill addresses concerns raised as a result of decisions of the Planning and Environment Court and the Court of Appeal in a series of cases concerning the relationship between local governments and private building certifiers. The first two of these cases established that if the matters in a development application to a certifier could be dealt with either by the certifier or through a referral to a local government then a separate preliminary approval from the local government was not required, notwithstanding that the development may have been assessable under the local government's planning scheme. These decisions caused concern among local governments, which had always assumed that they were entitled to give a preliminary approval for any building work assessable under the planning schemes before an application for the work was made to a certifier regardless of whether they were also entitled to receive a referral for the work from the certifier.

The decision also left open the question of whether local governments could require a development application for building work that could not be assessed by a certifier or through a referral. These concerns have now been considered in a further Planning and Environment Court decision, which confirms that a second development approval from a local government is indeed required under these circumstances.

In all, the court's findings provide a broadly sound approach to addressing the interests of different parties in building work. However, I consider it necessary to clearly establish the elements of the approach in Queensland legislation as a basis for common understanding.

Also, the decisions leave open some questions which need to be addressed, such as the order in which any development approval should be obtained and the treatment of building works subject to impact assessment. Consequently, the bill amends the planning and building legislation to:

- confirm the circumstances under which two approvals for building work are required and those in which only one approval is needed;
- for building work requiring more than one approval, establish the order in which the approvals should be obtained; and
- clarify the responsibilities of certifiers to await approvals from local governments before finalising their own assessments.

In doing so, the bill seeks to minimise duplication between local government development approvals and the need for certifiers to subsequently refer matters to local governments. However, it is likely that further reductions in duplication can be achieved through detailed attention to referral triggers under the regulations. Further, development of and consultation about these triggers will be undertaken before the Planning Act 2016 and accompanying regulation come into effect next year, to ensure the potential for duplication is minimised.

Secondly, the bill seeks to bring forward three reforms contained under the new planning legislation into the Sustainable Planning Act 2009 to ensure their implementation as soon as possible. These reforms are:

- the reformed costs arrangements under the Planning and Environment Court Act 2016 which provide a more balanced and just approach to the Planning and Environment Court's consideration of costs and restore, as per our election commitment, the legal rights of residents to appeal planning decisions without the fear of having hundreds of thousands of dollars in costs awarded;
- the ability for a temporary local planning instrument to have immediate effect with the minister's approval. This will provide valuable implementation support to local governments by allowing for the immediate protection of local matters that might be under threat, such as protecting local heritage buildings from inappropriate demolition or destruction; and
- coupling the immediate commencement of temporary local planning instruments with an increase in penalties for development offences from 1,665 penalty units to 4,500 penalty units to deter inappropriate and unlawful development activity.

As the recent demolition of two dwellings at Norman Park in the character area of the council's planning scheme reminds us, the sanctions for unlawful development must evolve to reflect community values, otherwise the temptation to wilfully destroy our valuable built character will remain. Early implementation of these penalty increases is essential to send a strong message to developers on the community's behalf that such behaviour will not be tolerated.

Finally, the bill includes several amendments of a technical or clarifying nature that respond to issues raised during the training and education program for the new planning legislation. Some examples are ensuring submitters are provided with decision notices about applications to change

development approvals in a timely way; ensuring community submissions in relation to a development approval are considered in subsequent applications to change the approval if the change application is made within a year of the approval being given; and extending the ability to seek a negotiated decision notice to applications to change existing development approvals. The introduction of this bill enacts important reforms identified by the CCC. It strengthens electoral accountability and transparency in Queensland local government elections, it extends greater protections for sites of local heritage significance and it strengthens our planning system and protects the community's right to have a say in development matters. I commend the bill to the House.

### First Reading

**Hon. JA TRAD** (South Brisbane—ALP) (Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment) (3.01 pm): I move—

That the bill be now read a first time.

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

Motion agreed to.

Bill read a first time.

### Referral to the Infrastructure, Planning and Natural Resources Committee

**Madam DEPUTY SPEAKER** (Ms Farmer): Order! In accordance with standing order 131, the bill is now referred to the Infrastructure, Planning and Natural Resources Committee.

### Portfolio Committee, Reporting Date

**Hon. JA TRAD** (South Brisbane—ALP) (Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment) (3.02 pm), by leave, without notice: I move—


That under the provisions of standing order 136 the Infrastructure, Planning and Natural Resources Committee report to the House on the Local Government Electoral (Transparency and Accountability in Local Government) and Other Legislation Amendment Bill by 7 March 2017.

Question put—That the motion be agreed to.

Motion agreed to.

## VICTIMS OF CRIME ASSISTANCE AND OTHER LEGISLATION AMENDMENT BILL

### Message from Governor

 **Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (3.02 pm): I present a message from His Excellency the Governor.

**Madam DEPUTY SPEAKER** (Ms Farmer): The message from His Excellency recommends the Victims of Crime Assistance and Other Legislation Amendment Bill. The contents of the message will be incorporated in the *Record of Proceedings*. I table the message for the information of members.

MESSAGE

VICTIMS OF CRIME ASSISTANCE AND OTHER LEGISLATION AMENDMENT BILL 2016

*Constitution of Queensland 2001, section 68*

I, PAUL de JERSEY AC, Governor, recommend to the Legislative Assembly a Bill intituled—

A Bill for an Act to amend the Criminal Code, the Evidence Act 1977, the Penalties and Sentences Act 1992, the Victims of Crime Assistance Act 2009 and the Youth Justice Act 1992, and to amend the legislation mentioned in schedule 1, for particular purposes.

GOVERNOR

Date: 1 DEC 2016

*Tabled paper:* Message, dated 1 December 2016, from His Excellency the Governor recommending the Victims of Crime Assistance and Other Legislation Amendment Bill 2016 [[2231](#)].

## Introduction

**Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (3.02 pm): I present a bill for an act to amend the Criminal Code, the Evidence Act 1977, the Penalties and Sentences Act 1992, the Victims of Crime Assistance Act 2009 and the Youth Justice Act 1992, and to amend the legislation mentioned in schedule 1, for particular purposes. I table the bill and explanatory notes. I nominate the Legal Affairs and Community Safety Committee to consider the bill.

*Tabled paper:* Victims of Crime Assistance and Other Legislation Amendment Bill 2016 [\[2232\]](#).

*Tabled paper:* Victims of Crime Assistance and Other Legislation Amendment Bill 2016, explanatory notes [\[2233\]](#).

I am pleased to introduce the Victims of Crime Assistance and Other Legislation Amendment Bill which will advance the way in which victims of crime are treated in Queensland. The bill has two main objectives. Firstly, it amends the Victims of Crime Assistance Act 2009 to implement the 15 recommendations of the final report of the statutory review of that act which was tabled in this House on 16 December 2015; make a number of amendments to the act aimed at streamlining processes and improving operational efficiency; and extend the victims of crime financial assistance scheme to all victims of domestic and family violence. Secondly, it improves support for victims of sexual assault during the legal process by introducing a sexual assault counselling privilege to implement recommendation 130 of the Special Taskforce on Domestic and Family Violence in Queensland in its report *Not now, not ever: putting an end to domestic and family violence in Queensland* and amending the special witness provisions in the Evidence Act 1977.

The victims of crime financial assistance scheme established by the VOCA Act commenced in December 2009, replacing compensation based schemes under the Criminal Offence Victims Act 1995 and the Criminal Code. The VOCA Act aims to provide victims with timely assistance to help them recover from acts of violence rather than receiving a lump sum payment after a lengthy court process. In accordance with section 144 of the VOCA Act, the Department of Justice and Attorney-General conducted a statutory review of that act. The review found the financial assistance scheme provides an effective response to assist victims of crime but identified some areas for improvement and made 15 recommendations for amendments to the act. The bill implements all 15 recommendations of the statutory review as well as making a number of other amendments to the act to streamline processes and improve operational efficiency.

One of the VOCA Act's purposes is to establish fundamental principles of justice for victims that guide how victims are treated by government agencies. The bill replaces these principles with a new, plain English Charter of Victims' Rights. The charter applies to all government agencies and will extend to non-government agencies that receive Commonwealth, state or territory funding to provide support to victims of crime in Queensland. This will ensure victims receive consistent treatment across both government and non-government services. The role of the Victim Services Coordinator will be strengthened by the bill to allow him or her to help victims resolve their complaints against government and non-government agencies about breaches of the charter. The Victim Services Coordinator will better identify trends and issues and proactively help agencies implement the charter effectively.

The Palaszczuk government made an election commitment to ensure all victims of domestic and family violence can access financial assistance, even where the domestic violence was nonphysical in nature. Consistent with that commitment, the bill extends the financial assistance scheme to all victims of domestic and family violence, including victims of non-physical domestic and family violence such as emotional or economic abuse. The bill streamlines the provisions about victim impact statements by removing the provisions from the VOCA Act and placing them in the Penalties and Sentences Act 1992. Also, the bill will allow victims of offences involving domestic and family violence, including breaches of domestic violence orders, police protection notices and release conditions under the Domestic and Family Violence Protection Act 2012, to give a victim impact statement at the time of sentencing the offender. This amendment will enable all victims of domestic and family violence to fully participate in the criminal justice system and have their voices heard.

The bill will increase the amount of funeral assistance payable to the family members of a victim who has tragically died because of a violent crime from \$6,000 to \$8,000 to reflect the increased cost of funerals and to provide a higher level of assistance to these victims. Also, the bill streamlines the amounts payable to victims as special assistance, which is a lump sum payment in addition to financial assistance to recognise the impact of the harm caused to the victim. The amounts prescribed for special assistance will now be a fixed amount for each of the four different categories of offences: category A, being the most serious offences such as rape or murder, will be set at \$10,000, down to category D,

being the least serious offences, which will receive \$1,000. The bill reinforces that the financial assistance scheme is one of last resort. The bill requires victims who are eligible for payments from other sources for the same act of violence to access those other payments before they are paid financial assistance under the act.

The bill strengthens Victim Assist Queensland's information-gathering powers, including allowing it to obtain information from court registrars, the registrar of the State Penalties Enforcement Registry, the Department of Transport and Main Roads and the Queensland Police Service. The information obtained will be used by Victim Assist Queensland to decide a victim's application for financial assistance as well as to assist the state recover amounts of assistance from a convicted offender. The bill also imposes obligations on victims to notify VAQ if they receive a payment for the act of violence from another source for a period of six years after the date the financial assistance is granted. Information obtained by VAQ will be protected by the confidentiality provisions in section 140 of the act. The bill will also allow VAQ to provide confidential personal information to a person for genuine research. The bill also will establish a sexual assault counselling privilege based on the New South Wales model. This model aims to strike a balance between the right to a fair trial for an accused person and the public interest in preserving the confidentiality of counselling communications between a victim of a sexual assault and a counsellor. The privilege will cover communications made to or by a counsellor before or after a sexual assault offence which is defined to cover any offence or alleged offence of a sexual nature.

Counselling must, however, be provided in the course of the counsellor's current paid or voluntary employment. This will ensure that communications with a mere friend or confidant are not caught by the privilege. The sexual assault counselling privilege will work in two ways. Firstly, in preliminary proceedings an absolute privilege will apply. This means that, in a committal or bail proceeding, there will be no access to protected counselling communications unless the victim waives the privilege or the privilege is lost because it is made in the commission of an offence. This approach ensures that the underlying purpose of the privilege is not defeated on the basis that a party could use or rely on a protected counselling communication during the subsequent trial.

Secondly, the bill provides that a qualified privilege will apply in other criminal proceedings, including a trial, and proceedings under the Domestic and Family Violence Protection Act. This means that, unless a victim has waived the privilege or it is lost, a person wishing to access a protected counselling communication will need to apply to the court for leave. In considering whether to grant leave, the court will be required to have regard to specified criteria, which aims to balance the competing public interests of ensuring a fair trial and respecting the privacy of counselling communications. In order to provide fairness to an accused person, where the prosecution reasonably considers that it has evidence that is subject to the privilege, as part of its disclosure obligations under the Criminal Code the amendments provide that a notice must be provided to the accused stating that the prosecution is in possession of what it considers is a protected counselling communication and that an application may be made to the court seeking leave for access.

This is all about encouraging victims of sexual offences to seek help, to seek advice, to seek counselling and to not have fear in relation to divulging that information. We know that the first step in becoming a survivor is first acknowledging that the offence has occurred. We know that it is so important that people seek that sort of support. I acknowledge in the chamber here today the Minister for the Prevention of Domestic and Family Violence.

Other amendments to the Evidence Act in the bill relate to special witnesses. Currently, the court has discretion under section 21A of the Evidence Act 1977 to make a range of orders or directions to support a special witness when giving evidence, including, for example, allowing evidence to be given via a videotape recording. This bill amends the definition of 'special witness' in section 21A of the Evidence Act to provide that a victim or alleged victim of a sexual offence who is to give evidence about the commission of an offence by the alleged offender is automatically recognised as a special witness.

Amendments in the bill will commence on a date to be set by proclamation to allow for a range of implementation activities to occur, including the development of amendments to subordinate legislation and operational processes. The amendments in this bill have been developed in close consultation with key stakeholders and community groups across Queensland. I want to acknowledge those stakeholders, particularly those strong advocates and groups such as the Women's Legal Service that help so many women who are victims of sexual assault and domestic and family violence, for their ongoing advocacy for not just these initiatives but also a range of initiatives to protect and support women in the community.

The bill delivers important reforms to improve the justice system's response to victims of crime in this state and continues to demonstrate the Palaszczuk government's unwavering commitment to keeping the people of Queensland safe. I am proud to commend this bill to the House.

### First Reading

**Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (3.12 pm): I move—

That the bill be now read a first time.

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

Motion agreed to.

Bill read a first time.

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

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

### Portfolio Committee, Reporting Date

**Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (3.13 pm), by leave, without notice: I move—

That under the provisions of standing order 136 the Legal Affairs and Community Safety Committee report to the House on the Victims of Crime Assistance and Other Legislation Amendment Bill by 27 February 2017.

Question put—That the motion be agreed to.

Motion agreed to.

## HEAVY VEHICLE NATIONAL LAW AND OTHER LEGISLATION AMENDMENT BILL

### Second Reading

Resumed from p. 4851, on motion of Mr Hinchliffe—

That the bill be now read a second time.

**Mr POWELL** (Glass House—LNP) (3.14 pm), continuing: The minister promised a fair and level playing field. It is about time he delivered that for the taxi and limousine industry. It is time the minister detailed his plans and gave the industry a date that they can work to. The minister needs to articulate his plans for his new licensing scheme, provide clarity around cameras in vehicles, introduce an interim CTP classification and detail the level of training for wheelchair accessible vehicle drivers.

The lack of information forthcoming from the minister is astounding. How can he expect an industry to adjust when he provides no certainty, no dates, no deadlines and no details? Regardless of the inadequacies in this government package—and there are many—it is clear that the minister's bungling of the process means that the longer we delay passing this legislation, the longer struggling taxi and limousine owners and operators wait to access hardship payments. That simply cannot happen.

That aside, during the consideration in detail I will be moving two amendments to this bill with the intention of fulfilling more of the recommendations made by the parliamentary committee and to provide certainty for the industry. As always, the LNP has to come in after this bungling minister and clean up his mess. The first amendment goes to the heart of fairness—that licensed owners and operators deserve fair treatment and fair compensation for the impact that this government's policies have had on their property rights. This is a core value, a simple principle, that the transport minister has trashed. This minister has flagged that his compensation payments will be capped at two licences. This is an arbitrary cap—an arbitrary number. The amendment that I will move will ensure that the minister cannot introduce a cap to the industry assistance payments made to licence holders.

The minister has also flagged that only individuals who hold licences will be able to receive the transition payment, not those who hold their licence in other forms of financial structures, such as trusts or companies. Although I acknowledge that the minister has flagged that he will move an amendment to include operators, we are seeking detail and, if not, we will move an amendment that ensures that the minister cannot discriminate when distributing the industry assistance packages.

The need for these amendments has come from the fact that this government and this minister think that owners of multiple taxi and limousine licences are some sort of rich fat cats who do not deserve fair treatment or compensation for their losses. That cannot be further from the truth. Licensed owners and operators come from all walks of life: mum-and-dad investors, retirees, small business owners. They deserve to receive just recompense for all of the licences they hold.

In a stunning vote of no confidence in this minister, all the members of the committee agreed that the administration of the industry assistance package be placed with the Queensland Rural Adjustment Authority, lest the Minister for Transport get his hands on it and botch these important payments and hardship applications as well. Our amendments seek to ensure that this happens. The community has lost faith in this minister's ability to handle these reforms. The industry has lost faith in this minister's ability to manage the industry assistance package payments. Our amendments will hand the administration of that package over to the QRAA.

The members for Kallangur, Murrumba and Logan all know that this minister has bungled these industry changes. The committee's report into this bill was a damning report card on the performance of the Minister for Transport. As I have said previously, a major frustration for the industry has been the lack of detail coming from the Minister for Transport. Since the 5 September changes, no-one has heard a peep from the minister about what will be changed in the next tranche of legislation and regulation. He has given no dates as to when he will introduce this legislation and regulation or as to when it will come into effect. The LNP wants to end the uncertainty faced by the industry. It wants a chance for businesses to, compete, without the government holding them back, on an even playing field.


Our second amendment seeks to draw a line in the sand, ensuring that the minister tables his draft changes, his draft bill and regulation within three months of this bill commencing. Our amendment also wants to ensure certainty around when the new changes will come into effect, with the legislation proper to be tabled by the minister having to come into effect within six months of this Heavy Vehicle National Law and Other Legislation Bill commencing.

Unlike this Palaszczuk Labor government, we are actually consulting with industry stakeholders, not just pretending to listen to them and then doing whatever we want anyway, as the government has done. The sensible amendments that we are seeking to move have all had their root in the scathing committee report into this bill which made it clear that nobody, least of all anyone in the industry, has any confidence in this minister any more. We have consulted with the Taxi Council and other sectors of the industry on these amendments. We need to end the uncertainty and ensure we treat licence owners and operators fairly.

In conclusion, what a bungled process this has been. It is a slap in the face for hardworking Queenslanders who believe in reward for effort, who believe in core property rights, in fairness, in fair compensation and in competing on an even playing field. Again the LNP is cleaning up Labor's mess. I encourage all members to support the LNP's amendments during consideration in detail. I trust the Labor members of the Transportation and Utilities Committee will. They certainly thought they were a good idea when they recommended them in the committee's report. I state again: those most affected, those Queensland taxi and limousine licence owners and operators, have waited far too long for the compensation they are due following this Palaszczuk Labor government's decision to deregulate the industry. We in the LNP do not think they are being offered enough, but for their sake we will not oppose the passing of this bill so that they can get something—anything—sooner rather than later.

**Mr Power** interjected.

**Madam DEPUTY SPEAKER** (Ms Farmer): Before I call the member for Southport, I remind the member for Logan that he will have an opportunity to speak a little bit later on so please keep your objections to a minimum.

 **Mr MOLHOEK** (Southport—LNP) (3.22 pm): I am pleased to rise and speak in respect of the Heavy Vehicle National Law and Other Legislation Amendment Bill 2016. I acknowledge the hard work of the committee secretariat and my fellow members of the committee. It was a fairly gruelling schedule that we undertook in terms of public hearings. We conducted a hearing on the Gold Coast at the end of a sitting week when I think we were all a little weary. Subsequently, the following week we travelled to Cairns, Townsville, Gladstone, Rockhampton and then finished the week out on Friday in Caboolture and then returned back to parliament the following week for another morning of hearings.

We heard a lot of evidence. We had the pleasure of meeting with many witnesses and heard many firsthand accounts of the hardship that many taxi owners, taxidriviers and taxi organisations are experiencing as a result of this fairly rapid escalation of approving rideshare operators. This legislation

deals with two separate areas. The first area, of course, is amendments to the Heavy Vehicle National Law which simply brings Queensland in line with other states of Australia, some of whom have already applied the Heavy Vehicle National Law in each of their jurisdictions and others who are certainly in a similar position to us and are considering it. One of the core issues, as the minister said in his opening speech, was ensuring industry can operate across state borders without conflicting regulatory requirements.

In the committee report, which I am pleased to say was presented in a bipartisan manner, both sides of the House represented on that committee were only too happy to endorse the findings of the committee and only too happy to support the 30-odd recommendations that we made to the minister, most of which related particularly to the taxi and limousine industry. However, there were a couple of issues we flagged in respect of the Heavy Vehicle National Law and one of them that we particularly asked for further consideration of was simply that the minister look into and discuss with his COAG partners more acceptable or more relevant chain of responsibility provisions regarding the pre transport of stock. We saw some interesting evidence and photographs of some of the challenges that the heavy vehicle industry faced in transporting stock and some of the effluent and other issues that they have to deal with. There is still some further work to be done but we certainly support those recommendations.

In terms of the taxi and limousine industry assistance aspects of this legislation, we are certainly in support of providing urgent assistance to the taxi industry. The concern we have is simply this: that the minister in his introductory speech spoke about the first stage of reform already having commenced on 5 September this year, which was giving ride-sharing services the opportunity to operate legally in Queensland. My concern is that he has this back to front. The chronology of the matter is that on 5 September we basically took the shackles off and said to Uber, 'Go your hardest. It's a free-for-all and you can now operate legally in Queensland.' Then we said, 'Now we are going to look at what we can do to compensate the taxi industry and help them deal with some of the hardship issues that have come out of that on-the-run decision,' and then the minister has subsequently said that next year, after all the damage is done and a lot of those families have suffered significantly and the owners have lost lot of money, we are going to look at the legislation and the provisions around the taxi industry to try to make it easier and fairer for them to operate.

I suggest to the House that that process was completely back to front. We should have had a more measured approach. We should have introduced legislation that released the shackles from the taxi industry so they were more able to compete fairly and they had plenty of advanced warning and opportunity to prepare for the change. I am sure that there is no-one in the House who would not agree that disruptive media and technology, the things we are dealing with in respect of ridesharing, are very much the future. It is a struggle for governments in modern democracies in Western societies, let alone other societies, to deal with the rate of change. What we should have done is given urgent attention to making it easier for the taxi industry to survive and remove some of the shackles that all sides of government have placed over the industry over the last two, three or four decades.

Sadly, what we are dealing with now is policy on the run. The minister threw the hand grenade. There was no debate in parliament about whether ridesharing should be made legal overnight and now here we are trying to clean up the mess. Of the many people who we have met with over the last few months, I particularly want to acknowledge Professional Taxis Gold Coast and two of the owners and partners in that business, Sacha Moore and Zara Trengrove. Over many, many months they set out to educate me about some of the challenges. We had many meetings at my office and also out at Gold Coast Cabs and we spent a lot of time talking about what were some of the opportunities that the government could take advantage of in terms of legislative reform to level the playing field and give the taxi industry a fairer go.

I think it is important to understand just how big this industry is. There are some 3,286 taxi licences in Queensland. If you do the rough math and you say they are worth anywhere between \$300,000 and \$600,000 each—at least that was the going price a few years ago—it is a \$1½ billion industry we have just destroyed the balance sheet for. A lot of those families, small business operators and larger companies will struggle to recover from this.

As we come before the House today, my concern in respect of this assistance package is that it does not go far enough. We should not be delaying until next year some of the recommendations that the committee made in respect of reform. We should be dealing with both, hand in hand, in the parliament this week. I want to run through a few of the highlight issues that I made notes of during the hearings. These are some key principles that I felt were important. The first principle is that there is absolutely no doubt that we support the need for some sort of assistance for the taxi industry in

Queensland, which is why we support this bill. However, the industry needed certainty and some leadership. The industry needed us to be proactive and to create a level playing field a lot sooner than we did. Therefore, the stage 2 reforms should have been on the table this week in parliament.

We heard from taxi owners and drivers from across the state that they are doing it really tough. Some owners lease their vehicles to other people who then operate those cars on their behalf. We have heard that the typical lease payments were anywhere between \$2,800 to \$3,200 a month and lesser amounts in some of the smaller regions, but they have now dropped to less than \$1,500 a month. The owners of the licences may be trying to service the repayments on loans or may be dependent on the income from the leases to support them through their retirement, but they can no longer rely on that income to get them through. We heard from a lovely lady in Mackay. I think she is 82 years old.

**Mr KING:** Melita is 79.

**Mr MOLHOEK:** I take the interjection from the member for Kallangur. Melita came to give evidence at the hearing. She told us that she had inherited two cars from her late husband. His hope had always been that the leasing of the two taxis would look after her in her later years. However, Melita has had to go back to work. She has had great difficulty finding people who were prepared to drive the two cars. On many occasions on weekends, during the week and late at night, she drives one of the taxis herself to try to make ends meet.

**Mr Power** interjected.

**Mr MOLHOEK:** I take that interjection. I understand that there is no Uber in Mackay, but certainly there is a lot of distress in the taxi industry across Queensland. While Uber may not be directly competing with the licensed taxidrivers, because there are concerns about the rollout of Uber across the state Melita cannot sell her licences.

We heard from taxidrivers that there has been a significant drop in income, particularly in the south-east. We heard that typically drivers earn anywhere between 30 to 50 per cent less a week than they could have expected pre ridesharing. I want to quote from a letter that I received. I realise that could be dangerous, given some of the allegations made earlier today. However, this is on the public record and they were not closed hearings. The person giving evidence stated—

Let us get to the nub of this argument. Non-owning drivers, of whom there are something like 12,000 in Queensland ... derive their income in direct proportion to the revenue that is generated. This is usually 50 per cent split. I have used a direct comparison for shifts in the same car and period in 2013 and 2016 ...

He then outlined the results. In 2013, for this particular driver nine shifts would have produced an income of \$4,056. When you extrapolate it out, the driver was earning about \$225 per shift, which equated to about \$1,125 a week for 50 hours a week or an average hourly rate of about \$22.50. In 2016 the same nine shifts produced as little as \$750 per week or \$151 per shift, which equates to an average hourly rate of \$12.50. That is a drop from \$22.50 to \$12.50. The driver then went on to say that he could not believe that this war on wages and conditions was actually being supported and perpetrated by Labor. That is an example of some of the challenges that drivers are facing.

I move onto the issue of CTP insurance. We talk about the need for a level playing field. We spent a lot of time asking the owners and operators questions about the cost of operating a cab, the overhead costs, the additional layers and the restrictions as a result of legislation. We heard about the fit-out costs of a conventional taxi. If you were to buy a new car or a second-hand car and fit it out as a cab, it will cost around \$20,000 to fit the car out with all the extra overlays that are requirements under the legislation. If you want to fit-out a wheelchair accessible taxi, you can expect the fit-out cost to be upwards of \$35,000 on top of the purchase cost of the car. If you add in the cost of the vehicle, the taxi industry suggested to us that it costs around \$50,000 for a conventional cab with all the extras and for a wheelchair accessible taxi the cost is typically between \$80,000 and \$90,000.

I turn back to the issue of CTP insurance. We learned that the actual premium for CTP insurance for a taxidriver is some \$6,500 per annum. For a rideshare driver, the cost of insurance is the normal rate of insurance that they pay, which may be as little as \$300 or \$400. When you start to factor in the fit-out costs, the insurance costs, the driver licensing fees and the licence fees that are required to be paid to the state, there is absolutely no level playing field and the taxi industry is at a significant disadvantage in terms of its ability to compete. It desperately needs a level playing field. Therefore, I suggest in the strongest possible terms that those stage 2 reforms that the minister has alluded to, the reforms that the committee unanimously supported with some 30 different recommendations, should

have been dealt with in this sitting week. They should not be put out on the never-never, leaving the taxi industry to spend another three, four, five or six months waiting and wondering what its future looks like.

Another concerning principle that I want to touch on is the differential in licence fees. If you run a rideshare vehicle with Uber, there are no additional licence fees. If you run a taxi, there are not only additional licence fees but many operators also pay what they call booking fees to the taxi companies. For some, that can be as much as \$1,200 a month. That is another significant cost overlay that is foisted upon the taxi industry.

There has been some discussion around a fee waiver. In simple terms, all taxi and limousine operators pay annual fees for their licence. Some operators have paid those fees two or three years in advance. Perhaps they had a few good months or they had a particularly good year and have thought that, for safety's sake, they will prepay their fees. However, apparently there is no provision to get those fees back. That was one of the issues that the committee raised. We wanted some clarification from the minister as to whether those operators could now have a full refund of fees that they have prepaid, rather than waiting for some special change, a ruling from the minister or a new piece of legislation to deal with that.

I think the industry was particularly happy with the suggestion that vehicle inspections be reduced from twice yearly to annually. There was a lot of discussion around the need for personal safety and security and the use of cameras. There was a lot of debate around the fact that the requirements placed on the taxi industry are not only so prescriptive in terms of them having cameras but also almost mandate exactly what camera they have to have.

**Mr McEachan:** Overly prescriptive.

**Mr MOLHOEK:** It is overly prescriptive; thank you, member for Redlands.

**A government member:** It describes how you screw them in.


**Mr MOLHOEK:** I take that interjection. The legislation actually describes how the camera should be mounted and screwed in. The industry believed that it would be much fairer and more balanced to simply say that there is a responsibility for the drivers to have cameras and to retain the evidence in a safe manner should it be required. We raised this as something that needs to be addressed. The cost difference between what has been mandated and what can now be installed to achieve that outcome is in the thousands of dollars.

There was a lot of discussion around what the government is going to do to support the industry in terms of the drop in value of their licences. In the committee report we asked that some consideration be given to further compensation or some sort of guaranteed floor price that the government would be prepared to support. We will have to wait until round 2 to hear more on that.

One of the most moving and sad presentations we heard was in Caboolture. A lady and her husband came along. She was having to drive the cab because her husband had had a breakdown of sorts. They had three or four young kids. She talked about having to work multiple jobs to service the loan for the taxi licence and to generate enough income to support the family. The family was at risk of losing their home and had become almost wholly dependent on food parcels and support from a local charity to keep the family fed.

There is so much more that I could say in respect of this legislation. I close by saying that I sincerely hope that the minister gives the stage 2 reforms his urgent attention. I note that today he did table a response to some of our recommendations. I am concerned that some of them were not agreed to and some were agreed to in principle. I sincerely hope that he takes them all on board.

*(Time expired)*

 **Mr McEACHAN** (Redlands—LNP) (3.42 pm): I too rise to speak to the Heavy Vehicle National Law and Other Legislation Amendment Bill 2016. I begin by thanking my committee colleagues for their dedication and compassion in this process—the member for Kallangur, the member for Murrumba, the member for Logan and my colleagues the member for Southport and the member for Whitsunday. On our deeply emotional journey around the state was the parliamentary secretariat, ably led by Kate McGuckin. They do a wonderful job. I place on the record my thanks and the thanks of the whole committee.

I will firstly deal with the heavy vehicle component of the legislation. This part of the bill is not contentious and brings our heavy vehicle regime into line with the national network. There are three recommendations in the report dealing with this part of the bill. We see no reason for that part of the legislation to not go ahead straightaway.

I now move to the personal transport component of the bill, which includes taxis and limousines. There is a range of recommendations in the report which were agreed to in the spirit of bipartisanship. The reason there was no statement of reservation is that we all agreed that there were a lot of very serious recommendations that need to be implemented.

The message from the taxi and limousine industry was very clear. What we were told was that the industry urgently needs a level playing field. They need fair compensation. They need protection of their property rights and they need certainty. These are things that they do not have with the bill in its current form. I think it is an absolute disgrace that this community of people who have worked so hard on their family businesses are left in this state.

I want to put on the record of this debate some evidence that we received. It is fair to say that there was barely a dry eye in the room when a constituent of mine, Doreen Awabdy, addressed the public hearing. I am going to read from her evidence. She stated—

Mr Chair and members of the committee, thank you for this opportunity to speak today. You will have to excuse me because I am here representing my late father because he cannot be here himself to speak. In May my father, after a very short battle, passed away from liver cancer. The weekend before he collapsed he was driving his cab. For years I have watched my father be a tax collector, a government service informant, a service provider, an employee, an employer and a trainer all whilst trying to keep a family going and raise an income and make a living. In the five months since my father left us I have gone from being a bystander to being integrally involved in this industry as I have tried to personally run a car, not for myself but for my mother.

What my aunty did not tell you was that her husband passed away two years ago and that was her sole income. It is now my mother's sole income also. Since running a car in two months I have cycled through seven drivers—drivers who one after the other sat with me and asked why they should drive for me when they could drive an Uber. Why would they? That was not because they do not want to work for taxidrivers or taxi operators but because they cannot find the work anymore in the taxi industry. Once upon a time the government released taxi licences. In fact, it was not once upon a time at all. As recently as 2012 taxi licences were released on a quota basis—supply and demand—and here we are in 2016 saying that our demand is so high that we have to open up the entire industry, yet that is not the case if we listen to Mr Wash and his statistical report, and I refer you to that. I will take a moment to compose myself.

At this point, I would like to note for the benefit of members that Ms Awabdy was in tears and distressed, as were most people in the room. She continued—

The first speaker spoke about the industry—I think it was actually the transport department—and how modelling suggested that there was a decrease in the economy, which has also influenced the industry, and yet here we are facing a report that says we need to increase competition. It really does make me wonder how they can justify this, and the data is there. I am very grateful to the transport department for identifying this because it does make me wonder how the government can go one day from supplying taxi licences because there are too many cabs on the road and therefore not releasing licences and doing it by supply and demand and now suggesting only four years later that ... our population has quadrupled and we can open it up to over 4,000 drivers. It is just absurd.

I go back to our story. My mother also fell over and became partially disabled earlier this year, so she is not able to drive the cab herself. She never has been trained to drive a cab and I would never let her drive a cab. I am a scientist by trade. I have actually stopped work and trained as a cab driver—that is what I had to do—and the only thing that stopped me were these wise people behind me who have been in the industry far longer than I would ever be around saying to me that for someone like me it is completely unsafe. After trying to get drivers—driver after driver after driver and the cab sitting there on the side of our house not earning anything, and I will give you some figures in a moment as to how much that was costing my mother—I went down the track of leasing the car. In June 2014 a lease was worth \$3,650. In June 2015 this went down to \$2,500. In June this year that was down to \$2,200. Only last week I got a call to tell me that it was \$2,000 for this month, next month it will go down to \$1,400 and that in December and January we could expect to receive under \$1,000.

Going back to my aunty's point, she lives on \$350 a week at the moment—\$350 a week. That is her income. I refer you to Mr Holley's statement. This is not just the statement of operators; this is a whole conglomerate. You have companies that may well be running businesses, but they run businesses for people like us who survive off those businesses, or my mother and my aunty. Whilst medium sized or small sized businesses are going under, individuals are going under too. I do not know what the options are. My mother would never go on Centrelink benefits—never has in her entire life—and the only option I am left with is to support her myself financially.

I also wanted to address some of the fee waivers that in popular media comes across as suggesting that we are being given a really fair deal. The report refers to \$4.3 million in immediate financial relief by waiving fees payable. I want to actually put that into facts and figures for you, and I can say this from my own experience now. The driver authorisation renewal fee, the operator accreditation renewal fee, the licence renewal fee, which is the same thing, and the taxi industry security levy amount to only \$631.05. It costs you \$34,385.25 to run a cab. That is before you even put it on the road. Of that, that does not include petrol and that does not include running expenses. That is pure costs. What is being proposed in this report is less than 1.8 per cent per annum. That is what the fee waivers are. This is what you are calling fair. I also want to refer you to the \$20,000, and absolutely we require compensation. It is not an if; it is a definite. However, \$20,000 does not even cover two-thirds of that cost per annum. You have not even begun looking at the asset value for these people. You are not even close, and this is their livelihoods.

I also refer to Mr Wash's comments regarding short-term requirements. There are a lot of people who need the sale of their assets for their own costs. For my dad that was to pay for his medical costs. Can I tell you the day my dad looked at the value of his car it was worth nothing, so we could not even sell our car to pay for his medical bills. This is not a sob story; this is reality, and there are plenty of people in this exact position. For my mum I cannot even bring in enough of an income to sustain her own life without actually doing that for my own income. If the cab were to stand on the side of the road it would cost her an additional \$2,865.44 just to have it on the side of the road doing nothing, and that is what it did for the two months that I cycled through

driver after driver after driver. That is a reality check. My dad cannot be here to speak today, but I am going to speak for him because I could not even bring myself to tell him in his last week when the green paper was released what it said. I have been involved in this for a long time. It brought up our entire family and then I became involved when this issue erupted, but now it is my issue too. That is what I wanted to share with you today.

I felt that it was really important to pass that on to members here today because that was a heartfelt, earnest and deeply moving submission to our inquiry. It is a story which was replicated across the state.

**Mr Costigan:** Wherever we went.

**Mr McEACHAN:** Wherever we went. Even in Mackay, where there was no activity of Uber or other rideshare companies that could be discerned, the value of licences had already crashed. I would like to talk about what has happened with wheelchair accessible vehicles in that context and the story that was told to us at that public hearing.


Wheelchair accessible vehicles cost around \$84,000 to put on the road. Whilst there is some good intent in the subsidy for those people, those vehicles need to be replaced about every six years. A family who have been running a wheelchair accessible vehicle taxi business with two taxis in a small town for many years got a call from their bank to ask them to come in and discuss their overdraft on the business. They were told that they were no longer able to have an overdraft based on the value of their licences. They were then told that if they wanted to maintain that business they would have to re-mortgage their family home, which they had recently paid off. They are now in a situation where they have a re-mortgaged home and licences worth nothing. Being unable to borrow against the value of those licences means that they cannot replace the wheelchair accessible vehicles.

For the government to suggest that a subsidy will assist the wheelchair accessible vehicle market is a complete furphy. There is no recognition of the damage that these changes are having on that part of the industry right across Queensland and the impact they are having on regional towns and on those people who are most at risk and most vulnerable. It is critical that the minister accept the recommendations and listen to the appeals of Queenslanders about what is happening to their industry, what is happening to their individual businesses, what is happening to their communities and what is happening to people who rely on the service that they provide.

This has had a devastating impact on people right across the state. To deregulate the rideshare market on 5 September without having done any of this preliminary work has put the cart before the horse. We have people going bankrupt, people who have no hope for the future. It is an absolute disgrace that the government would do that to the very people that they seek to represent. It is clearly not fair. There is absolutely no fairness in the way this has been approached.

I urge all members to support the amendments that have been proposed by the shadow minister to get some fairness and urgently needed compensation through to people who desperately need it and to demonstrate to Queenslanders that their parliamentarians are willing to protect their property rights. If we do not do it for these people, it sends a message that we will not do it for anyone. These people have worked hard all of their lives. They have borrowed against their homes. They have invested in this industry because they are passionate about it. They have risked their future superannuation in this industry based on a market that was regulated by the government, but it has been sold out from underneath them without any prior notice.

In closing, I urge all members again to support the amendments that have been moved by the shadow minister. I urge the minister to look at all of the recommendations that have been put forward in a reasonable, fair-minded and bipartisan way.

 **Mr KING** (Kallangur—ALP) (3.59 pm): I rise as chair of the Transportation and Utilities Committee to make a contribution to the Heavy Vehicle National Law and Other Legislation Amendment Bill 2016. I will not kid honourable members: this bill was hard going. The less controversial part of the bill, that being the Heavy Vehicle National Law portion, in essence seeks to make some changes to implement national reforms to chain of responsibility obligations and executive officer liabilities as well as to introduce key heavy vehicle roadworthiness initiatives.

Our committee made two recommendations on this portion of the bill, the first being that the minister work with the National Transport Commission to clarify how the chain of responsibility provisions for pre transport stock preparation apply. We heard evidence—and I will put this as subtly as I can—that a full cow at the farm may bring in a heavier weight when loaded but may not have the same weight at the other end—

**Mr Power:** I don't get it!

**Mr KING:**—and the driver cannot really be held responsible for any effluent lost during transport. That sort of puts it in a nutshell. I am being interjected on by the member opposite but I am not taking his interjection.

**An honourable member** interjected.

**Mr KING:** He may as well be opposite! The second recommendation is that the minister consider whether changes may be required to legislation for bus mass limits.

The rest of the bill proposes to create a regulation providing for a scheme for the payment of financial assistance to the taxi and limousine industry in order to implement the main elements of the \$100 million industry adjustment assistance package. We as a committee listened to stakeholder concerns about both the assistance package and the reform of the personalised transport industry, and I will go into detail about some of these later.

I think it is a bit rich for the other members of the committee—when we were all in bipartisan agreement on this, with 30 recommendations being made and no statement of reservation—to now say that we are doing the wrong thing. In reality, they were in government for a long time and they could have done something. They fouled the footpath, so to speak, and did not do much, but I will go on. Because of the nature of the discussions and emotion in the industry, we did make a lot of recommendations on both the assistance package and the broader industry reform process. I was pleased, as I have said, that the committee was able to agree unanimously on all of the recommendations in this report.

I would like to repeat what I said in our report, and that is that I would like to commend the taxi and limousine industries for their stoic adherence to the laws and regulations relating to their industries during what has been a very difficult time for them. As a committee we listened to many heartfelt admissions of the difficulty the industry has faced since the appearance of ridesharing apps, and their pride in the industry came through very clearly to all during this process.

As we travelled throughout the state, a few consistent messages came through from the taxi and limousine industries. One was that the industry does not fear competition—in fact, it welcomes competition. They cannot compete on what they feel is a very uneven playing field. Someone equated it to trying to run a race with only one leg. It is not fair. It was hard to get our message across, with that sort of feeling out there, that the mooted \$20,000 payment was not compensation for a licence but a payment to assist in the transition period while ridesharing operators integrate into our transport system.

We heard from limousine owners and operators, taxi owners and operators, drivers, lessees and lessors. The consistent messages we heard were that there needs to be a licence for rideshare operators. There needs to be consistency in CTP insurance across the industry. The security of a camera in the car should also be enforced across the industry. Industry adjustment payments and hardship payments should be extended to operators as they are suffering as well and any payments need to come soon or the industry will struggle to survive. It is my personal belief that the industry must survive. I cannot see rideshare operators doing the small jobs in my electorate for elderly and disabled people who do not have a car and who simply want to go and get their groceries. We heard from the regions the fear that disability taxi services from the regions could disappear altogether if the playing field is not evened up.

We heard from people such as Melita in Mackay—whom the member for Southport mentioned—who is 79. She is back driving a cab because she cannot keep drivers. We heard from elderly owners who have leased their licences who claim they are not making enough from their leases to survive. They have been to Centrelink but have been told they have too much asset value to claim benefits, so they are back driving themselves. We heard from owners who claimed to have banks threatening to foreclose on them because their licence, which they have borrowed against, no longer has any value. We heard from owners who have their licences in structures such as trusts, non-commercial super funds and small companies. They wanted us to recommend that they not be excluded from assistance under the industry adjustment assistance package simply on the basis of the ownership structure of their licence.

We also heard that rank-and-hail services, which will remain exclusive to the taxi industry, are not as relevant here as they are in New South Wales where similar legislative change has occurred. We heard the ratio of rank-and-hail to booked services in New South Wales is 80 to 20, whereas in Queensland it varies from region to region. The best we have is 40 per cent rank-and-hail to 60 per cent booked. This makes, from what we heard, retaining the exclusivity of rank-and-hail less of a win

for the industry, particularly in the regions. I must say that the industry felt very strongly that they want to hang on to the rank-and-hail and they thought that the penalties for rideshare operators poaching on rank-and-hail should be severe, and some of the suggested penalties were indeed harsh.

We as a committee made 28 recommendations on this portion of the bill. I will go through some of these recommendations which have been supported as they are important to the industry and I think we have got a lot of stuff right here. We recommended that the minister consider amalgamating the industry adjustment funding with the hardship funding to provide the framework for a more equitable assistance package that enables the composition of hardship and transition support to be adjusted depending on the needs and impacts of individual licence owners. Subject to the finalisation of the eligibility criteria, any surplus funds from the transitional assistance scheme will be applied to the hardship fund.

We recommended that the minister consider engaging the Queensland Rural Adjustment Authority to manage the application, assessment, payment and reporting process for the package. They do that well. We are in the process of finalising with the Queensland Rural Adjustment Authority the administration arrangements for the package.

We recommended that the minister review the eligibility of people who own taxi and limousine licences in structures such as trusts, non-commercial super funds and small companies. The government supports the inclusion of licence holders in these structures such as trusts et cetera, as the minister said in his second reading speech. Someone did not hear that, but the minister said it quite clearly in his second reading speech.

We recommended that the minister investigate including taxi operators as eligible recipients of hardship assistance because we heard loud and clear they were also negatively impacted. We are continuing to work with the industry including consulting with the Personalised Transport Industry Reference Group. Amendments will be introduced to the bill, as the minister said, to enable flexibility to include operators in the process.

We recommended that the minister consider extending the business advisory support program to include legal assistance and advocacy support for industry participants in negotiations—some of whom are in complex negotiations—with financial lending institutions regarding loans. We will consider the inclusion of these services as we finalise the scope of services available under the business advisory services.

We recommended that the minister consider extending the incentive payments for wheelchair accessible services beyond year 1. It is intended that this payment will continue into subsequent years subject to normal budgetary processes.

**Mr Power** interjected.

**Mr KING:** I will take that interjection. We recommended that the minister consider providing additional financial support directly to wheelchair accessible services to ensure these services continue to be provided across Queensland and that the minister consider funding this from the licence fee. That has been supported in principle. We will continue to monitor the provision of personalised transport services to people with disabilities. If evidence indicates that government intervention is required, the government may consider a range of options not limited to direct financial support to maintain service levels. They may include legislative and regulatory changes.

We recommended the minister investigate financing the vehicle improvements required to provide wheelchair accessible services if it can be demonstrated that financial institutions will not provide those funds. Once again, this was supported in principle. The government will continue to monitor the provision of personalised transport services to people with disabilities. If, once again, evidence indicates government intervention is required to maintain or enhance the availability of wheelchair accessible vehicles in the state's fleet, options to address the issue will be examined.

We recommended the minister ensure the Personalised Transport Industry Reference Group, and any other group established to consult on personalised transport industry reforms, has at least one representative from the disability advocacy sector. That is definitely happening. The first Personalised Transport Industry Reference Group meeting occurred on 8 November this year. A representative from the disability access sector, who is also on the TMR Accessibility Reference Group, is one of the confirmed standing members of the Personalised Transport Industry Reference Group.

The member for Southport was not aware of this next bit and this will make him feel better. We recommended the minister investigate making provision for people who have paid their taxi service licence fees and operator accreditation fees in advance to apply for a refund. The Department of

Transport and Main Roads currently considers applications for pro rata refunds in relation to service licence and operator accreditations in circumstances where it is cancelled or surrendered. Decisions concerning refund applications are made on a case-by-case basis.

We recommended that the minister investigate reports that lending institutions are foreclosing on taxi licence loans and explore options for securing or assuring lending institutions that taxi licences continue to have a residual value. The concerns by the industry are noted. The minister has written to the Commonwealth Minister for Finance and the Australian Prudential Regulatory Authority raising the issue of loan foreclosures and is awaiting a response. The government is on to that one as well.

We recommended the minister consider providing urgent advice to the Commonwealth government/Centrelink on estimated current taxi licence values, based on region, to provide assistance to licence holders who are unable to access social security benefits due to asset test provisions which deem the licence to have a value based on the last sale prices. That has been supported in principle. Once again, the industry's concerns have been noted. In response, the minister has written to the Commonwealth Minister for Social Services raising the issue and is awaiting a response.

We recommended the minister seek input from representatives of each of the sectors involved in the taxi and limousine industry, as well as the Personalised Transport Industry Reference Group, prior to the industry adjustment package being finalised. That has happened and all views are being taken into consideration by government in the design of the scheme.

We recommended that the government investigate the possibility of personalised transport operators being able to pay their registration and compulsory third-party insurance on a monthly basis. That was an important issue that came up at our Caboolture hearing. The Department of Transport and Main Roads recently expanded three-month registration and compulsory third-party insurance terms to taxi and limousine operators. Further, for those under significant financial stress, the department has also implemented for affected taxi and limousine operators a manual two-month period. Both are obtainable by contacting the department's customer service centres.

We recommended the minister consider introducing an outcome based regulatory requirement that all taxis and ride-booking vehicles have cameras installed, as has been mentioned earlier, and ensure that camera footage cannot be tampered with and that it be available for a minimum of three months. As part of stage 2 reforms, the government will investigate if security cameras are required for all personalised transport vehicles. Security camera requirements will be reviewed with a view to removing prescriptive specifications delivering an outcomes focus approach, and safety is the main key.

We recommended introducing a requirement for all drivers of wheelchair accessible vehicles to be suitably trained to provide services for passengers with disabilities. Training for wheelchair accessible vehicles remains an industry obligation. However, the government, once again, as part of stage 2, will consider this.

We recommended the minister consider significantly increasing the penalty for noncompliance with regulations that protect taxi rank-and-hail work, as I said earlier, and illegal operations to a more meaningful level and that the new penalty be introduced urgently. The government has increased the fine for illegally stopping at a taxi zone from \$48 to \$243. This change will be in addition to recent increases to fines for related offences—including offences for soliciting and touting, which went from \$243 to \$487, and providing a taxi service in a vehicle that is not a taxi, which went from \$1,462 to \$2,438. As part of the stage 2 reforms, we will further consider significant monetary and non-monetary penalties under the proposed change of responsibility framework—although perhaps not some of the more radical ones that were suggested in our hearings.

Several other recommendations—and I will not go through any more—have already been supported and addressed in the minister's second reading speech. The implementation of these recommendations will go a long way to helping the industry to survive. The industry must survive—

**Mr Rickuss** interjected.

**Mr KING:** On that note, I encourage everyone—including those who would interject and not listen—to support the bill so the industry can get some much needed support as soon as possible. I would like to end by thanking the committee members—the members for Murrumba, Logan, Southport, Redlands and Whitsunday—for the collegiate way we worked together on this. We really did work as a group and it was very good that we did. As always, I would like to thank our hardworking secretariat—Kate, Rachele, Mishelle and Trudy. I commend the bill to the House.

**Madam DEPUTY SPEAKER** (Ms Linard): Members, I have been asked to advise the House that lift No. 1 in the high-rise building is currently not operational and that technicians have been called. Please take that into account.

**Mr COSTIGAN** (Whitsunday—LNP) (4.17 pm): I rise this afternoon, on the final sitting day of 2016, to make my contribution to the debate in relation to the Heavy Vehicle National Law and Other Legislation Amendment Bill 2016. It goes without saying that I would like to encourage all members in the House here this afternoon to support the amendments as flagged by my good friend the shadow minister and member for Glass House. The Transportation and Utilities Committee, on which I serve as a member, certainly heard some horror stories as we went on the road around Queensland in relation to the component of this legislation to do with ridesharing and the implications for the taxi industry. We have heard from other speakers in relation to the recommendations and I think that really does illustrate how ill-conceived this bill was and—

**Mr Power** interjected.

**Mr COSTIGAN:** I hear the interjections from the member for Logan and I will disregard them because—

**Mr Bennett:** He's on a warning.

**Mr COSTIGAN:** He may well be on a warning, and I thank the member for Burnett for bringing me up to speed there. Unlike what has just happened in the last 30 seconds, there was a great degree of bipartisanship on the committee. I see the member for Kallangur, our chair, nodding because there was great bipartisanship shown by all members of the committee—

**Honourable members** interjected.

**Mr COSTIGAN:**—regardless of what we just heard then from the member for Murrumba. I am sure I speak for the member for Redlands and the member for Kallangur when I say that we will remember those horror stories that we heard as we went around the state, particularly the public hearings that I attended in Cairns, Townsville, Mackay and Rockhampton. We heard from cabbies like Les Gist and Phil McNamara in Townsville, and Graeme Lawler, Noel Beitzel and Bob Hayles in Cairns. In Townsville, I think of cabbies who have since passed on—people like the late Keith Brett. I think he would be turning in his grave with what has happened to his industry. It has been turned on its head and people's lives have been turned upside down.

I used to use the cabs in Townsville quite often in those days. I did not have a car when I was working for the *Bulletin*, the local newspaper. I fondly recall getting the cab there from around the corner from Philip Leong's in North Ward into Ogden Street to work each day. I fondly recall the service they provided. I also remember my old days in Mackay using Mackay City Cabs. I want to thank the cabbies of Mackay and the Whitsundays who came out in good numbers at the Mackay Grande Suites. The member for Mackay was there in the gallery that day listening to proceedings as were a lot of people in the industry who are concerned about the future of the taxi industry. Those people who gave evidence on the day included Max McBride, who is the chair of the Taxi Council of Queensland. Mr McBride's evidence really did say it all. He said—

I deal with people from around the state every day who are losing their homes—principally these are in Brisbane—and who are suicidal. The major companies are dealing with a lot of people in those boats. The damage being done is quite substantial. I am not inventing this. I have to get up every morning. From 6.30 in the morning people start ringing me.

I will relate a story of two Italian guys, one with Black & White and one with Yellow. The younger of the two, 81, rang me today. He had me on speakerphone. His brother did not say much. He is 86. The 81-year-old believed that he would lose his home and believed that he had to go back to work. He indicated to me that neither his brother nor he was on a pension. They had paid their way and the one guy who was talking just kept on saying, 'Why is the government doing this to us? What did we do wrong?'

That is from Max McBride, the chairman of the peak industry body, a constituent of mine, who had that to say in Mackay on 20 October. We heard from the member for Kallangur, the chair, in his contribution regarding Mrs Fowler. She said—

They talk about mental health and how much money they are spending on mental health. They are creating it.

These are people who have worked their guts out all their lives, invested big coin trying to better themselves and their families because they thought it was a sound investment at the time. From my point of view, the power has been turned off on them.

Merv Fisher was another cabby who turned up in Mackay. He runs the cab service out in the coalfields in the town of Moranbah. It was great to see Merv only recently when presenting him with a framed certificate honouring his 40 years as a justice of the peace. Merv had his say. Melita Fowler had

her say. We have also heard from one of the members about what Trevor Moore had to say and what he had done. These cabbies invariably go beyond the call of duty. Trevor told the committee how he arranged and, in my words, sharpened his pencil to get a young child to the Special Olympics in Townsville with some fundraising and some creative accounting, if you like, so that young person could just have a go. What we have seen is something that is bluntly unfair. It is really hard for anyone to come in here and put into words, and to do it justice, the hardship that is being faced by the cabbies, the plate holders and the drivers—the worry, the dread and the financial ruin. I say that as a wordsmith. I was quite blown away. That is why we have seen these recommendations come forward regarding licence fees, CTP insurance, wheelchair accessibility and the industry adjustment assistance package. Is it enough? Of course it is not.

Trevor Moore, who is also a constituent of mine to whom I have referred as have other members, came down from Airlie Beach that day—two hours down and two hours back—and he described the \$20,000 as ‘pathetic’. I dare say he spoke for so many in the taxi industry who turned up such as the people who came to the Central Queensland hearing. I speak of people like Cecilia Hooper, who is well known to the member for Gregory in her role in the taxi industry in the great town of Emerald on the Central Highlands; Colin Liddy from Yellow Cabs in Rocky or, as I still call it—and I will get into trouble for saying this—Rocky Cabs because I was an old customer of theirs as well; Peter Anderson from the beef capital; and Ron Ware from the Capricorn Coast. They came out of the woodwork because they are wondering what tomorrow will bring. They do not know what is going to happen. As Christmas approaches they need some help. They need that hardship fund. They need the tap to be turned on right now.

I will not speak for too much longer, but it would be remiss of me not to touch on what it means for rural and regional Queensland and the smaller towns—not just the provincial cities of Cairns, Townsville, Mackay and Rockhampton as I speak in my role as shadow assistant minister for North Queensland, but the little places. I did put a question to Max McBride about what he thought the future would be in relation to those smaller places. I said—

I have a question to Mr McBride. Just going back to your comment about the smaller regional and rural communities, are you telling the committee here today that, depending on how this pans out, if it pans out as a basket case for the industry we will have a number of smaller rural communities that do not have a taxi service at all? I am pretty sure that Clermont does not have a taxi service anymore and maybe Blackwater. Are you saying, Mr McBride—with your state cap on—

This is the big kahuna of the industry in this state and a constituent of mine in Mackay—

that there are going to be a number of small places across the state that will not have a cabbie at all?

Mr McBride said—


That is correct.

Right now Mount Isa does not have a drycleaner. Yesterday QantasLink announced it is pulling the plug on its Dash 8 service with QantasLink services into Thangool servicing the Callide and Dawson valleys. Country communities are getting hit for six. Regional and rural Queenslanders are getting hit for six. How is it going to be a good thing when people turn up in a town and they cannot get a cab here, there and everywhere? I think of the Tanks family and Judy Tanks in the great town of Longreach and the service that she provides for not only locals but tourists to that great capital of the central west.

As I say, these are worrying times as we approach Christmas. I am appalled by what has happened and how this has been a butchered process and then some. I strongly call on the minister to picture these people—to picture their faces and the look of despair on their faces. We have heard about the foreshadowed amendments flagged by the member for Glass House and it is important that these people get a fair go. Where is the fairness? That is what people ask me. I want to salute all our cabbies, particularly those in regional and rural Queensland. I am proud to support the taxi industry as we know it.

While the committee was in its deliberations, we lost one of the industry participants in my own electorate. As I conclude I want to pay tribute to Bob Akins from Whitsunday Limousines, who was taken from us in the line of duty in a terrible accident just south of Proserpine some weeks ago and was subsequently farewelled in Proserpine early last month.

To Mr Akins’ family, friends and loved ones, and no doubt his many customers, I offer my deepest condolences and thank him for his service to the limousine and taxi industry in the place that I call paradise. I want to thank everyone who came along to the public hearings, particularly in Cairns, Townsville, Mackay and Rockhampton. As I say, I strongly support the amendments as flagged by the member for Glass House.

 **Ms SIMPSON** (Maroochydore—LNP) (4.30 pm): I rise to speak to the Heavy Vehicle National Law and Other Legislation Amendment Bill. The elements of this bill that I particularly wish to address concern the taxi and limousine industry. The mishandling of the reform of the taxi and limousine industry by the Palaszczuk government is an absolute shemuzzle. Many hardworking Queenslanders, of whom most are small business owners, will experience hardship or are experiencing hardship and great financial loss because of the lousy way this has been handled. The industry needed reform, but this was not the way to do it. In dribs and drabs and after the horse has bolted, we have a ridesharing competitor breaking the rules and grabbing market share while taxis and limousine owners and drivers had to obey the rules or be fined. This government twiddled its thumbs while market share grew for this multibillion dollar international ridesharing company, which uses ordinary folks to do its front-line work while the company picks up their fines.

There are two parts to this bill. As I noted, the heavy vehicle national law reforms are part of that and others will address that more fully. Certain aspects with regard to taxi and limousine service licence holders particularly provide a framework that will allow compensation, but the detail as to how these things are going to be rolled out and a range of other critical matters still have not been addressed. It has been death by a thousand cuts while people wait to see the detail. We have a situation where CTP, the compulsory third-party insurance that taxis and limousines have to pay, is many times greater for them than for someone who is driving an ordinary car.

You have a situation where the regulations as they currently stand require taxis to have safety cameras and a range of quite prescriptive controls with respect to safety—because safety is a valid issue—but there are a range of other issues as well including cleanliness, dress standards and backup systems to ensure there is a trackable way of knowing whether service delivery is occurring. The back of house as such is something that is quite heavily regulated. People can be critical of where they see opportunities for improvement in the taxi industry, but the reality is that this is a highly regulated industry. People entered into it in good faith and paid significant amounts of money—initially to the government, and then trading those licences on the open market or on the market—for licences created by the government. If you like, it was a franchise arrangement that occurred with heavy regulation around how those people could continue to operate.

The competitor that has come in has operated in a way that is not so much about technology being a disruptor as it is about a multibillion dollar company with a calculated business model which has built market share by doing what taxis cannot legally do: breaking the rules they were bound by. Uber drivers can have their fines paid by a multibillion dollar company which is estimated to be worth between US\$30 billion-US\$62.5 billion. Even if you were to take the lower amount as an indication of their market worth, that is a major multinational company. Taxi owners and drivers do not have the same deep pockets. The risk to their ability to maintain their business within the rules is substantially affected. This is a bastardisation of a system and it is not the answer. I have been extremely disappointed at the shoddy way this Labor government has handled this long-running review and its so-called solutions, and still there are no answers with regard to issues such as safety cameras, insurance and many of those other regulations which still bind the taxi industry.

I believe that safety is a major issue. When I have the good fortune to travel overseas, I deliberately look for those that have regulated taxi operators because I know that the government in those particular countries is saying that they are a safe operator. There are some places where they are quite specific about the fact that you need to get a regulated taxi service in order to know that it is safe. Now, I know the world may have changed even since the last time I was fortunate enough to travel overseas and there are other competitors in many other parts of the market, but the reality is that taxis and safety are two major reasons this industry was regulated in the first place.

The LNP is not opposed to change and competition and neither is the taxi industry, but what is needed is a fair and level playing field for the taxi and limousine industry and an assurance that passenger safety will be prioritised. Currently the competition from Uber is far from fair because they are not playing by the same rules. People are driving without safety checks, and that is not the answer. I have listened to the concerns of many taxi and limousine licence holders who are my constituents. Some are self-funded retirees who invested in these licences; others are out there driving themselves and trying to make a living after spending hundreds of thousands of dollars for licences that, in good faith, they thought were part of a government regulated system. In effect, the government has allowed it to become a deregulated system for some but not for all, and that is where it has been unfair.


This government has penalised those who trusted that a taxi licence, which was essentially franchised by the government, had a value that they could take to the bank and mortgage their houses to buy. People have mortgaged their houses, but under what is being proposed they will not get that

money back. That is so terribly unfair and causing so much distress. The minister has dismissed their concerns. It appears that he does not care about their property rights or the impact of these changes on taxi and limousine licence holders. Many of them are still asking me, 'What is going to happen?' Are they still going to be required to pay for whatever new licence a limousine company may have to have? What is that licence going to look like? Are they still going to have to pay for that? They have not been able to get the answers they asked for, and we are still waiting to see the detail of that because it is still not clear.

After consultation with the taxi industry, the LNP opposition opposed the government's first tranche of their policy and disallowed a number of provisions. We do not see the legislation which is before us as a total solution. It provides a framework to allow compensation, but it still leaves many of those other issues unanswered. The taxi and limousine industry is in the dark about the rest of the government's proposals, and the minister refused to give any dates or detail to provide certainty to the industry. I have serious concerns about the many inadequacies in the industry assistance package. In particular, the cap on compensation for only two licences should be removed, as should the restrictions on who will be compensated. You can have many small businesses which operate under family companies or family trusts. The shadow minister has a number of amendments which we will flag.

The parliamentary committee which reviewed this bill expressed concern that this minister is seeking to create a head of power for compensation without outlining the eligibility criteria for those receiving the payments. Both the government and opposition members of the committee criticised the minister's handling of the whole process. Regardless of this, it is important that we do not stretch out the wait any longer to provide at least some assistance to struggling taxi and limousine owners. Many need financial assistance now and certainty about their future so they can plan. But, as we flagged, there is a lot more heavy lifting that needs to be done rather than these delaying tactics and death by a thousand cuts through delay, indecision and lack of capacity for the government to respond. This bill has to be passed, otherwise the struggling owners of these licences will have to wait for access to hardship payments. They are far from adequate to deal with the real loss that has occurred by allowing a competitor who has not operated with the same safety checks, the same CTP weighting and the same costs associated with the rolling stock.

As my colleagues have also outlined, there are continuing concerns with regard to wheelchair accessible vehicles and any proposition the government has in order to allow that very important aspect of the personal vehicle sector to be maintained. We will continue the fight for changes to ensure that public safety is protected and that there is a level playing field. We still do not have that in what has been proposed. There will still be great uncertainty and great distress. More needs to be done. Passengers, who have a right to a level of service and to see industry reform that meets their needs, deserve that as well. They deserve a system that is fair to those who in good faith enter into businesses in the belief that the government will uphold the very regulations they had put in place. Regulations need to be fair and equitable.

 **Mr HART** (Burleigh—LNP) (4.40 pm): I rise to speak to the Heavy Vehicle National Law and Other Legislation Amendment Bill. There are two parts to this bill. I do not intend to make any comments in relation to the heavy vehicle provisions. I would rather talk about the reforms to the taxi industry, which is a key issue in my electorate of Burleigh, on the Gold Coast in general and in fact in South-East Queensland—and it will eventually spread to the rest of Queensland.

While I support the intent of the bill, this bill does not go far enough in levelling the playing field. I would rather that we did not need to debate this bill. I would rather that the disruptive technology was not in place as it is now and that the taxi industry went on doing exactly what it has been doing for years. Admittedly, the taxi industry did need a little bit of a kick—we all know what the issues in the taxi industry were—but I think this is too big a kick to the people who have invested in the taxi industry, for those mums and dads and businesses that have put their life savings into something we as a government sold them, after all.

Mr Deputy Speaker Millar, as you would know full well, being a member of the Infrastructure, Planning and Natural Resources Committee that considered the Transport Legislation (Taxi Services) Amendment Bill, which related to penalties in relation to the taxi industry, we spent a lot of time travelling around Queensland and talking to various taxi groups—on the Gold Coast and in Brisbane, Townsville, Cairns and a few other places. We heard in those discussions that these people have taken the government at face value and many have spent their life savings. On the Gold Coast, for instance, a taxi licence may have cost \$500,000. Licence holders may have had that licence for a while and they may have earned a fair bit of money from it, but they paid that amount initially. With the advent of this disruptive technology—ridesharing schemes such as Uber—obviously the value of those licences has

fallen dramatically. Taxi licence holders now cannot sell those licences as, quite simply, nobody wants to buy them anymore. If taxi licence holders can sell a licence, the selling price is significantly lower than the purchase price. This is all about property rights. My core values and the core values of those on this side of the House—

**Mr Costigan:** It is in our DNA.

**Mr Power** interjected.

**Mr HART:** I take that interjection from the member for Whitsunday. I am not sure whether he has been warned yet, but I do know that the member for Logan has been warned. I hope that he will not interject much more, because his interjections are not being taken because they are frivolous and a waste of time.

It is really important that in the future services are available for people who want to get from A to B in a car—some form of public transport or ride service such as a taxi. I have grave concerns that disruptive technology such as that used by Uber, which will not necessarily play fair or play by the rules, will lead to the decimation of the taxi industry. What will we do if we need to get from one place to another in a taxi but there are none left because they have gone broke? It is okay for some members on the other side of the House to shake their heads and disagree with me, but I wonder how many people they know who have put their life savings into the taxi industry, and all we can offer them in return is \$20,000 for that investment—and then we cap it at two.

I fully support the amendments that have been foreshadowed by the shadow minister. He does care about the taxi industry, about what is fair and right, about the effect of the change to property rights on these people and about what governments do in terms of sovereign risk and so on. This is another form of sovereign risk: changing the rules to the detriment of someone who has put their life savings into something, having taken the government at face value.

One day my wife came home in tears. She had been out playing golf in the Currumbin Valley with Shady Ladies. She told me about one of the people she was playing golf with—an older lady whose husband was sick. They had put their superannuation savings into two taxis and had almost a million dollars tied up in them. They were fretting because they could see the devaluation of the assets and were worried that they would not have money to live on in the future. Since then, unfortunately that woman's husband has passed away—he was doing all of the business dealings—and she is now left with taxis that she cannot sell, she is no longer getting the income she was getting from them and she has basically lost her superannuation. It is okay to smile and laugh about that—I am happy that no-one on the other side of the chamber is doing that at the moment—but it is very important that we realise that the decisions we take in this place on a regular basis affect the people outside this place. They affect people's livelihoods and they affect how they survive in the future.

I understand that the minister is considering various changes to this legislation. The committee made 29 recommendations and I note that the minister has accepted quite a few of those. It is very important that we look at the compensation level. It is very important that every person who has spent money on taxi licences is able to get some money back in the form of compensation.

I have had numerous conversations with people on the Gold Coast. I will not name as many people as the member for Whitsunday did in his contribution, but I mention the girls at Professional Taxis whom member for Southport mentioned: Sacha and Zara. They have been to my office numerous times. They have met with numerous people on this side of the House and, I am sure, on the other side of the House in relation to the issues they face. They own something like 35 taxis. This change will have a dramatic effect on them in terms of lost income, yet they will get only two lots of \$20,000 as compensation. You may as well give them nothing. I also mention Shane Smith, who runs First Class Taxis in my area. We on the Gold Coast are a little spoiled because our cabs do not have the sorts of issues affecting some of the cabs in Brisbane. We have nice, clean cabs. We have drivers who know where they are going and who are very courteous and nice to people. I have also met several times with Gold Coast Cabs.

All of these people understand where we are going in terms of disruptive technologies and the effect those technologies will have on their businesses. All they want is a level playing field when it comes to CTP, cameras in cars, licences and the amount of money that is paid by taxi operators. I ask all members to understand the situation these people are in. This is as a result of something we did to them and are doing to them. It is a real shame that the parliament did not get a chance to debate the changes that were made right at the start to put this in place. We will get to debate the regulation when it comes, but it is very important—

**Mr Power** interjected.

**Mr HART:** Mr Deputy Speaker, the member has had several warnings. He continues to frivolously interject. It is very important that we take all of those things into account.

Debate, on motion of Mr Hart, adjourned.

## MOTION

### Alleged Contempt of Parliament by a Member, Withdrawal



**Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Leader of the House) (4.50 pm), by leave: I move—

That the motion moved by the Leader of the House earlier this day regarding the redaction of evidence from the *Record of Proceedings* be withdrawn.

The motion seeking to redact evidence from the *Record of Proceedings* was done urgently with the intention of protecting a witness who had given evidence in a private hearing. The member for Southport's speech referred to the evidence being given at a public hearing when the evidence had in fact been given to a private hearing. However, since the motion regarding the redaction of evidence from the *Record of Proceedings* was moved, it has become apparent that the witness who sought to be protected had in fact circulated a statement identical to that made by the witness at the hearing to a large email list, which included the member for Southport. To be clear, it is now apparent that the identical statements made in the member for Southport's speech had been made both in a private hearing and in a statement circulated by the witness. Given that the witness has circulated the identical statement in a different form widely and the member for Southport's speech was sourced from that circulation and not the private hearing, there is no justification to protect the witness and the motion is unnecessary and, I accept, redundant.



**Mr SEENEY** (Callide—LNP) (4.51 pm): I thank the Leader of the House for the motion that has been moved and I thank him for the discussions that we have had over the last couple of hours that have resolved this issue. I also thank the member for Ferny Grove, who participated in that, and I accept the explanation that the Leader of the House has given. The only concern I have about the whole episode is the contribution that was made to the House by the member for South Brisbane who, in what I would suggest is probably something of a typical style, used the situation to launch an unprecedented or unnecessary attack on the member for Southport. The presumption of guilt that the member for Maroochydore referred to in her contribution—that is, that the member for South Brisbane just assumed because of the fact that this issue had come to light—I think was unwarranted, it was unbecoming and the member for South Brisbane should come into this place and apologise to the member for Southport.

I appreciate it was nobody's fault. I accept that the Leader of the House and I have certainly agreed that it was a situation that arose and that all of the actions taken were quite legitimate, but a much clearer understanding of the situation has been gained by entering into some discussions with the member for Southport. It is unfortunate that that was not done earlier, but it is understandable, too, why that was not done earlier if you go through the discussions we have had. For the member for South Brisbane to come in here and launch that sort of attack on the member for Southport based on some presumption of guilt does her personal standing in this place no good at all and I call on the member for South Brisbane to come in here, do the right thing and apologise to the member for Southport.

Question put—That the motion be agreed to.

Motion agreed to.

## ETHICS COMMITTEE

### Reports



**Mr BROWN** (Capalaba—ALP) (4.54 pm), by leave: I table report No. 171 titled *Matter of privilege referred by the Speaker on 15 September 2016 relating to an alleged deliberate misleading of the Transportation and Utilities Committee* and report No. 172 titled *Matter of privilege referred by the Speaker on 15 September 2016 relating to an alleged deliberate misleading of the parliament*.


*Tabled paper:* Ethics Committee: Report No. 171—Matter of privilege referred by the Speaker on 15 September 2016 relating to an alleged deliberate misleading of the Transportation and Utilities Committee [2234].

*Tabled paper:* Ethics Committee: Report No. 172—Matter of privilege referred by the Speaker on 15 September 2016 relating to an alleged deliberate misleading of the parliament [2235].

I commend the reports and the committee's recommendations to the House. I also bring all members' attention to the committee's comments with regard to the need to substantiate an allegation of contempt of deliberately misleading the House by addressing all of the elements of contempt. I also remind members that they have the ability to correct the record if their contributions are found to be misleading but not deliberate.

## SPEAKER'S RULING

### Heavy Vehicle National Law and Other Legislation Amendment Bill, Amendment Out of Order

 **Mr SPEAKER:** Honourable members, the member for Glass House has circulated amendments to the Heavy Vehicle National Law and Other Legislation Amendment Bill. I have circulated a ruling on one of the amendments. The ruling foreshadows that amendment No. 1 will be ruled out of order if moved as it requires a message under section 68 of the Constitution of Queensland 2001. I seek leave to incorporate the ruling.

Leave granted.

I have examined the amendments to be moved in consideration in detail for the Heavy Vehicle National Law and Other Legislation Amendment Bill circulated by the member for Glass House.

Section 68 of the Constitution of Queensland 2001 provides that the Legislative Assembly must not originate or pass an appropriation Bill that has not first been recommended by a message from the Governor.

Additionally, standing order 174(2) provides that no amendment of a proposal recommended by a message of the Governor shall be moved which would increase, or extend the objects and purposes or alter the destination of the appropriation so recommended, unless a further message is received.

I refer to my previous ruling made on 3 November 2016 in relation to the absence of a message from the Governor where I referred to Crown Law advice that generally, an "appropriation" for the purposes of section 68 is any conferral of authority on the executive to pay an amount from the consolidated fund. This includes any amendment which would potentially increase an existing appropriation, extend the objects and purposes of an existing appropriation or alter the destination of an existing appropriation. The advice also determined that the Heavy Vehicle National Law and Other Legislation Amendment Bill was an appropriation bill for the purposes of section 68.

The member's amendment no. 1 proposes to amend clause 141 of the Bill.

Clause 141 proposes to insert new section 155A into the Transport Operations (Passenger Transport) Act 1994 to provide a head of power to make a regulation to deliver a scheme for the payment of financial assistance to certain persons who have held or hold a taxi or limousine service licence.

The member for Glass House's amendment seeks to amend proposed section 155A to provide that the regulation cannot include criteria for eligibility for financial assistance that excludes licences held by a corporation or individuals who hold a licence for the benefit of another entity, or limit the amount payable to persons on the basis of the number of licenses held.

Therefore, it is my view that the member for Glass House's amendment extends the objects and purposes of the appropriation in the proposed regulation by preventing any limitation or exclusion of assistance to licensees who hold the licence for a corporation or on behalf of another entity or to persons who hold multiple licences.

Accordingly, the amendment is required to be recommended by a message of the Governor before it can be moved.


I foreshadow that I will rule the member for Glass House's amendment No. 1 out of order if it is moved without a message during consideration in detail.

## HEAVY VEHICLE NATIONAL LAW AND OTHER LEGISLATION AMENDMENT BILL

### Second Reading

Resumed from p. 4875, on motion of Mr Hinchliffe—

That the bill be now read a second time.

 **Mr WHITING** (Murrumba—ALP) (4.55 pm): I stand to speak in support of the Heavy Vehicle National Law and Other Legislation Amendment Bill. As we know, the most important part of this bill is the personalised transport reforms and the industry assistance package. Specifically, the job of the committee was to make recommendations on the industry adjustment and assistance package. This bill is about giving the minister the power to implement this assistance package in order to get it out to industry operators who most need it and this industry package strikes the right balance between supporting the personalised transport industry through the transition and adhering to our fiscal

responsibilities as a government. It is crucially important that we grant the minister the ability to move quickly to shape this package, to make it equitable and to get it out, as I said, as quickly as possible. I firstly want to congratulate the minister for what he has done with this package.

With regard to the earlier comments by the member for Glass House in his speech that our committee made a recommendation which showed no confidence in the minister, that is utterly wrong. Rather, what we have recommended is that we utilise the Queensland Rural Adjustment Authority. We have complete confidence in our minister to carry out these reforms in this package and it shows common sense and sensibility to use this authority that already exists. Why not use this existing body to do the work? The other side complains that we employ too many public servants. Are they saying that we need to establish another brand-new authority to administer this package? There is an inconsistency there. It makes me think that they perhaps have something against the QRAA, but maybe not. A measure of the fine work that the minister has done is that he has responded positively to most of these recommendations. As we have already heard, of the 30 recommendations in the committee report, 14 are supported by the government, 12 are supported in principle, two are not supported and two need more consideration. As I said, his response to these recommendations has already been covered here today.

I want to touch on some particular points in relation to the personalised transport reforms. Firstly, it is very clear from the submissions and the public hearings that all kinds of people throughout Queensland, especially South-East Queensland, are increasingly adopting rideshare, and it is not just young people. While going up in the lift to one of the hearings in regional Queensland we asked the young porter what he thought about Uber and he said, 'Yes, I use it all the time when I go down to Brisbane.' I ask members of our parliament to talk to younger people, especially younger members of their extended families throughout South-East Queensland, because they will find that most of them are quite happy to use rideshare on a regular basis.

From the submissions that were received and the hearings that were conducted, it seems to me that rideshare is increasingly accepted within society and embraced by certain people within society. Another point that came through not only the hearings and submissions but also from listening to people is that rideshare drivers are everywhere. For example, during the hearing the member for Southport said that he has 500 rideshare drivers in Southport alone. According to Uber's statistics, it is doing 11,000 pick-ups a month in Southport. An interesting point to note is that the first Uber drivers I met were public servants who had lost their jobs in the Campbell Newman era and I was quite surprised to find out that a couple of people I knew were Uber drivers.

It is very clear that the taxi industry will continue. It is affordable, reliable and safe. It will especially continue owing to the price surging that we often see with rideshare. One of the best things that can be done to support the personalised transport industry is better treatment of the licence holders by the financial institutions. We heard about that in the hearings as well. The way that the holders of these licences have been treated by their financial institutions does not make it fair or equitable.

These licences will continue to hold their value. One point that I want to raise—and we have heard this from the member for Burleigh today—is that this \$20,000 is not compensation. As one of the people who attended the hearings said, these people do not have to surrender their licences. They keep their licences. They are getting a transition payment. It is not compensation. That is a crucial point to make. Certainly, licence holders have indicated that it is really important that they get this payment before Christmas.


It is very clear that doing nothing is not an option. Nowhere else in Australia has done nothing and this problem has gone away. In fact—and this touches on points that we have heard made today—it is very clear that the previous LNP government did nothing and the problem did not go away. In fact, it just got worse. The former LNP government did not move to make rideshare illegal. All that the former government did was send Uber a cease and desist letter in April 2014. The members opposite say that there has been a delay and a shemozzle. I say to members: look at the track record of the former LNP government as well. It did not cover itself in glory. It did nothing. In fact, the former LNP government probably gave Uber some time to establish itself more firmly. All of the major states in Australia have taken action. There are transition packages in New South Wales, Victoria, Western Australia and South Australia. There is hardship assistance in New South Wales, Victoria and Western Australia. Other states have imposed a levy to fund these packages: \$1 a trip in New South Wales, \$2 a trip in Victoria, and \$2 a trip in metropolitan South Australia.

I say to the members opposite to not think that our empathy is with rideshare. In fact, for me, it is the opposite. The government members want to do everything they can for those Queenslanders who have done everything right, who have struggled to buy one or two taxi licences over the years, who

have worked hard into their retirement years and have treated their taxi licence as a form of superannuation hoping that, when the time comes, they can sell off their licence, pay out the loan and then have some left over. These are working-class people with a giant work ethic who are proud of looking after themselves and their families.

I have met a migrant family from North Lakes—an older man and his wife—who put everything they had over 30 years into getting one licence. Their son came along to interpret for me as they told me what they had gone through. A lady from Rothwell came to see me. She has two licences. She is widowed and looking after two grandchildren. This lady has been in the industry for 40 years. Those taxis have put bread on her table. She wants to retire and sell those licences. I pay tribute to these taxi families in Queensland and in the electorate of Murrumba as well.

I also thank the taxi operators in places like Clermont and Emerald. They are the backbone of public transport in these towns and they are dedicated to their community. They are the only ones who will go out to pick up people on slow nights. If people are looking for a ride home at 1 am on a Wednesday, they can rely on a taxi. That is why we need to get this legislation passed so that we can put money in the hands of these taxi families. We need to take action. We cannot delay. We need to pass this bill. If the members opposite want a level playing field, they need to support this bill and I am glad that that is being done. I commend this bill to the House.

 **Mr SORENSEN** (Hervey Bay—LNP) (5.06 pm): I rise to speak to the Heavy Vehicle National Law and Other Legislation Amendment Bill 2016. I believe that the government has been very sneaky in putting amendments to the legislation governing the taxi industry in with amendments to the Heavy Vehicle National Law. At the moment, in Queensland, Uber is a big issue. This bill contains two matters for consideration: amendments to the Heavy Vehicle National Law, which the LNP supports in principle, and the introduction of a head of power to enable the Labor government to legislate for the proposed taxi and limousine industry \$100 million assistance package.

We probably would not have needed the assistance package if Uber was not such a disruptive innovation that is hell-bent on reshaping the taxi industry. The theory of disruptive innovation was analysed by Clayton Christensen of Harvard Business School in his book titled *The Innovator's Dilemma*. In that book, Clayton Christensen says that disruptive innovation has affected not just the taxi industry through Uber; it has also affected classified advertisements through Craigslist, long distance calls through Skype, record stores through iTunes, research libraries through Google, local stores through eBay and newspapers through Twitter. Further, partly because of disruptive innovation, the average job tenure for the CEO of a Fortune 500 company has halved from 10 years in 2000 to shorter than five years today.

There is good reason to think that the pace of change will increase as computer power increases and more things are attached to the internet, expanding its disruptive influence into new realms. For example, Google promises to reinvent cars that are autonomous, Amazon promises to reinvent shopping by using drones and 3D printers could disrupt the manufacturing industry. Perhaps the most surprising disruptive innovation will come from bottom-of-the-pyramid entrepreneurs, who are inventing new ways of delivering education and health care at a fraction of the cost of the market leaders. Members may laugh about that, but it is going to happen. As a government, I believe that we have to make sure that we keep up with the innovations that emerge so that people, such as these taxi licence holders, do not get hurt.

In Queensland, how are taxpayers going to pay for this assistance package? That is the \$100 million question. Do we again dip into their superannuation funds? The assistance package is made up of \$60 million in one-off payments of up to \$40,000 for existing taxi licence holders, which is \$20,000 per taxi or \$10,000 per licence for existing limousine service licence holders. There is also a \$26.7 million hardship fund. I think this amount is grossly understated, because there is going to be a lot of hardship. Some of the people I have spoken to are doing it tough. One family is looking at losing their home because the banks will not even look at the taxi licences as any sort of property. There is also \$4.3 million in waived fees. That is a loss to state revenue. There is also \$5.6 million for incentives for wheelchair accessible taxis.

In Hervey Bay we have a number of taxis for the disabled because we have a fairly large population of aged people. Taxidrivers say to me, 'What Uber driver is going to bother to spend up to \$80,000, \$90,000 or even \$100,000 to get a vehicle able to transport people with disabilities?' I do not know where we are going on that side of it. At the end of the day an Uber driver can go out in their own car and drive people around, but taxidrivers have to invest a large sum of money for disability

attachments to their vehicle and, as we have heard today, it is around about \$35,000 to do that. A person is looking at a huge expense for that. Taxi services go out every day to pick up children to take them to special schools. We have to stop and think about those sorts of things.

There is \$3.75 million for business advisory help. There are bells ringing out there. The transport department will have a black hole in it if we do not make sure we regulate some of this innovation that will come down the track. Let us talk about safety. When regulation is watered down in the transport industry, either with shareriding or taxis, the first thing that can be kissed goodbye is safety. For example, freedom of information data obtained by the *Sun* newspaper in London in relation to shareriding services reveal that 32 sexual assault claims have been made against employees of the taxi hailing app over the past 12 months. That equates to one every 11 days. The member for Murrumba said that taxis are safe. Are Ubers safe? At the end of the day we do not know that.

It is guaranteed that there will be instances of people having accidents while ridesharing and the compulsory third-party injury payouts will be very easy to argue away. Some of these people will not get paid. That is another issue that will arise very soon if somebody gets hurt in these rideshare cars and they only have an ordinary insurance policy. A taxi has to pay \$6,500 in insurance to carry people. I table the answer to a question on notice I asked on Thursday, 17 September 2015. Part of the answer reads—


The Department of Transport and Main Roads considers that the services being provided by Uber are taxi services.

*Tabled paper:* Answer to question on notice No. 878, asked on 17 September 2015 [2236].

If that is what the department said last year, why are they not being treated the same as a taxi service? Why do they not have to pay the same fees and play ball with the regulations?

**Mr Costigan:** Where is that level playing field?

**Mr SORENSEN:** That is not a level playing field. Why should one business have an advantage over another business. We need jobs here, not overseas. Why do we not stick up for Queenslanders? We are voted in by Queenslanders and we should stick up for Queenslanders—that means our taxi services and call centres. We have to stand up for Queenslanders.

 **Mr DICKSON** (Buderim—LNP) (5.14 pm): I never thought I would ever see the day in Queensland when we would be in parliament talking about how we are going to compensate a business in this state so unfairly. If the government decides it is going to put a road through somebody's property there would be a valuation done on that road and fair compensation would be paid. In this particular instance I think it is ironic that we are going to try to buy people off with \$20,000 for a taxi licence. It is not enough. It is not even close to the mark.

This situation has had a real impact on real people. That is the salient point here today and I am going to tuck straight into it. Many of the 3,000-plus taxi licence holders in Queensland will be impacted. Many live in my area. I will mention just a few. I will start with Steve Cryer in Inala, the Premier's electorate. His taxi is his only source of income. He cannot work due to ill health. He is applying for the pension. He was self-funded. Then there is Ramazan Yildirim in Clayfield. He is an owner-operator. He has no home, his income has dropped and his wife is sick. He cannot sell his taxi licence. These are real people. John and Helen Scott in Beerburrum are owner-operators who cannot retire due to loss of income. They are working past retirement age. They have paid off their taxi loan. It is their sole personal asset that they rely on to continue to feed their family. Then we have Greg Short, a Noosa taxi owner, who recently returned to driving a taxi after he retired. This is what he has to do to survive, to make ends meet.

In my electorate there is a bloke by the name of John Byrne. He has a couple of mates and they own taxi licences as well: Jack Manca and Noel Spain. I will talk about John Byrne for a start. He is a family man. He brought his kids up on the coast. He got out of the military a few years back and he thought, 'I've served my country. I'm going to now buy a taxi licence. I know that it is secure. The government give these licences out.' Actually, they did not give them out; they sold them. An ex-military personnel officer bought one. He could only afford half the taxi licence so he borrowed the rest of the money. He put his house up for mortgage. What is that taxi licence worth to the government today? \$20,000. How far is that going to go? I am taking John and his mates out for lunch next week because I want to drill down and find out what impact this legislation will have on their families after it goes through. I can tell members that they are not happy. These are grown men who are crying. This is what the government is doing to them. They are destroying the lives of potentially 3,000 families in this state. John's two young boys grew up in my local area. They played soccer at the local soccer club. They are slowly moving through life and they see what a government does to their family. Does that give people confidence in a government? I think the answer to that is no.

We are seeing this happen all over the world. We are seeing it happen in the United States and we are seeing it happen in the UK. We can see the push back and it will come here. I can guarantee that at the next election these taxidrivers will probably not look at all of us too kindly. As I said, there are 3,200 of them driving around the state and I am sure they are going to show us a whole lot of love when the time comes.

In earlier contributions some of the Labor MPs said that, if these people can keep their licences, this \$20,000 will keep them going for a long time. I give the minister this dare: he earns \$320,000 a year; how about he gives that money up and I pay him \$20,000 for the next year and then next year we will see how it is going. I ask the minister to take that away with him when he thinks about what he is doing to these people. These licences are worth \$475,000. I do not think it is fair and I do not think the minister thinks it is fair either. This is not what Queenslanders do to Queenslanders.

I will quote from a letter that was sent to all members of parliament—the minister will love this quote; this gets better and better as the day goes on—

Dear LNP members and members of parliament,

Please consider this statement when in parliament: my best man from my wedding works for Uber and he tells me he pays no tax. This is a black economy and he collects some Centrelink government payments. What a joke! How does he get away with this? Apparently easy. Uber treats him as a contractor/sole trader. He has no ABN, thus no tax declaration and pays no tax. How do you identify a Uber vehicle or a Uber driver?

I do not think the Uber company Google is an Australian based company. I believe it is based overseas. They probably do not pay too much tax, either. They are treating us like fools. We are accepting something that we should never have accepted. Where will it go next? Does old Johnny set up a grog shop in his garage? Will that be okay if he calls it an Uber shop? We will not need to have bottle shops anymore. That goes for any other industry we could look at. Is that good enough and would we allow that to happen? We sold permits to give people confidence. Where has that confidence gone? It has flown out the window 3,200 times. It is extremely disappointing.

Many taxidrivers have come to talk to me. Some of them are upstairs. A bloke by the name of Clark Chappel is an absolute saint. He goes out to bat for the taxi industry every single day. He loves the industry and has been involved in it for a long time. He tells me very clearly that the difference between a class 1 and a class 3 is a \$5,000 impost on taxis to provide the same service. There are camera issues. It costs the industry \$3,000-plus to maintain, replace and audit cameras, and there are fines for cameras that are not functioning. The integrity of the images is vital and lowering the standards is not an option. Training standards for English assessment have been moved to cater for Uber.


We have to think about what we are doing. We are moving the goalposts all the time for this company, yet most of its drivers do not pay tax. The money is going overseas. We are taking the legs out from underneath good Queensland people who have bought licences in good faith. Let us think about those 3,200 licences. The owners of those licences may have wives and kids; they all have families and friends. I am sure that they will talk to those people, if they can ever afford to go to a barbecue again. They will probably be eating sausages and mince for a very long time to come, because they cannot afford to buy steak anymore. They will talk to people about how popular the Queensland Labor government is. They will say, 'They are the people who brought about our financial ruin.'

How proud must be the minister. How proud must be the defenders of the working man, that is, those on the opposite side of the House. Proud? My God! It is an absolutely gutless act to go out there and say, 'Here is \$20,000.' In his reply speech, I would love to hear the minister answer my question. Would he give up his \$320,000 and cop \$20,000 for the next 12 months to see how that goes? That goes for everyone sitting on the other side of the House.

The implications of the bill are very interesting. The government is being so generous with its \$100 million package to the industry! What is the real value of the industry? When we talk about taxidrivers for disabled kids whose mums and dads benefit so much from the service they provide, we should remember that we are also talking about voters. This is not just about the taxidrivers and their families; it is also about the people they drive around. I can see those 3,200 taxidrivers motoring around Brisbane and South-East Queensland. I do not think their cars will have signs on the back advertising Myer. They will have signs that say, 'Don't vote for the ALP.' That is an absolute tick in the box, so members opposite should get ready. That is not coming just from me. They may have to declare that as a bit of an add-on to their election campaigns—not that it will help them too much. I think it will be a bit of a negative, but perhaps they should declare it anyway because they have put the industry in this position; they have assisted it.

There are a couple of other taxidriviers that I would like to talk about. They are good people. The driver of the year in a conventional vehicle is Malcolm Lamb from Yellow Cabs Rockhampton. Malcolm was the first person to bring Silver Service vehicles into the fleet. Since then, he has provided exceptional service to his clients. He won that award. Bill, he is one of yours. Maybe the minister can explain to him what the government is going to do. The driver of the year in a wheelchair accessible vehicle is Paul Williams of Mackay. The Whitsunday taxidriver is described as being the best driver in the job. He won an award. The Whitsunday electorate is one of ours. While we might be in a bit of strife there, I do not reckon they will be voting for the current member for Mackay.

Members know what is going on here. We are giving the taxi industry a good kick in the guts. Members opposite need to really think about what they are doing, because \$20,000 is not enough. Members opposite can yell out if they want the money to be taken. Would the minister give up \$320,000 and live on \$20,000 a year? I do not know how he could afford that. That would probably only cover the insurance, just as it costs taxidriviers that much for their insurance and the fees and charges that they pay to this government.

 **Dr ROBINSON** (Cleveland—LNP) (5.24 pm): I rise to make a contribution to the debate of the Heavy Vehicle National Law and Other Legislation Amendment Bill 2016. The LNP has some substantial reservations about aspects of the bill in relation to the taxi industry reforms. I note the shadow minister will be proposing amendments to this bill, which I support. The Heavy Vehicle National Law Act 2012, the HVNL Act, and Schedule—Heavy Vehicle National Law provides for a single national law to regulate the use of heavy vehicles and establishes the National Heavy Vehicle Regulator, the regulator, as administrator of the HVNL. Most Australian states and territories, with the exception of Western Australia and the Northern Territory, are participating jurisdictions for the purposes of the HVNL. The HVNL has been described as the cornerstone of COAG's national heavy vehicle reform agenda and ensures the industry can operate across state borders without conflicting regulatory requirements. Broadly, the HVNL standardises laws and regulations around the operation of the heavy vehicle industry.

The explanatory notes to the bill state—

The HVNL regulates matters about the operation of heavy vehicles such as mass and dimensions, vehicle safety standards, drivers' fatigue management, heavy vehicle accreditation, speed compliance and the use of intelligent transport systems. The HVNL also places obligations on identified off-road parties involved in the transport and logistics chain ... and includes enforcement powers and administrative provisions.

The bill amends the act to implement reforms for the national heavy vehicle industry to better align the obligations of chain of responsibility parties and executive officers with national safety laws, improve compliance and simplify enforcement. The amendments also make a number of minor maintenance changes with the purpose of improving the administration of the law. The bill amends the Transport Operations (Passenger Transport) Act 1994 to introduce reforms to the taxi and limousine industry. It allows a regulation to be made providing a scheme for the payment of financial assistance to the taxi and limousine industry in order to implement the main elements of the Industry Adjustment Assistance Package, or IAAP.

Broadly, the LNP opposition supports the amendments to the Heavy Vehicle National Law. We have provided bipartisan support for the template legislation in the past. As the shadow minister for main roads at the time this legislation was being worked on around Australia and initially here in Queensland, I had the opportunity to be involved in the process. Queensland is providing template legislation for other states and, ultimately, nationally for the scheme. It was a useful opportunity to see how these regulations would need to be shaped in order to support the industry in Queensland in a way that connects with other states. It was a bipartisan situation. At the time, the federal transport minister was Anthony Albanese and there were high levels of cooperation between federal and state governments and oppositions. That was a very interesting situation in the formation of the original legislation. The NHV Regulator was set up in Queensland while the LNP was in government. We supported the intention of the reforms and the regulator's commencement of operations.

I will focus my remaining contribution on the taxi and limousine industry assistance aspect of the bill. This government has bungled the process of taxi industry reform since it came into power. We see that reflected in this bill not going far enough to resolve all outstanding issues. Sadly, the government has been largely dismissive of those affected by the changes. At least, that is how those who have given us feedback, the stakeholders in the industry, feel. They feel the government has been dismissive of their property rights and dismissive of the effect that the uncertainty has caused their businesses. The government has been asleep at the wheel, spending nearly 12 months on a review into ridesharing and leaving the industry and passengers in limbo in the meantime. The uncertainty has added extra stress to taxi owners and drivers.

This bill seeks to address some of the issues that the government has to date messed up. It allows for a regulation to be made to provide for a scheme for the payment of financial assistance to the taxi and limousine industry in order to implement the main elements of the IAAP. In August 2016 the government announced reforms to the regulation of personalised transport services in Queensland, including taxi, limousine and booked hire services.

A \$100 million IAAP has been announced to assist the taxi and limousine industry to adjust to these reforms. The \$100 million package includes: \$60 million towards taxi licenses at \$20,000 per licence capped at two licences per holder and \$10,000 per limousine licence other than special purpose limousine service licences; a hardship fund of \$26.7 million; business advisory support of \$3.7 million; fee waivers of \$4.3 million; and incentive payments for wheelchair accessible services of \$5.6 million.


While it is important for such funding to be made available, the feedback I have received from taxi owners in my electorate in Cleveland and in the broader Redland City—those who usually own one or two licences; small businesses—is that they are very angry that their licences have dramatically dropped in value, due in part to the introduction of ridesharing companies. These owners feel that this Labor government has let them down. They believe that Labor has unfairly supported the ridesharing companies. In the view of many taxi licence owners they have entered and remain in the market on an uneven and favoured basis.

One owner said to me that, now that the genie is out of the bottle, what they want is to be treated fairly and on an even basis. They want an even playing field with respect to issues like the quality of the vehicles, the safety standards for drivers and passengers, driver training, registration and insurances, GST payments and licence values or buybacks or compensation, among other issues.

Taxi owners in the Cleveland electorate and the broader Redland City who have met with me are offended at the paltry sum of funding being offered to them and want the government and the parliament to reconsider more fair and equitable values for their licences. Some of them paid up to \$500,000 for their licence. Some of them own one licence and it is their retirement savings. The loss of a licence will have a major impact on their retirement lifestyle.

The Transportation and Utilities Committee scrutinised the bill and made a number of recommendations. I do not intend to go into great detail on those recommendations. They looked at a range of things. I commend them for their work. They looked at compensation payments and appointing the independent agency the QRAA to assess payments. These were good measures that came from the work of the committee.

The government has so far failed the taxi industry. This bill at least provides the opportunity to begin to make a fair and level playing field for them. Sums like \$20,000, however, are completely inadequate. I support the shadow minister's amendments and urge all members of parliament to consider this issue much more carefully and think about the property rights and equity of those who are largely small business owners—people who own one or two licences—being left in very difficult financial situations. I believe we should do and need to do more and better.

 **Mr POWER** (Logan—ALP) (5.33 pm): I rise to speak on the Heavy Vehicle National Law and Other Legislation Amendment Bill. I served on the Transportation and Utilities Committee that examined the bill and endorse the unanimous decision of the committee to recommend that the bill be passed.

The bill has two major functions. The first is to ensure harmony with the Heavy Vehicle National Law to provide for a single national law to regulate the use of heavy vehicles. Specifically, it places some further obligations on identified off-road parties that are involved in the packing and loading of goods for trucks. This creates a chain of responsibility for parties to ensure the safety of transported goods on trucks. The aim of these amendments is to improve compliance and to simplify enforcement.

The committee heard from Mr Gary Mahon of the Queensland Trucking Association and Mr Graham Hoare and Mr Mathew Munro. They spoke of the specific challenges of the chain of responsibility in the industry. The committee recognises this specific challenge and made a recommendation that this be examined with the responsible ministers in the ongoing consultative process to make this part of national law. I thank them for their participation.

We live in a disruptive age. Computerisation, the internet and robotics all hold great promise to deliver—

**Madam DEPUTY SPEAKER** (Miss Barton): Order! Member for Logan, my apologies for interrupting you. Speaking of disruptive, there does appear to be a lot of conversations being had in the House on both sides. I would ask that if members want to have conversations they please take them outside. The member for Logan is struggling to be heard.

**Mr POWER:** We live in a disruptive age. Computerisation, the internet and robotics all hold great promise to deliver efficiencies and benefits. However, we also know that not all innovation or disruption enhances or benefits society. Further, we must recognise that disruption or innovation can create an overall benefit, but can be negative for some who have made an investment on a particular assumption. The role of government in choosing where regulation should be retained to ensure a public benefit or where regulation is not needed due to societal or technological change is not easy. There is no universal template to apply to ensure the maximum benefit for Queenslanders.

We know that when it comes to booked personalised transport we may see profound changes when automated transport once again transforms personalised transport. Even before we move to automation, the ability to, from your phone, quickly summon a car and driver, specify a destination and receive and pay for the ride while creating a record of your movement is argued by some changes the nature of the necessity for some regulation. It, however, also raises other questions of regulation in the same space that will be an ongoing challenge for governments across Australia and indeed the world.

The current changes still rely on the use of a single driver, a single car, tyre and engine wear et cetera and the need for insurance for passengers. I hear that the demand for cameras for security are still part of the underlying cost and productivity equation. Automation will have a much more profound productivity benefit.

To deal with this transition this bill enables the government to make transition payments to existing licence holders in the taxi industry with the aim of transitioning the industry. The committee endorses and supports the aim of this bill. It had extensive feedback from the industry.

Having heard some of the previous speakers, I have to say that, although they have been in this place longer than me, it seems that they have a different view of the committee process from me. The member for Glass House does not seem to understand that the committee process should be robust. I acknowledge that the Minister for Transport knows exactly how robust the committee process should be—that is, that the committee process should be one where people go out into the community, listen to ideas, present the ideas and be part of government.

We know that under the previous government committees were rubber stamps and were silent. They never brought forward the ideas of the public. This is what was wrong with the previous government. I commend the Minister for Transport because he knows that we need to be out amongst people—that we need to go to Mackay to do hearings, to go to Cairns to do hearings, to go to the Gold Coast and Currumbin to do hearings and to do hearings here. I commend him because he, unlike the member for Glass House, knows what it is like to listen to people.

Many speakers have effectively given a longwinded apology for both the previous LNP government and the member for Indooroopilly. We have heard the members for Glass House, Southport, Redlands and Whitsunday all apologise for the fact that nothing was done and that they created a space where the value of taxi licences was reduced. We heard throughout our hearings that the LNP did nothing. We heard the member for Burleigh rather pompously say that decisions we make in here affect people's lives. That is undoubtedly true. He did not seem to realise that taxidrivers and the industry know that the decisions that the LNP failed to make affected people's lives.

When it comes to the speakers we have already heard and the speakers we are yet to hear, how much noise did they make during the LNP government? How many times did they go to Mr Emerson and explain these plaintive views which certainly I had heard on the streets? It is only this government that is going through the process of trying to transition the industry and determine the best value for Queenslanders.

The committee was charged—indeed, the member for Kallangur and I were charged—by the minister to go out there and actively listen. The committee has listened to the extensive feedback and has made a number of recommendations. We were encouraged every single time by the minister to make recommendations because this is the type of minister he is. He actively wants to involve Queenslanders and to listen to what they are saying.

We heard from Mr Ben Wash of the Taxi Council of Queensland that the nature and challenge of transition may be different in Queensland than in New South Wales. In New South Wales we were told that the industry is far more fragmented and that some 80 per cent of all work undertaken by taxis in New South Wales comes from either a passenger hailing a taxi on the street or from walking to a rank and getting a taxi there. In Queensland the industry has moved over the last 20 years to encourage and develop booked calls, and only 35 per cent—versus 80 per cent in New South Wales—of Queensland taxi work comes from ranks.

We heard that the industry has had for some time used apps to order taxis. Indeed, I regularly use the taxi app and find it convenient. It should be noted though that app booking services are not the key difference between taxi companies and other point-to-point booking services that have emerged. We also heard that the taxi companies valued the training, presentation and language skills of their drivers. While some wanted this to be continued to be mandated in a specific way by regulation, the alternative argument is that the companies themselves determine the best way to ensure the standard that they see as being of value to their customers.

The committee heard from taxidrivers and operators such as Mr Shane Holley that taxis have higher costs that are a product of regulation—higher costs of livery, age of taxis, CTP, insurance, regulated cameras and other costs. Taxidrivers also noted that they are required to collect GST from the first dollar they take in, unlike current ride-booking services. Of course, that is a matter for the federal government and one that no doubt those who have plaintively bleated on the other side could take up with the federal government.

The report made a number of recommendations to this process reflecting the contribution of participants at the hearing. We heard and made recommendations regarding the varied nature of ownership structures of taxi licences—we asked the minister to consider that as part of the whole package—and recommended that the transition payment process reflect the hardship and varied need of licence holders. I am so pleased that the minister, who was already moving in that direction, encouraged us to listen, encouraged us to give consideration to it and to make recommendations, and he took those on board. That is good leadership in this field.

It was further recognised that wheelchair taxi operators and licence holders may face special finance and other challenges in transition, and it was recognised that the NDIS and other sources of funding are not clear. Again, we saw the minister, who was already in that space, make further changes to ensure that there is now certainty for wheelchair taxidrivers. The committee recommended that the minister investigate financing problems, as I said. The committee also heard from limousine licence holders who expressed that, although their level of investment was less, they did not have access to rank or hail work under the new anticipated regulation and that their value may correspondingly fall further.

Many of the other recommendations were suggestions for the minister to consider during the process of formulating the next stage of the process. We were encouraged to do that as well, even though that was not formally part of this bill. These regarded the cost of annual licences for non-perpetual licence holders, the safety and camera requirements, registration, CTP and insurance, as well as penalties for noncompliance with the new act. I note that the minister has moved proactively to introduce new penalties for noncompliance such as lurking within taxi ranks.

The next stage of this process is important in the transition for the industry. We also heard from individuals and representatives of families who feel lost and hurt as they see their investment lose value. I was particularly impressed by one young woman who told the story of her father's decades long commitment to providing for his family through driving and slowly paying off his taxi licence. He recently lost his life and hoped that the licence, as his one major asset, could provide for his widow. As she described the uncertainty and feeling of loss and bewilderment, there was hardly a dry eye in the hearing room. I know that the other members of the committee empathised deeply with those who told their stories, no more so than the member for Kallangur, who wanted all of these stories to be heard and put on the record. I thank every participant for their direct, heartfelt and passionate views about the industry they love. Many of them privately also reflected on the fact that they were in this position because of the inaction of the LNP government in the previous term.

I was happy to serve on the Transportation and Utilities Committee through this process. It was at times heart-rending as people came to us with tears in their eyes as they explained the uncertainty of their situation. Many were extremely proud of their or their families' many years of serving the public through the taxi industry. They had assumed that their investments in a taxi licence would always steadily increase. The transition is very difficult for these proud, hard workers. This new approach to them represents a threat to an established system. Our job in this place is to see whether there is genuine public benefit for Queensland. The first step is certain—to support the passage of this bill to provide funds for transition for the industry as soon as possible.

The second stage will address more directly the challenge of technological disruption to a regulated industry. Deloitte Access Economics issued a report in 2016, sponsored admittedly by the biggest non-taxi ride-providing company, to look at the economic effects of the new technology and point-to-point ride providers that are not regulated. The Deloitte report states that these ride-providing services share certain characteristics.

They use a digital platform to connect drivers and riders. Deloitte correctly claims this lowers transaction costs. Yet, as we heard in evidence, the existing taxi services have an equivalent digital platform and app, though others have told us that in the past the taxi app did not adapt as quickly to have all of the functionality that others had—but it seems to have caught up. Further, we heard that 50 per cent of calls to the taxi call centre are handled by an automated digital system that directs the taxi to the house or business from where the caller has called. Both of those systems lower transaction costs for the consumer and for the company.

The report also states that ride-providing services provide a bi-directional rating system 'reducing information asymmetries'. However, taxi service apps also provide such ratings and, unlike other services, do not use an algorithm to slowly reduce fares for drivers—effectively using a robot to reduce a worker's hours—or reduce services for customers as taxis are required by regulation to provide a service for all comers. The question would be: do we wish to see a Queensland worker effectively sacked by an algorithm—never to be told they are sacked but instead given less and less work without human intervention?

Some non-taxi services use a system of demand based surge pricing to further increase the supply of drivers when demand is high. This is indeed not used by taxis, but then this pricing system has both positives and negatives and could easily be implemented by the taxi systems as many taxi yards have substitute taxis that could be used during times of high demand. In fact, we heard at the hearings that there is a limited capacity to do this under the existing legislation.


The report does not highlight that taxi and non-taxi services share many costs. They both have a similar cost of a base car, of tyres and of fuel and each has the time of the driver taking the passenger to the destination.

The Deloitte research paper identifies that, in Queensland, if you take the percentage by population, there is \$13.8 million per year in public benefit. This report admits that this does not price the loss of reduced rents to licence holders or price any other losses that extra supply and disruption may cost existing drivers that would normally be included in such public benefit calculations. The report—that is, the Deloitte Access Economics report commissioned by the company—makes the claim from the company's data that fares on average are 19.8 per cent cheaper than equivalent taxi rides. This claim is supposed to be inclusive for the surge pricing that presently means consumers pay a multiple of the standard fare.

We have heard from submissions that non-taxi ride-providing drivers do not pay GST from the first dollar received as taxis are required to do. If the federal government begins applying GST to these services or takes the GST off taxi services, then this 19.8 per cent difference is reduced by 10 per cent. We have also heard that there are extra costs for taxis including registration, CTP, insurance and security and camera costs. There is also the cost of livery, uniforms and wired lights all regulated by past regulation. Of course, there is also the cost of renting a licence which, at the time of the Deloitte report, was around \$48,000. Since then it is much reduced. Although the report calls this an economic rent, it is a product of regulation. We have heard at the hearings that this cost has been reduced by half.

With the regulated costs either equalised or removed, it seems that there will be very little difference in price left between the two types of services. With prices similar or equal, the equation for non-taxi services would be very different. We should note that, although the barriers to entry may be limited, where one player has a dominant network coordinating the most drivers, there may in the future be an effective monopoly that may make economic rents of a different sort for the dominant player or duopoly.

With the indulgence of the House, I would like to note that tomorrow is the 27th anniversary of the election of the Goss government. As the member for Logan, I have spoken before about the support Mr Goss gave me as a past member for Logan. I would love to be able to ask him about his ideas on this bill, about this challenge to public policy. Just as he did when he was premier, I know that he would have had innovative but fair solutions for Queensland. It is remarkable to reflect on the change that Queensland has undertaken since 1989. We do not have the guidance of former premier Goss. Instead, this difficult decision is one we must undertake without his wisdom. I commend the bill to the House.

 **Mr MILLAR** (Gregory—LNP) (5.50 pm): I, too, would like to make a contribution to the debate of the Heavy Vehicle National Law and Other Legislation Amendment Bill 2016. I will start with what is probably one of the biggest changes in the taxi industry in Queensland. This legislation is about assisting taxi and limousine operators after the minister's handling of the Uber invasion.

In the seat of Gregory, taxis are the only public transport option and therefore are essential—they are not a luxury; they are essential—especially for our elderly, disabled and ill. When an industry plays such a key role in your society, government has an obligation to approach change with a great deal of caution. When a new operator arrives on the scene, the government must enforce its own regulations. That is all Uber is: a new operator in an old business. The app is just a shiny bauble to distract. As a father of three children, safety aspects concern me when the operator is now a legal operator. As a country Queenslander, machine safety aspects also concern me.

We must treat this issue with a great deal of caution because we are dealing with a lot of families. As the member for Whitsunday outlined, this impacts real people and real businesses. People have invested a lot of money in taxi licences in the taxi industry. For many of them, those licences were their superannuation. That was going to be their retirement fund. That was going to be what they needed when they retired from the industry to be able to live out the rest of their life. That was their superannuation.

I was fortunate enough to meet a lot of taxi operators throughout Queensland when the infrastructure committee looked into the issue. What I can say is that this issue has affected a lot of people. I was listening to the member for Redlands and the member for Logan when they talked about that person who fronted their committee. There was not a dry eye in the committee or in the committee room. I can understand that because this has turned people's lives upside down with no clarity and no assurity on where they are going.

I will talk about some operators in my electorate of Gregory—good people like Ben and Cecilia Hooper from Emerald who own Emerald Taxis. They are hardworking, family people. Their youngest son, Harry Hooper, goes to school with my daughter. Harry was just selected as the vice captain of Marist College and also represented Queensland in schoolboy Rugby. He is a fine young gentleman and comes from a very fine family—a family that plays an active part in the Emerald community. They not only provide a taxi service but also play an active role in the community. They have been a strong Emerald-Central Highlands family for a very long time and this has had a major impact on them.

Ben Hooper, who has always been very good to me and is always happy to pass on some advice, whether it is about taxis or any issue, is always happy to see me. He is always happy to pick me up if I need a taxi. This has had a major impact on him, his wife, Cecilia, and their family in not knowing the future of taxis. They have licences and those licences were not cheap. They have a few taxis and they have people who work for them. The people who own taxi licences also employ people who also have to pay mortgages. They have an income from the taxi industry and this will impact them as well.

I want to talk about Judy Tanks, who owns the Longreach taxi service. The Tanks family is a well-known family in Longreach, and this has had an impact on them as well. Out there the taxi service is essential. It is the only public transport we have in the town. If you are an elderly person in Longreach and you need to get to the local IGA or Foodworks, or you need to get to a doctor or to the hospital and you are living by yourself and you do not have transport, you rely on the taxi service. You rely on Judy Tanks to come and pick you up, and they do a lot of that. If you have a disability and you need to get around town for an appointment, they rely on the taxi service. It is not a luxury; it is an essential service for those people.

What is worrying them in regard to this legislation and in regard to Uber in regional Queensland is that if someone decided to start up an Uber service in Longreach or in Emerald it would make the taxi services provided by Ben and Cecilia Hooper and Judy Tanks unviable. Let us say that someone starts up an Uber operation in Emerald, Longreach or any small regional town and after seven or eight months they decide they want to leave town. In that time the taxi service that had been there for a long time has gone. Who is going to come into those towns and provide that essential service for a person who has a disability or for an elderly person who relies on transport when there is no longer a taxi service in town? Who is going to pick them up? What is their solution to ensure that people living in those communities have adequate transport?

I have looked at the parliamentary committee review of the legislation. Even Labor Party committee members were concerned that the minister was seeking to create a head of power for compensation without the detail of who will be eligible. I would like to say quite clearly that this \$100 million industry adjustment package in no way matches the scale of the injury that has been done to the property rights of the taxi licence holders. \$20,000 per licence goes nowhere near to being of any assistance, compensation or adjustment. As those on the other side said, this is about adjustment, not compensation. The fact is that licence valuations have decreased significantly. When the infrastructure

committee was on the Gold Coast looking into this issue we had taxi owner-operators come to our committee meeting. Before all of this happened, those taxi licences were valued between \$400,000 to \$500,000.

**Mr Stevens:** Six to seven.

**Mr MILLAR:** I take the interjection from the member for Mermaid Beach—\$600,000 to \$700,000. When they decided to leave the industry, that money was what they were going to retire on. They are hardworking, blue-collar people. They work hard. They work—

**Mr COSTIGAN:** Big hours.


**Mr MILLAR:**—big hours.

**Mr COSTIGAN:** And they sacrifice.

**Mr MILLAR:** And they sacrifice; I take that interjection from the member for Whitsunday. I believe that the compensation is nowhere near enough.

I support this bill only with reservation and regret that it is even necessary. Given that it is not just necessary but urgently necessary, I ask the minister to take the committee's recommendation with the utmost seriousness. He must urgently legislate new licensing schemes. He must urgently provide clarity around cameras in vehicles. He must urgently introduce an interim CTP classification and training for wheelchair accessible vehicle drivers. He must look at those issues very seriously.

I can tell the House that it has been a very hard and heartbreaking issue for Queensland. We have seen mum-and-dad operators right across Queensland, particularly regional Queensland, from Cairns down to Coolangatta, and their hearts were breaking. They had no clarity and they did not know what their future was. The taxi industry is a strong industry. It is an industry that deserves to be supported. We must do everything to ensure that they continue to operate, because they are an important part of what is a very well regarded industry which transports people around, especially in regional areas. Like I said, in regional areas like Emerald and Longreach, those services are essential. They absolutely play a critical role for our elderly and the disability sector. They also pick up schoolkids sometimes and get them to school. The taxi industry where I come from is not a luxury; it is an essential service, and we need to maintain it.

 **Mr BENNETT** (Burnett—LNP) (6.00 pm): I rise to make a contribution on the Heavy Vehicle National Law and Other Legislation Amendment Bill. The bill has two main parts of consideration: amendments to the Heavy Vehicle National Law, which are uncontroversial and have been dealt with previously, and the introduction of a head of power to enable the Palaszczuk Labor government to regulate for the proposed taxi and limousine industry assistance package. The Heavy Vehicle National Law and Other Legislation Amendment Bill 2016 seeks to introduce this head of power, and we look forward to further negotiations tonight during the consideration in detail debate.

The Transportation and Utilities Committee made a series of recommendations—from both the ALP and the LNP members—that some of the government's changes be introduced as soon as possible. The committee also made recommendations raising concerns about restricting eligibility of those receiving assistance payments. I acknowledge the minister's speech today highlighting further amendments because the industry expected more. Those in the regions, where they are hurting, are waiting for their expectations to be met.

I want to assure my electorate that I and the LNP are not adverse to competition, innovation and new entrants into the taxi industry, but we must ensure that our laws are safe, fair and efficient. The foremost priority should always be passenger and driver safety and fairness. We appreciate that the personal transport industry in Queensland has undergone significant change with the Palaszczuk government's personalised transport reforms. These issues have been well canvassed and debated today and through the committee process. With some devastation now inevitable for these small business operators in Queensland, the compensation package is ready to flow and it must flow before Christmas, as I know the minister is endeavouring to do.

The Queensland Labor government introduced the first part of their policy via regulation. We on this side in the LNP opposition, after much consultation with many stakeholders, have successfully opposed and disallowed provisions in the government's regulation. We are glad we have moved forward with these well-reserved amendments that were proposed by the minister tonight. These provisions allowed for former taxis to be sold without identifying their features, something that we all thought was important.

This bill currently before the House will enable the government to create its proposed industry assistance package. Members of the parliamentary committee made recommendations suggesting the government provide clarity to the package. Again, I acknowledge the minister's speech where those things were addressed. I look forward to the minister responding to these concerns during his closing remarks tonight.

We have, unfortunately, had to advise many operators across Queensland and in the Bundaberg region that the LNP opposition is not able to change or direct compensation funds through amendments to the bill as it is regarded as an appropriation. The Speaker spoke about that and our proposed amendments earlier. We certainly understand the strain faced by taxi licence owners—and I notice operators tonight are included—and know that the government needs to act quickly to provide the industry assistance package.

The LNP will continue to consult with all stakeholders, including the taxi industry, to make sure the changes are in the best interests of Queenslanders. In a recurring theme of the Labor government, unfortunately, the minister still has not identified how the \$100 million compensation package would be funded. Under this government, it is always the taxpayers who end up footing this bill.

I turn to local issues which are really important to me in the Bundaberg region. The taxi industry has fought for many months to seek local representation. I refer to a local meeting with the member for Bundaberg in regard to the desire of local operators to seek resolutions—

**Mr Whiting** interjected.

**Mr BENNETT:** I will take that interjection. We talk about the taxi industry and the lack of representation. We listened for three days while you guys went on and on and on. How about you just pull your head in and listen and maybe you will learn something.

**Madam DEPUTY SPEAKER** (Miss Barton): Order! I remind the member for Burnett to direct his comments through the chair, not at individual members.

**An honourable member:** Unparliamentary language.

**Mr BENNETT:** I withdraw the unparliamentary language. I turn to a local issue about the local representation in the electorate of Bundaberg. I refer to a local meeting with the member for Bundaberg in regard to their desire to have local restitutions about this issue—whether it was the 30 operators who stood outside the office, seeking a meeting that was ignored. We have been advised that they posed three questions to the local member. Firstly, 'If you had a million dollars, would you buy a dairy farm?' They received no response to that. Secondly, 'If you had a million dollars, would you invest it in the fishing industry now that you have closed down the area where our local fishermen cast their nets?' That industry is effectively destroyed. She said that she probably would. Really? Thirdly, 'If you had a million dollars, would you invest it in the taxi industry, now that you have sold us out to ridesharing and indirectly deregulated our industry without satisfactory compensation?' The response was that she really did not understand the taxi industry. The industry was at least content that she was honest about that.

The submissions to the parliamentary inquiry consistently highlighted for many across Queensland the sentiment that wrong does not become right just because it may be legal or popular. Taxi licence owners, operators and drivers articulated clearly that there must be compensation in order to pass the 'fairness test'. It has been widely reported that the current mention of a possible \$20,000 'adjustment' for some taxi licence owners is not justice nor is it fair. It does not achieve a level playing field. It does not even cover the cost of providing a taxi for one year—with rego, insurance and radio dues—much less any compensation for loss of licence value, or loss of income or bank payments for borrowing money for the licence.

We heard this loud and clear over the last six months from the operators in Bundaberg who clearly have real concerns about their futures. That is why the compensation must be meaningful and in the vicinity of the lost capital value prior to rideshare entering into Queensland. It does not even mention drivers or others involved in the provision of the taxi industry, but I note that the minister is including operators, which is a welcome reform.


The operators in my region have clearly articulated that it appears that the Queensland Labor government have not considered the benefits to the consumers and wider community. The committee was concerned that the minister is seeking to create a head of power for compensation without outlining any eligibility criteria for those receiving payments. We are sure that the QRAA recommendations will

resolve that today. Regardless of the inadequacies in this government package—and there are many—it is clear the process means this bill must be passed because the longer we wait, the longer struggling taxi owners will wait for access to their hardship payments.

I note again the lack of competence and commitment to our local community by the member for Bundaberg, who I note is not even making a contribution to the debate. I suspect like most stakeholders in my region she refuses to meet or stand up for a fair deal. That is not a problem because we will ensure that our new candidate for Bundaberg, who will be selected next week, will have a consistent approach on how to deal with local stakeholders.

The cap on compensating only two licences should be removed, as should the restrictions on who will be compensated. Licence owners have varying reasons for having their licences in different financial structures, whether they be a small company or a trust. They still bought and paid for their licences, fair and square.

It is recommended the application, assessment, payment and reporting for the compensation be handled by the Queensland Rural Adjustment Authority rather than the minister's own department. We support QRAA administering this assistance package. The LNP supports the committee's recommendations for the minister to urgently introduce legislation to bring in his new licensing scheme, provide clarity around cameras in vehicles and introduce an interim CTP classification and training for wheelchair accessible vehicle drivers. I look forward to the availability of the compensation to those hardworking small business owners in Bundaberg and the region. The taxi owners and operators certainly deserve this compensation. They will look forward to this being resolved tonight and for their compensation to be payable.

 **Mr PERRETT** (Gympie—LNP) (6.08 pm): I rise to speak on the Heavy Vehicle National Law and Other Legislation Amendment Bill 2016. This bill introduces changes to the Heavy Vehicle National Law and seeks to introduce a head of power for a proposed taxi and limousine industry assistance regulation. The changes to the Heavy Vehicle National Law will standardise laws and regulations regarding the operation of the heavy vehicle industry, including road network access, mass and dimensions, fatigue management and safety accreditation.

The former LNP government introduced the national law in 2012 and established the National Heavy Vehicle Regulator. Sharing the roads with heavy vehicles is a daily occurrence for drivers in regional areas like my electorate of Gympie. It is a regular sight for drivers to see heavy vehicles undergoing inspection and to share the road with heavy vehicles shifting goods, produce and livestock around the region. Understandably, this section of the bill has broad, strong support from the Australian Trucking Association, the Queensland Trucking Association and the trucking industry.

The more contentious aspects of this bill deal with the aspects which pertain to the taxi and ridesharing industries. While passenger safety is the highest priority for all who use vehicle transport, it is important to ensure that there is a fair and level playing field for the taxi industry. While members of the Labor Party prefer to operate closed shops and monopolies, the LNP has always supported competition. It leads to better outcomes for small business, for the economy, for the workforce and for consumers. However, the competition has to be conducted on a fair and level playing field.

This government does not know what it means and has been inept and reckless in how it has completely bungled the process and made policy on the run in relation to the review into ridesharing. For almost 12 months the industry, the owners, who are small business operators, and the passengers have been left dangling while the government flounders on what it should do. The government had been callously dismissive of those affected by the changes, dismissive of their property rights and dismissive of the effect and the uncertainty that has caused to business. Even now the minister keeps silent on what is going on. The minister still refuses to provide any dates, deadlines or details to provide certainty to the taxi industry.

The compensation package which the minister seeks to provide is clearly inadequate. The \$100 million industry assistance package consists of: \$60 million via a one-off payment of up to \$40,000 for existing taxi licence holders, or \$20,000 per licence, capped at two licences, and \$10,000 per licence for existing limousine service licence holders; \$26.7 million hardship fund; \$4.3 million in waived fees; \$5.6 million to incentivise wheelchair accessible taxis; and \$3.75 million for business advisory help. Regardless of the inadequacies in this government package—and there are many—it is clear the minister's bungling of the process means this bill must still be passed because the longer we wait, the longer struggling taxi owners wait for access to hardship payments.

There is so much wrong with the bill and the compensation package that the committee had to provide 27 recommendations demonstrating ongoing concerns with the compensation package, eligibility requirements, safety measures and implementation measures. The committee including the

Labor members for Kallangur, Logan and Murrumba clearly have no confidence in this minister to do anything, let alone manage a compensation scheme. In contrast to the minister's dithering, I would like to thank the shadow minister and member for Glass House, who came to Gympie last month to personally meet with, listen to and take on board the concerns of our local taxi company and owner-drivers.

There are only 12 taxi licences in Gympie. They are all locally owned and operated, with their income staying within Gympie. The Gympie taxi industry is based almost solely on bookings, with only 10 per cent of the overall workload from rank-and-hail work. They operate around the clock, relying on peak hours to carry through the losses felt in the quieter periods. The problem with the nature of the ridesharing model is that it skims the cream off the peak times. It does not have to provide any other service to the disabled, elderly and those who perhaps do not carry a smart phone.

The Gympie service is typical of that within many regional towns. It is small and it is family and locally owned and operated. It is part of our local small business community. The Gympie service has been comprehensively reviewed by TransLink, with four licences being removed between 2000 and 2010. When Gympie Cabs recently applied to have its taxi service area expanded, TransLink investigated introducing another licence. This was not to be. This is because there is a limited amount of work in the Gympie area. TransLink found that during the previous three years there had been no complaints about the level of service. TransLink also found that because Gympie Cabs was meeting its minimum service level, it determined that Gympie could not sustain even one more licence. The obvious deduction from this is that, if TransLink had concluded that Gympie could not sustain a new taxi licence, then it is certainly unable to sustain both a taxi service and one or more ride-sharing services.

Prior to the regulation changes, taxi service licences in Gympie were valued at around \$300,000 each. Every licence was paid for or is still being paid for by the licence holder, whether they are a sole trader, partnership or company. The Managing Director of Gympie Cabs, Jackie Fallon, wrote to me saying—

There are so many different backgrounds and reasons why people invested in the taxi industry in the first place, however all with the common ground of buying into a government regulated industry without fear that the government would ever take that away from them without the common decency to adequately compensate them!

No matter what the financial structure of the taxi licence, the loss in value of the licence is still the same. There should also be no difference as to whether people hold one or two licences or more than that. The loss is still the same. That is why the opposition supports removing the cap on compensating only two licences as well as the restrictions on who will be compensated. Mr Les Gist from Supreme Taxi Co. in Townsville advised the committee—

... capping the licences at two is unfair, as every licence has a mortgage or covenant over that particular licence by the lending institutions. Licence compensation should be per licence and eligibility should be to every licence owner, regardless of ownership structures: trust, superannuation funds, proprietary limited companies, business names or individuals. Why should my company be deemed unworthy for any compensation to allow for adjustments or innovation?


The Taxi Council of Queensland complained that the lack of economic modelling or rationale makes it too hard to determine on what basis the government has determined to cap the licences at two. It said—

... industry adjustment must apply equally to all perpetually held licences. There are just over 3,260 in Queensland. We have not been given any rationale or any economic modelling or any kind of solid line of reasoning as to why people who may have invested in more than two licences are somehow less deserving of having their compensation or having their contribution to the Queensland economy recognised. If you have invested in multiple licences, your contribution is, by a multiplier, greater than others, yet there is a definite inequity in it. ... you cannot put an arbitrary cap on it without giving a very solid reason. To date, no solid reason has been given.

Even the committee was hampered by the lack of information from the minister. It said—

The committee was not able to compare the economic modelling undertaken by the Taxi Council of Queensland and the Government, as the PricewaterhouseCoopers analysis used by the Government was not made available to the committee.

The minister has dithered, delayed, been unforthcoming with information, mishandled the whole process and wasted time. The result has been to leave hardworking Queensland taxidriver, their families and business owners struggling and continue to put them into financial stress and hardship. The longer we wait, the longer struggling taxi owners wait for access to hardship payments. As I said earlier, regardless of the inadequacies in this government's package—and there are many—it is clear their minister's bungling of the process means that this bill must be passed with the opposition's amendments.

 **Ms FARMER** (Bulimba—ALP) (6.16 pm): I rise to speak briefly to the Heavy Vehicle National Law and Other Legislation Amendment Bill 2016. The bill seeks to amend the Heavy Vehicle National Law and insert section 155A and 207 into the Transport Operations (Passenger Transport) Act 1994 to create powers for a regulation to provide for a scheme of financial assistance.

I want to particularly congratulate the Transportation and Utilities Committee, headed by my friend the member for Kallangur, and his whole team. I have heard many things from various members of that committee as they have talked about the trips they have taken and the people whom they have seen along the way. I have listened to the contributions from the members tonight and I am aware that it was a very challenging and very demanding task that they undertook. I just want to pass on my regard for the work that they have done in what is an incredibly complex area.

I also want to acknowledge the minister for the way in which he has regarded those 27 recommendations that were made by the committee. Obviously he is supporting a number of them, supporting a number in principle and considering some others, but most of them he is taking on board seriously. I want to thank the minister for the attention he has given me. I thank all of the members on this side of the House for listening as we have talked to him over the last 18 months or two years about the sorts of things that our own constituents are raising with us. I have been very grateful for the significant amount of time that the minister has given me and that his staff have given me on what is a very vexed issue.


While the initial review was being carried out about personalised transport in this state, my main goal as a local member listening to my constituents was to ensure there is a level playing field in this area, and this is what these reforms are all about. I thank the minister very much for listening. The minister came out to a very large gathering at my electorate only a couple of months ago and spent a lot of time talking to people one on one. I have listened to all of the conversations with him, and I think what is contained in this bill tonight and what is to come is a reflection of the fact that he has listened to everyone's concerns and very closely looked at the recommendations of the committee.

I want to thank the many, many constituents from the Bulimba electorate who have taken the time to contact my office and who have met with me for many conversations. I have been to a range of community events, and I am sure that my experiences are the same as any member's from both sides of the House. I want to say to them that I appreciate their time. There have obviously been quite strong views on either side, and I want to reassure people that in every single instance I have passed on the positions that they have taken to the minister in the minister's office, and I have been very pleased to do so. I wish to record my respect for all of those people regardless of their position.

I am pretty appalled at the position of members on the opposite side of the House and the very high moral ground they have taken over the apparent length of time that the minister has taken to bring this bill to the House and the fact that all of the people they have spoken to have had to wait so long. They do not mention that they sat on this for probably a year when it became obvious that the landscape was changing for the personalised transport industry and that Uber was coming in. I think the member for Maroochydore talked about the minister coming in after the horse had bolted. They happened to be in government when the horse was bolting.

I was told by a very well-placed source that the reason that the LNP government did not take action was that Campbell Newman had research done in his electorate of Ashgrove and there appeared to be a lot of Uber supporters there. His research showed that if he came in and did something to help the taxi industry, he would lose his seat. Thank you very much to all of the people that the LNP are saying they are feeling very sorry for and that this minister has maligned. If they had gone in and done something when it was so clear that the landscape was changing, then things might have happened a lot earlier. It is absolute hypocrisy from those opposite to take the high moral ground, so how about if they tell people why they stuffed around instead of acknowledging that this minister, in a very, very thorough way, has gone through it to make sure that he could do the best possible thing for the personalised transport industry.

This bill addresses something that I see as a huge priority for the people who have come to see me, because it is going to create a head of power to make regulations providing a scheme for the payment of financial assistance. There will be traditional assistance and hardship payments, and the minister has already made a commitment about putting in place a regulation. I will not go into detail about that because we know what this bill is about. Before I finish, I just want to say a special thank you to a taxi licence owner in my electorate called Darcy Grieve for the time he has spent with me talking me through the issues and helping me to understand the core issues. I pay my respect to him formally in this House.

 **Dr ROWAN** (Moggill—LNP) (6.24 pm): I rise to make a contribution to the debate on the Heavy Vehicle National Law and Other Legislation Amendment Bill 2016. The legislation before us seeks to address the chain of responsibility provisions within the Heavy Vehicle National Law and to make a range of minor and technical amendments, including reducing the administrative burden for the

regulator and the heavy vehicle industry and improving the enforceability of the Heavy Vehicle National Law. The Heavy Vehicle National Law and Other Legislation Amendment Bill 2016 also introduces a head of power to allow the Labor Palaszczuk government to regulate the proposed taxi and limousine industry assistance package.

As a member of the Liberal National Party, I support the proposed amendments to the Heavy Vehicle National Law. The Heavy Vehicle National Law standardises laws and regulations around the operation of the heavy vehicle industry including road network access, mass and dimensions, fatigue management and safety accreditation. The importance of nationally consistent laws cannot be underestimated, as they dramatically reduce compliance costs for business and improve safety for drivers and motorists.

The Heavy Vehicle National Law reforms have had bipartisan and industry support for many years, and the Australian Trucking Association, the Queensland Trucking Association and the trucking industry are broadly supportive of the proposed amendments that we are discussing here today. In particular, the reforms to the chain of responsibility provisions will ensure that the Heavy Vehicle National Law is consistent with other national safety laws, including the Model Work Health and Safety Act. The reforms invest in each party in the chain of responsibility a primary duty of care to ensure the safety of their transport activities.

By adjusting the Heavy Vehicle National Law's chain of responsibility provisions to reflect a principles based approach, businesses will be able to focus on identifying and managing safety risks in a way best suited to the individual needs of such business. The focus on outcomes over procedure will enable the development of innovative responses to safety issues. A positive due diligence obligation on executive officers is also introduced in relation to the new primary duties obligation. This due diligence obligation includes taking reasonable steps to acquire and to keep up-to-date knowledge about the safe conduct of transport activities, the nature of the relevant entities' transport activities and the associated hazards and risks.

With regard to the industry compensation package, I hold grave concerns surrounding the restrictions on compensation, the lack of clarity surrounding the eligibility criteria and the bungled consultation and construction of the policy by the minister and the Palaszczuk Labor government. The Liberal National Party has always supported a fair and level playing field for the taxi industry, with the priority being passenger safety. The industry adjustment processes, however, have been bungled from the start by the minister and the Palaszczuk Labor government. The minister has been dismissive of those affected by the changes, dismissive of their property rights and dismissive of the effect the uncertainty has caused businesses and owners of taxis.

The emotional distress and financial hardship of many in the taxi industry cannot be underestimated: you only have to read the testimony provided to the parliamentary committee. I have met with a number of local operators who are experiencing such hardship and stress. They are angry, disappointed and distressed. I would certainly like to take this opportunity to particularly acknowledge Chris and Leigh Warren as well as Errol Hansen and many other taxi owner operators in my electorate of Moggill.

The Palaszczuk Labor government was asleep at the wheel, spending nearly 12 months on a review while the taxi industry and passengers were left in limbo. The minister dithered for many months, refusing to give any dates or details or to provide certainty to the taxi industry. This was policy on the run, and it has been damaging an industry that is undergoing a period of massive adjustment.


The proposed industry assistance package of \$100 million includes \$60 million dedicated to one-off payments of \$20,000 per taxi licence, which is capped at two licences, and \$10,000 per licence for existing limousine service licence holders. I believe that this cap should be removed, along with the restrictions on who can be compensated under this bill. Licence owners have various reasons for having their licences in different financial structures. They still bought and paid for their licences fair and square, and it is ludicrous to exclude them from the compensation scheme based solely on their business structure.

The lack of clarity surrounding the eligibility requirements is of even greater concern. The parliamentary committee, comprising both government and opposition members, released a scathing report card on the minister's handling of the whole process. In particular, the minister's insistence on creating a head of power for compensation without outlining any eligibility for those receiving payments is seriously irresponsible and further damages industry confidence. How can the minister expect the industry to adjust when he provides no certainty, no dates and no details of further support for the taxi industry?

Despite the obvious and concerning flaws in the minister's consultation process and the inadequacies of the Labor government's package, this legislation must be passed without delay but it must be passed with amendments. The longer the government dithers, the longer struggling taxi operators wait for access to hardship payments. However, in my view, the Labor government's compensation package is still very inadequate and fails to appropriately address fairness, equity and property rights or acknowledge the contribution of many business operators over many years who have engaged in a heavily regulated and operated government system of taxi licensing. Many who have entered into a government regulated system in good faith have been penalised. I encourage all members to support the amendments to be moved by the LNP shadow minister for transport and main roads, the member for Glass House, Andrew Powell.

I conclude by urging the minister to honour the principle of a fair go. A fair, equitable and level playing field must be delivered here in Queensland. Passenger safety must continue to be a priority with respect to cameras; insurance, including CTP; and wheelchair accessibility. I certainly offer my support to all taxidriviers here in Queensland who are good and decent people under significant stress and suffering adversely. These patriotic Queenslanders and small business owners have been committed to providing passenger transport services over years as well as economic development and job creation. Certainly the LNP members on this side of the House understand this and the importance of our taxi industry to Queensland.

Sitting suspended from 6.31 pm to 7.31 pm.

 **Mr CRAMP** (Gaven—LNP) (7.31 pm): I rise to speak to the Heavy Vehicle National Law and Other Legislation Amendment Bill 2016. This bill is divided into two parts. The first seeks to make amendments to the Heavy Vehicle National Law and the second seeks to introduce a head of power to enable the Palaszczuk government to regulate for the proposed taxi and limousine industry assistance package. I will move straight to the most controversial part of this bill and speak to the industry assistance package, because we all know that for a large number of our state's business operators working within this industry it is the most highly awaited amendment of 2016.

I stand here tonight to speak on behalf of our local taxi and limousine operators in the Gaven electorate and on the Gold Coast whom over the last year I have taken the time to speak with regarding their frustrations around this government's tardiness in addressing the unfair playing field which now exists between ridesharing based business models such as Uber and the government's regulated taxis and limousines. Why is this unfair for taxi and limousine operators? It is because Labor failed to have the courage to test this issue on the floor of parliament through legislation. Instead it opted to sneak in regulatory changes to allow Uber to set up operations, without any regard for the impact it would have on the taxi and limousine—

**Mr DEPUTY SPEAKER** (Mr Elmes): Order! There is far too much audible conversation in the House.

**Mr Dickson** interjected.

**Mr CRAMP:** I take that interjection. I state again: Labor failed to have the courage to test this issue on the floor of parliament through legislation. Instead it opted to sneak in regulatory changes to allow Uber to set up operations, without any regard for the impact it would have on the taxi and limousine industry or the appropriate safety standards for the public. All this achieved was the creation of an uneven and unfair competitive environment in favour of Uber, virtually decimating the taxi industry overnight.

As I noted earlier, this bill seeks to introduce a head of power to enable this frozen-at-the-wheel Palaszczuk government to regulate for the proposed taxi and limousine industry assistance package. Even though the industry assistance package itself consists of \$100 million, it does not detail any of the requirements of the assistance package. While this sounds like a large sum of money, I am personally dumbfounded that the Labor government thinks \$20,000 compensation payable per taxi licence, capped at only two licences, is somehow acceptable and fair recompense. This amount should not be another impost on the taxpayer and can be increased exponentially by simply placing a fee on every Uber fare. This would over time easily provide a much fairer compensation package to every taxi licence owner, regardless of how many licences they own or which financial structure the licence is held within.

I meet regularly with local taxi owners including a family owned taxi operator with a total of 28 taxi licences. This particular family has worked hard for two generations to build their business from nothing. The value of these licences prior to Uber being allowed to operate was around \$14 million. The compensation as it stands will offer them a maximum of \$40,000. To say that this is outrageously inadequate is an absolute understatement. It defies all sensibility and logic and could push this family

to the financial brink. This family owned taxi operator with its 28 licences supplying 123 taxis in total—equating to one in every three taxis on the Gold Coast—stands to lose so much. In fact, the entire community and local economy are set to lose out as the business employs 16 staff at its base including panelbeaters, mechanics, shift supervisors and—

**Mr Dickson** interjected.


**Mr CRAMP:** I take that interjection. It is job destroying and soul destroying and it is hurting our whole community. They have mechanics, shift supervisors and administration staff as well as 400 drivers. The sponsorship they give to our local community groups and sports clubs will be irreplaceable, and the taxes they contributed—and still contribute—to keep Queensland moving will not be replaced by a corporate criminal like Uber, which seeks to avoid paying any tax at all in Australia. Furthermore, some of these licences belong in different financial structures such as trusts and superannuation portfolios. They still bought these licences fair and square; however, thanks to Labor, they are not even eligible to be considered for compensation. Up until Uber came along their business was flourishing. They tell me that they are insulted by the Labor government's offer of business advisory help. They do not need advice; they need a level playing field and fairer compensation.

Only last week a local limousine licence holder came into the office. He has three limousine licences, valued at 150 grand. He turns 60 next year and the licences form a major part of his retirement plan. If the Labor government devalues those licences, as per the outline of the package, to \$10,000, my constituent stands to lose \$120,000 and therefore will not be able to retire as planned.

Even the committee has made it clear that there is no confidence in the minister to handle the industry assistance package and has recommended that the application, assessment, payment and reporting for the compensation be handled by the Queensland Rural Adjustment Authority rather than the minister's own department. We certainly support QRAA administering this assistance package. We also support the committee's recommendation for the minister to urgently introduce legislation to bring in his new licensing scheme, provide clarity around cameras in vehicles—in the view of many in my community this is an absolute minimum for the safety of any passenger and driver in any form of public transport—and introduce an interim CTP classification and training for wheelchair accessible vehicle drivers. In his speech the member for Hervey Bay noted how important it is that we continue to ensure there are wheelchair accessible taxis and transportation around for all members of our community. This would make sure there is a fair and level playing field for all participants in the taxi industry, that community safety is upheld and that accessibility is maintained.

Taxi business owners and operators have been waiting for answers for far too long. How can this industry expect to adjust when the minister has failed to provide any confidence or clarity around what the future might look like for these business owners? With no dates, no deadlines and no details, taxi and limousine owners have been left to operate in the darkest of spaces, struggling to see any sort of light at the end of the tunnel.

The feedback I have been receiving is that it has been absolutely exhausting for these operators to keep the morale of their families and their employees off the floor. They spent 12 months in limbo while the Labor government dragged out a review of ridesharing. After 12 months nobody knows when the government's next move is, so the uncertainty continues.

 **Mr MINNIKIN** (Chatsworth—LNP) (7.38 pm): I rise with keen interest to contribute to the debate on the Heavy Vehicle National Law and Other Legislation Amendment Bill 2016. Over the last 18 months I have had numerous taxi and limousine owners and operators approach my Chatsworth electorate office and they have all felt totally betrayed and abandoned by the Palaszczuk government. For many, their world collapsed on 5 September this year with some of the taxi industry changes introduced by the transport minister. If this was an attempt to introduce a level playing field, heaven help any of us! This minister has presided over the rail-fail debacle and his handling of the taxi industry since coming into office in early 2015 has been nothing short of a textbook example of how to keep honest small business people in the dark.

As the shadow minister has outlined, the LNP supports the Heavy Vehicle National Law changes. Members would know that the Heavy Vehicle National Law reforms have had bipartisan and industry support for many years and I acknowledge that the former Bligh government initially signed Queensland up to the intergovernmental agreement and the former LNP government introduced the national law in 2012. As the former assistant minister for public transport, I have followed the handling of the Heavy Vehicle National Law and Other Legislation Amendment Bill, but of the bill two main parts of consideration come into play: firstly, amendments to the Heavy Vehicle National Law; and, secondly,

the introduction for a head of power to enable the Palaszczuk Labor government to regulate the proposed taxi and limousine industry assistance package. I want to concentrate my contribution to this debate mainly on the head of power for a taxi and limousine industry assistance regulation.

In relation to the taxi and limousine industry, let us clear up some of the myths from the economic illiterate tyros and rewriters of history opposite. When the Newman government was first elected in 2012, ridesharing operators like Uber were hardly even heard of here in Queensland. It is true that towards the end of 2013 and most particularly throughout 2014 we knew of the ever-growing tension between the traditional taxi industry and pressure from new rideshare market participants. I acknowledge that there was a huge issue brewing and, despite efforts to increase cease and desist notices which had limited efficacy, the policy framework required to introduce a level playing field was a priority for any government as we headed into 2015.

For some inexplicable reason, the incoming Labor government in early 2015 put this issue out to pasture and simply tried to adopt the attitude of, 'Move along. There's nothing to see here at all.' All they did in blowing out the reporting time frame of the Varghese report was to frighten many fine hardworking small business operators. The level of anxiety of the numerous taxi and limousine industry contacts I had meetings with was staggering. Their concerns centred on the introduction very simply of a level playing field and industry assistance. Eventually, as has been said earlier by previous speakers, the Transportation and Utilities Committee agreed that an independent agency, the QRAA, should assess the payments associated with the industry assistance package. I note that the \$100 million industry assistance package consists of \$60 million via a one-off payment of up to \$40,000 for existing taxi licence holders—\$20,000 per licence capped at two—and \$10,000 per licence for existing limousine service licence holders, a \$26.7 million hardship fund, \$4.3 million in waived fees, \$5.6 million to incentivise wheelchair accessible taxis—a very important point—and \$3.75 million for business advisory help.

In relation to the general taxi ridesharing changes, members on this side of the chamber have always supported a fair and level playing field for the taxi industry, with passenger safety always being the priority of paramount importance. We are the party of free enterprise and pro small business and not adverse to competition, but fundamentally this Palaszczuk Labor government has bungled the process from the get-go. Let us be very clear on behalf of the numerous taxi and limousine operators that I have spoken with, along with many members on this side of the chamber and also on that side. The minister has been dismissive of those affected by the changes—dismissive absolutely of their bundle of property rights and dismissive of the effect the uncertainty has caused business, almost paralysis. The Palaszczuk Labor government has been totally asleep at the wheel in relation to the taxi industry and spent nearly 12 months on a review—the Varghese review—into ridesharing and leaving the existing industry and passengers in limbo, absolutely in limbo. No doubt it knew about this with the incoming ministerial brief in 2015, so when it was flagged—and we have all seen them before—when the folder came through for Minister Hinchliffe and it pertained to taxis, what was the issue? Uber rideshare. It was always there, absolutely from the moment he took office.

When the next tranche of the changes come through, the LNP will look thoroughly at the government's proposal and consult with the stakeholders, because that is what Queenslanders expect us to do. Regardless of the inadequacies of this government package—and there are many—it is clear the minister's bungling of the process means that this bill must be passed because the longer we wait the longer struggling taxi owners and their families wait for access to hardship payments. The cap on compensating only two licences should be removed. I welcome, however, amendments regarding who will be compensated. That is at least a breath of fresh air. Indeed, the committee made it clear that it does not have confidence in the minister to handle the industry assistance package as it recommended the application, assessment, payment and reporting of the compensation be handled by the Queensland Rural Adjustment Authority rather than the minister's own department, and the LNP supports the QRAA administering this assistance package.

Furthermore, the LNP supports the committee's recommendations for the rail-fail minister to urgently introduce legislation to bring in his new licensing scheme, provide clarity around cameras in vehicles, introduce an interim CTP classification and training for wheelchair accessible vehicle drivers. I, too, want to express my sincere respect for the countless taxi and limousine owners and operators who have maintained their professional standards over the last few years despite the upheaval and unfair pressure that has been placed upon them.


In good faith they purchased a piece of paper from the state government which assigned them a bundle of rights. Now, with the industry changing rapidly, we owe it to them to redress the imbalance in market competition forces and to recompense them in a fair manner. Multinational companies have

been the beneficiaries of many new market entrants and, while it is true that you cannot live in the past, we owe it to law-abiding small business operators and self-funded retirees to give them an opportunity to compete fairly. You cannot have a 'sort of' deregulated industry for some market participants and not for others. Property rights and the prevention of sovereign risk need to be taken seriously, Minister, and I will continue to fight at every opportunity for these fine men and women who are genuinely scared of their financial futures, and they are.

In closing my contribution to this debate, this is about making sure there is a fair and level playing field. It has been said by most speakers. The lack of information forthcoming from the minister is astounding—simply astounding. How can he expect an industry—seriously—to adjust when he produces no certainty, no dates, no deadlines, no details? I end my contribution with a quote from a recent letter received from one of my constituents from Wakerley by the name of Bill, who says—

Imagine if the Minister owned three investment properties on Old Cleveland Road at Capalaba and the properties were compulsorily acquired by the government for road widening. How would he feel if his investment properties were resumed and he was offered a token price of \$20,000 per property and only reimbursed for a maximum two properties? How would he react to his retirement assets being greatly diminished in this fashion?

The minister's level of compensation truly is an insult.

 **Hon. LM ENOCH** (Alger—ALP) (Minister for Innovation, Science and the Digital Economy and Minister for Small Business) (7.48 pm): I rise to make a short contribution to the Heavy Vehicle National Law and Other Legislation Amendment Bill 2016. This legislation will not only implement important reforms to Heavy Vehicle National Law but also deliver important support to Queensland taxi and limousine businesses. Many taxi and limousine businesses are small businesses and, as the Minister for Small Business, I want to acknowledge the work of the Minister for Transport and his commitment, along with this side of the House, to ensuring that small businesses of this state are encouraged and empowered to grow and employ.

That is why the amendments to the Transport Operations (Passenger Transport) Act 1994 are so important. These amendments provide for the administration of the government's \$100 million industry adjustment and assistance package that will bring certainty to the industry and ensure the timely delivery of financial assistance. The Palaszczuk government's important reforms of the personalised transport framework put taxi, limousine and ride-booking services on a more even playing field while taxis continue to have exclusive access to rank-and-hail services.


Right now, customer demand is driving change in a way that we have never seen before. Long gone are the days that businesses of any kind or any size could await the arrival of their customer and simply offer them the products and services that they have available to sell. Consumers, customers, punters—however we want to describe them—are driving disruption in many industries. They are driving what products they want and the way they want them in a way that we have never seen before. A lot of that is to do with technology. The assistance that the Palaszczuk government is providing to taxi and limousine operators will support the industry to better respond to these changing customer demands and transport system needs.

Within the \$100 million package, \$3.7 million has been allocated to assist taxi and limousine businesses adapt to the new personalised transport framework. Through the Advance Queensland agenda and the Advancing Small Business Queensland Strategy 2016-20, the Palaszczuk government is working hard to support Queensland businesses to be more innovative and to make Queensland a place for small business to start, grow and employ. These reforms will build on that work by driving competition and innovation, delivering more choice for Queenslanders whilst maintaining high safety standards. The industry adjustment and assistance package is in addition to the \$22.7 million provided by the Advancing Small Business strategy that is already supporting Queensland's small businesses.

Another important benefit of the bill is the reduced regulatory burden placed on taxi and limousine businesses so that they have more time and flexibility to respond to new competition. We are cutting 80 regulations from the industry—a huge amount of red tape slashed. In addition, the taxi and limousine industry will benefit from \$4.3 million in waived fees over the next 12 months. Consumers will have more choice and benefit from consistent safety standards, fare estimates and itemised receipts on request and more affordable travel. At the same time, the taxi and limousine industry is being supported through this immense disruption.

The Palaszczuk government is committed to growing a sustainable personalised transport industry. According to economic analysis by PWC, these changes will deliver a net economic benefit estimated at \$474.1 million across the state. That presents a huge opportunity, but we understand that change can be hard and disruption can be challenging financially. That is why this bill supports the

government's efforts in the small business sector and delivers a balanced approach to regulating personalised transport. This ensures that we enable the sharing economy and unlock economic opportunity while also supporting the taxi and limousine operators. I commend the bill to the House.

 **Mrs STUCKEY** (Currumbin—LNP) (7.53 pm): The Heavy Vehicle National Law and Other Legislation Amendment Bill 2016 makes amendments to the Heavy Vehicle National Law and proposes to create a head of power to make the taxi and limousine industry assistance regulation to make payments under the industry adjustment assistance package. The Transportation and Utilities Committee made 30 recommendations on both the assistance package and the broader industry reform process. Given that there were so many recommendations and that all members agreed upon them, it is pretty obvious that this bill is poorly drafted and a further insult to the taxi and limousine industry, which have been left in limbo for far too long. If members had listened to the contribution of the Minister for Small Business, we would understand why, because, when it comes to small business, Labor is clueless. It always has been. Labor does not care about small business. It does not understand small business. It does not get them. It does not know what makes them tick. That was evident from the words that we have heard tonight.

I will limit my comments to those provisions of the bill that relate to the Transport Operations (Passenger Transport) Act 1994 to allow a regulation to be made providing for a scheme for the payment of financial assistance to the taxi and limousine industry in order to implement the main elements of the \$100 million industry adjustment assistance package, which includes transitional assistance payments of \$20,000 per taxi licence capped at two licences per holder and \$10,000 per limousine service licence other than special purpose limousine service licences. That amounts to \$60 million. There is a hardship fund, business advisory support, fee waivers and incentive payments for wheelchair accessible services.

Like many electorates, the Currumbin electorate has a number of taxi and limousine operators whose livelihoods have been threatened by new players in the ridesharing industry. Those operators have paid half a million dollars or more for the right to obtain a taxi licence. These hardworking owner-operators have come to see me. Most are in despair and genuinely worried about the viability of their future, as many have their life savings, their superannuation and their home mortgages tied up in their licence.

As a member of a political party that supports competition, I do not wish to debate who can or cannot engage in this industry, but I will say that the horse has bolted and this government sat back and dithered, causing untold unnecessary stress and anguish for those affected. Even now, there is still uncertainty as to how these changes will be administered as the detail from the minister is so light. The overwhelming comment is that the Palaszczuk government is not putting forward a level playing field. In fact, it is referred to as a very rocky road indeed.

A number of industry stakeholders from the Currumbin electorate asked me to put forward their concerns. Sacha and Zara from Professional Taxis believe that the Palaszczuk government has removed fair and level competition within the current market, removed a viable choice for consumers and opened the market up to higher fares. That is despite the Minister for Transport stating—

The Palaszczuk Government will overhaul the regulation of Queensland's personalised transport industry to drive more competition and choice for consumers, and put downward pressure on fares.

Sacha and Zara from Professional Taxis state—

Multiple cities and countries around the world have experimented with similar deregulation in allowing open entry of vehicles into the taxi industry but these attempts have proven to be unsuccessful resulting in an oversupply of taxis, deterioration of vehicle quality, thus leading to the eventual re-regulation of the industry.

They argue further—

... we have a current Queensland Taxi Industry that meets all guiding principles as outlined within the OPT review. As an Industry we have delivered quality affordable services to areas of the community, both geographical and by service type, at times under costs, all the while adopting new commercial partnerships for technology based solutions.

They continue—

In simple terms the Government has de-regulated the booked market, opening it up to anyone; removing affordable pricing, vehicle limits (age, sizes etc.), safety equipment requirements, service level accountability ...

Sacha and Zara believe that taxi licences capped to a minimum of two licences is incredibly 'unlevel' and say—

In regards to our own personal business we have continued to reinvest back into the Taxi Industry through the ongoing purchases of taxi licences, and as a family we hold a large number of taxi licences. In order to be 'fair' should it not be that each and every licence purchased in good faith be provided with a transition package as each and every licence was paid for and loaned on, and the Government did not cap the amount of licences an entity or family could own.

I note that the shadow minister has flagged that he will be moving amendments that will address the two licence cap and the processing of hardship payments by the Queensland Rural and Regional Adjustment Authority. I commend him for that.

Safety within taxis comes at a significant cost owing to government regulation and further prescribing standards rather than the minimum standards. CTP insurance is also a further cost burden that impinges upon a taxi's ability to compete and sit on a level playing field. Professional Taxis says that we need to move away from classing each passenger vehicle and instead look at placing every vehicle in the same class. They also state that the government could also guarantee taxi licence loans so that the taxi owners do not fear the loss of their homes. As a result of changes in the industry, Professional Taxis is aware of seven suicides among taxi families.

Another group of representatives made the following recommendations so that the taxi industry can fairly transition into the government's new operating environment. They suggested the transitional package be increased and distributed more fairly and equitably through the taxi industry; that the CTP costs of taxis and the ride booked vehicles be levelled; that the licensing regime be updated so that the ride booked market has a buy-in, capped licensing model regardless of the fee structure and that this amount assist in paying for the more equitable transition package. They also said that regulations be updated and set as minimum standards without cumbersome prescribed standards; that further investigation be made into the ability to enforce the new regulations and that substantial fining be used as a means to provide further value to the assistance package.


Others in the limousine industry point out, in relation to transitional assistance payments, that the information adjustment assistance paper released by the government did not indicate the time frame for the package payments, nor did it actually lay out the specific criteria. It does not say that to receive the payment limousine licences must be returned to the government. They commented that all of the limousine and taxi licences, with the exception of SL licences, are perpetually owned. The government has not provided any criteria that will be used to determine who is in hardship and how much can be paid in each instance.

More information is requested as to who will benefit from the business advisory services. With regard to fee waivers, I am told by the limousine industry these are only for one year and there are a lot of operators who have prepaid their fees for more than one year. Is the government going to refund one year's worth of fees to all those operators who have prepaid more than one year? Further, operators request information be provided as to how the changes are going to be administered, as it seems the government are intent upon letting new participants into the market at way lower levels of scrutiny and public safety standards in the pursuance of cheaper transport options for the travelling public. That concludes the limousine operators' comments.

New laws and regulations have caused enormous angst for those in the heavily regulated taxi industry, many who have spent half a million dollars on a single licence only to find they are competing on an uneven playing field. The compensation package being offered by Labor is not only uncoded, it is also a pittance. However, the industry needs some certainty so that they can get on with their lives the best way they can as many may not be able to keep running much longer and face a very bleak Christmas which is why the LNP will not be opposing this bill.

One owner from my own electorate listed 18 items that the government should be considering. There is not enough time to list them so I will sum up her comments: given the lack of understanding of industry contribution, both financially as well as socially, the lack of empathy, the lack of corporate ability and the lack of morality, a more lucrative package than what is being offered is required. She says a question on the lips of all concerned is what future income will Uber provide to government and what is the plus or minus comparison with the existing taxi income model.

After a bit of investigating I found out that the industry reference group announced in August has been established and it has met once. However, the reference group, which was established to provide stakeholders an opportunity to provide feedback on delivery of the reform program, is not a decision-making body. As the membership of the reference group is by invitation only and it is chaired by the director-general of the Department of Transport and Main Roads one wonders what hope individuals such as citizens in the Currumbin electorate who work in the industry have of getting their concerns heard. I will be encouraging them to put forward their ideas and I hope that they will be considered for inclusion in the new personalised transport framework.

 **Mrs SMITH** (Mount Ommaney—LNP) (8.03 pm): I rise to make a contribution to the Heavy Vehicle National Law and Other Legislation Amendment Bill 2016. One of the roles that I take very seriously as an MP is to represent my constituents. For the last two years I have had a number of local

residents who are also taxi owners come to see me to discuss the transformation of the taxi industry. The one thing that has come through very, very clearly with the numerous constituents that I have met with is their feelings of distress and despair.

There are 3,000 small business owners who say they are being treated unfairly and it is completely out of their hands. They are watching their once-prosperous businesses slowly slip away with Uber entering the market. The question they ask me is why is this happening when they have complied with all the laws, regulations and requirements and they have paid the fees that are required of them. They are people who are doing the right thing, yet they feel that they are being punished and penalised. They have asked why is it when they are doing the right thing that another force can enter the market and not have to pay the fees, not have the vehicle checks and the licences and be able to operate and take their business and the government stands by and does nothing.

I can understand that. It is very much like, as I said last night, having your own butcher store and complying with all the regulations, rules and the food safety aspects only to find on a weekend someone pulls up with a truck and sells a few cartons of meat out of it, undercutting me because they do not have all those overheads. This is exactly what has occurred in our taxi industry. Uber has come in and we now have to deal with it.

Last night the minister introduced the Industrial Relations Bill. Part of that bill was about fairness and balance. What I am genuinely asking is is this bill that is being introduced and its requirements fair and balanced for people who are workers, small business owners, who have absolutely done the right thing for all these years? They have invested and paid money for their cabs at prices that the government set and then another player comes into the market illegally.

**Mr Power** interjected.

**Mrs SMITH:** I will take that interjection. I am talking about small business owners regardless of what we did or did not do.

**Mr Furner** interjected.

**Mrs SMITH:** That flippant attitude shows a blatant disregard for people.

**Mr DEPUTY SPEAKER** (Mr Elmes): Order! Member for Ferny Grove, if you have some brilliance to dazzle us with you might do it from your own seat.

**Mrs SMITH:** People paid the price the government set the licences at, they paid the fees the government regulated, and then a new market force comes in, it is not a level playing field, and they are now sitting there watching that investment become worthless. It is not like it was on the stock market, it was completely government regulated. They have seen their income drop month after month after month. They are in a world of pain. People are losing their homes and some have lost their lives. Because of the delay of a year, which has been managed appallingly, people were left in limbo. People now have this debt. They had hoped for an income they should have been assured of, but it has slipped away. They are now working two jobs.

Last week I was in Sydney. A lot of the changes that have been proposed come from New South Wales. I was talking to a gentleman and I asked him how Uber had affected the taxi industry in Sydney. He works five days a week at the Ashfield council and he said he used to do two days a week as a cab driver. He has had to increase that now to four days a week to make the same money. Only a couple of weeks ago I spoke to a woman in Townsville. She said that on some days she earns only \$166, which she has to split with the owner.

**A government member** interjected.

**Mrs SMITH:** A lady at Townsville told me that.

**Mr Power** interjected.


**Mr DEPUTY SPEAKER** (Mr Elmes): Order! Member for Logan, I seriously suggest that you cease your interjections.

**Mrs SMITH:** As I was saying, drivers come to my office. David Hooks, who owns Western Suburbs Taxi Depot, has 150 families working for and relying on him. Greg Rudd and Greg Parker come in to speak with me. Many of them come in to speak with me. A lot of those gentlemen are in their 50s, 60s and 70s. The taxi industry provides their livelihoods. It is their profession. It is their licences. At the end of the day, those people are workers. They are small business owners. This shows such a lack of respect. They say, 'You have done this' and 'You have done that', but what about those people? Why are they doing the same thing? They are workers. They are out there at night, taking home your nurses and your doctors—

**Ms Grace** interjected.

**Mr DEPUTY SPEAKER:** Order! Minister, you have had a really good go.

**Mrs SMITH:** I cannot see the difference in this treatment. The LNP is not adverse to competition, but we do believe that safety is paramount and that has not been addressed. We believe in property rights. We certainly believe in fair competition. I suggest that if people in this House honestly care about working families, if they honestly care about 3,000 business owners and if they honestly believe those people have been fairly treated—and they know they have not—they would be prepared to accept the proposed amendments that have been thoughtfully considered by our shadow minister. I urge all members to support the amendments proposed by the shadow minister.

 **Mr LAST** (Burdekin—LNP) (8.12 pm): I rise to contribute to the debate on the Heavy Vehicle National Law and Other Legislation Amendment Bill 2016. The Heavy Vehicle National Law is the cornerstone of the COAG national heavy vehicle reform agenda and ensures that the industry can operate across state borders without conflicting regulatory requirements. If you want a good example of a conflicting regulatory requirement, you need look no further than the livestock transport industry. Currently, we have the ludicrous situation where livestock transporters are required to offload cattle at the border because of differing mass limit regulations and a completely different system. That gives an understanding of how important it is to get consistency across the nation. In Queensland we have a system called volume loading, whereas in New South Wales, for example, they work on weight or mass limits. If I use a B-double as an example, that configuration will need to reduce its numbers by up to eight head of cattle if loading in Queensland and travelling across the border into New South Wales, in order to meet their GVM requirements. That equates to an enormous waste of money.


The Heavy Vehicle National Law regulates matters about the operation of heavy vehicles, such as mass and dimensions, vehicle safety standards, driver fatigue management, heavy vehicle accreditation, speed compliance and the use of intelligent transport systems. The Heavy Vehicle National Law also places obligations on identified off-road parties involved in the transport and logistics chain, and includes enforcement powers and administrative provisions. I am pleased that the Heavy Vehicle National Law and Other Legislation Amendment Bill will implement reforms to better align the obligations of chain of responsibility parties, improve compliance and simplify enforcement.

I note that the \$100 million Industry Adjustment Assistance Package was announced to assist the taxi and limousine industry, following the announcement of reforms to the regulation of personalised transport services in Queensland. That amount will be vastly deficient in adequately compensating our taxi industry. I note that there is a proposed amendment to allow a regulation to provide financial assistance to certain operators within the taxi and limousine industry, in addition to holders of a taxi service licence or a limousine service licence. I use the example of my own electorate, where there are only a small number of taxis in towns such as Bowen, Ayr, Home Hill and other localities. This bill will have potential impacts on their livelihoods, as well as right across the taxi industry. There would not be a time when I come in from the airport to the Parliamentary Annexe and do not have a discussion with the taxidriver about the impacts that the bill will have on their livelihood and what it will mean for them.

The changes in the bill will address issues identified with the Heavy Vehicle National Law that create complexity and unnecessary compliance costs for industry. That is where it is inconsistent with the other national safety laws. The penalties are inadequate to address offending that results in death or serious injury. The duties on chain of responsibility parties are duplicated for different subject matters and there are inconsistencies in those duties. Having regard to the Heavy Vehicle National Law, the proposed reforms will contribute to improvements in safety outcomes in the road transport sector by requiring parties in the chain of responsibility and executive officers to focus on overall safety outcomes and will enable parties to be more innovative in responding to safety concerns. I am pleased that section 26E(1) makes it an offence for a person to ask, direct or require a driver or a chain of responsibility party to do something that the person knows or ought reasonably to know would have the effect of causing the driver to exceed a speed limit, or to drive while fatigued or in breach of a work or rest hours requirement. In my former life as a police officer, I encountered numerous truck drivers who were forced to break the law by owners and agents in order to meet deadlines. In some cases, it was nothing short of dangerous and resulted in serious traffic accidents, simply in order to meet those deadlines.

I turn back to the taxi and limousine industry assistance package and the problems that have arisen when discussing compensation. As a country member, I know that if there is one issue that is polarising this industry it is that of compensation and the need for a level playing field. I know of operators who have paid upwards of \$500,000 for a taxi licence. To think that some of those owners will be offered a paltry \$20,000 in compensation is nothing short of disgraceful. There need to be

changes to the number of compensation packages offered to taxi owners with multiple licences. If a taxi owner has outlaid a considerable sum of money on multiple taxi licences, he should not be discriminated against when it comes to compensation. A licence is a licence and compensation should be distributed on that basis. For too long in Queensland the taxi and limousine industry has been in turmoil over the arrival of Uber. A taxidriver said to me yesterday, 'All we want is a level playing field and fair compensation. Is that too much to ask?'

 **Mr KNUTH** (Dalrymple—KAP) (8.17 pm): I rise to speak to the Heavy Vehicle National Law and Other Legislation Amendment Bill. It is disappointing that this bill has come this far and is before the House tonight, because the taxidrivers are not looking for compensation; they are looking for a job and they are looking for an industry. From the beginning, all they have asked is for the government to ensure that we have a regulated process. This is what they call deregulation. I worked in the railways for 20 years. Redundancy packages were put in front of us. Our depots were closed down and the railway stations were closed down. They took the package. We talked about compensation and we talked about fighting for a better package, but do members know what they really wanted? They wanted a job!

We can come in here and talk and fight. We can point the finger at each other and say that we need more funding, which we do. However, in reality, we need to go back to the grassroots. We need to look after small business taxi operators who have paid their dues. They have paid the price. They have paid for their taxis and they have spent hundreds of thousands of dollars doing so. They have set up security cameras and so on. We did something. We put a bill before the House to introduce demerit points to combat the rise of illegal taxis. The sad thing is that we did not have the support for that bill. In this legislation we are looking at government compensation. We absolutely have to fight for compensation now because this has gone too far. We should be taxing this multinational company and paying compensation to the taxidrivers and limousine operators who are going to be impacted by this legislation.

Let us talk about compensation. It is a great thing, but we should be targeting Uber. We should be targeting illegal taxis. We should be looking after the small businesses of this state and not hurting them and destroying their businesses while giving them a pittance to make them feel good. We will all brag about it. Rather than sitting here and saying that we need to give these people more compensation, we should be fighting to stop this multinational company that puts nothing into this country and has done nothing for this country. We need to put a stop to them.

Mums and dads have invested their lives into the taxi industry and limousine industry. Some \$20,000 is a pittance particularly when we consider that a taxi licence is worth \$400,000 to \$500,000. A personal statement was passed on to me yesterday from a limousine licence owner whose entire business has been damaged by the mishandling of this issue. The statement reads—

After the early death of my father my mother immigrated from Italy to Australia with two young boys. My hard working mother ensured we were instilled with strong work ethics and a deep commitment to family.

In 1971 I worked hard towards an opportunity to enter the transport industry. My wife and I scrapped together everything we had, I worked three jobs and my wife worked two jobs. I was a full time hairdresser, came home and drove cabs until 2am and I waited tables in a restaurant. My wife worked full time and then washed dishes at the restaurant. We did without any luxuries or holidays. We invested all we earned into the transport industry. For our entire working lives we worked hard to provide a future for ourselves and our children. I believed all of our hard work would give us a stable future as these licences were a safe investment, after all they were issued by the government.


I have worked in this industry since 1971. Paid all of my fees, provided employment for others and operated under the strict government regulations. Since the illegal entry of Uber into the transport industry the lease from a limousine licence has gone from \$650 each per month to \$350 per month. I am one of the lucky ones who currently have my licences leased. This is going to change very soon.

Minister Hinchliffe plans to cancel my limousine licences and take my income to zero, and make them worthless and unsaleable. With no form of compensation, no consideration for my property rights and no consideration for the welfare of my family.

At 67 years of age, I believed that the work and financial investment my wife and I put in to the transport industry would support and protect us, our children and grandchildren. I used to feel proud that I had provided well for my family and provided opportunities for them that would enrich their lives. Now the financial future of my family is uncertain.

My brave, strong widowed mother left her homeland, with two young boys to bring us to this country so that her descendants would have opportunity. My wife and I continued this vision for our family, and now everything we have worked for is being stolen by this Government.

I wanted to bring that statement to the attention of the House because I am gutted too. The taxi owners I know are gutted. Limousine operators are gutted. It is a sad fact that the parliament is actually supporting a multinational corporation rather than the small businesses of this country. That is a disgrace.

 **Mr KATTER** (Mount Isa—KAP) (8.23 pm): I rise to speak in the debate on the Heavy Vehicle National Law and Other Legislation Amendment Bill 2016. Before I start on the taxi issue, I will make a few comments about the national scheme for heavy vehicles. A comment was made earlier about volumetric loading. That is absolutely critical to the trucking industry. Any compromising of that would be disastrous, particularly for owner operators who are finding it harder to operate. It is absolutely critical that the driver fatigue laws, the regulations and volumetric loading stay in the industry.

I turn to the taxi issue. Sadly, the most legitimate point made in the debate on the original bill before the House was made by Uber, the well-known ridesharing app. The primary point Uber made in favour of their position was, 'Whether as a government you like it or not, you had better just get on board because this is the technology and it is coming.' It is a pretty scary proposition that a \$80 billion multinational company has that attitude towards government. We had better cash in our pay cheques and leave it up to the multinational corporations if that is how this economy is going to run.

There has to be some regulation. At some point the government has to stand up and be mature and say, 'Look, we realise Uber is popular with a lot of young kids, but there is an economic imperative here.' We do not want to have people selling booze under their house or in warehouses. We do not want pharmaceuticals sold out of convenience stores. We have these regulations for a reason.

The member for Dalrymple is quite right in saying that we do not want to be at this point. We do not want to be talking about compensation because there should not be compensation. It goes without saying that it is grossly inadequate. Some \$400,000 was the average price for a taxi licence before all this happened. It certainly is not that now. With 3,200 taxis in Queensland that is about \$1.2 billion of capital value.

This is a really important point. We would have to think that most of that \$1.2 billion of capital value is going to cease to exist. That is going to be displaced out of the hands of Queensland mum-and-dad business owners to a multinational business overseas that avoids paying tax here. They are going to take that \$1.2 billion of capital value from Queensland business owners and take it overseas and we are going to take \$100 million off Queensland taxpayers for them to be able to do that.

If they are going to come in here and do that they can pay for entry themselves. I do not care how difficult it is. They should pay for it. There should be no questions asked. I think that that is a proposition that most Queenslanders, whether they use Uber or not, would agree with. I think that is only fair. If Uber is an \$80 billion multinational company they can pay to come in here, especially if they are ripping business value off others.

I have heard the argument that it is just the same as DVD shops closing down. People say it is technology so get with it. No, it is not. The government stepped in years ago and said, 'You must have these standards if you are going to drive a taxi. We demand community standards and we demand safety standards.' We cannot do that to the industry and then pull the rug from under them and allow any sort of standards, but throw \$20,000 in compensation at them. That is not fair. It cannot be done. It does not pass the fairness test. That is why we can never support that aspect of this bill.

Be that as it may, these people are desperate. A heads of agreement is needed. Even though we are serving them tripe some people are on their knees. They are desperately in need of some help and in a hurry. That is why the bill had to be debated this week.

This is not industry adjustment. This is a multinational corporation doing away with community safety and industry standards that we have been accustomed to. It will take some time for things to adjust. Already we are seeing flaws in this free market approach—let us let the market solve itself.


We have Uber drivers out there now forming a union and saying, 'We need regulation around our wages.' We are seeing the birth of a new taxi industry. Everybody says that we have to do away with pesky regulations. We are seeing that people are calling for those in the same industry. We are seeing the birth of a new taxi industry, except the capital value has been displaced to a multinational company.

The largest share of wheelchair accessible taxis is in Queensland, at over 20 per cent across the state. It has provided a very valuable service. That will be compromised by this move. It has been said quite rightly many times tonight that the government's action will remove superannuation investment on taxis and limousines and reduce them to non-saleable assets. Unfortunately, limousines are a group that have been left out in most of this process. It is a relatively small industry, we would have to acknowledge, but still important. That means everything to those people who paid \$80,000 or \$130,000 for their licence and have taken loans out to pay for that.

We note that the Limousine Action Group, which took part in a protest out the front of Parliament House earlier this week, has been excluded from the industry reference group. There is only one representative from the limousine industry but multiple groups are representing the taxi industry which is simply unfair. The minister must consider this industry also to be part of the reference group in this process to make sure that the reforms are equitable for all.

We welcome compulsory third party as part of the discussion. That has to be in there. Other standards that apply to taxis should be welcomed as they are applied to any new ridesharing app coming into the market. Queenslanders have been accustomed for many years to a service standard and security standards, many of which are not transparent. They are difficult to see but we do experience them. We bask in the safety of many of those security measures that have protected us for years. A lot of those measures will go with this change in the industry.

We need to be grown up in this parliament. I just say beware the shiny new car that is the rideshare app. It has not been well tested in the market. Once the paint starts coming off and there is wear and tear, we are going to see some big problems and we will be recreating the taxi industry.

 **Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Minister for Transport and the Commonwealth Games) (8.31 pm), in reply: I would like to thank all members of this House who have contributed to the debate on this bill. In particular, I would like to acknowledge the thoughtful contributions of committee members, yet again building on the committee's inquiry work. While I note that the majority of debate on this bill has focused on the personalised transport aspect of the bill, I will take the opportunity that the member for Glass House has provided me to update the chamber on the activities of the National Heavy Vehicle Regulator.

I also wish to acknowledge the comments made by the member for Glass House, the member for Cleveland, the member for Chatsworth, the member for Burdekin and the member for Gympie highlighting the bipartisan nature of the National Heavy Vehicle Law. I look forward to the opposition's support for the introduction of the National Heavy Vehicle Registration Scheme and encourage those opposite to flag the importance of such a scheme with their interstate colleagues.

The Department of Transport and Main Roads is working closely with the National Heavy Vehicle Regulator, better known as the NHVR, to improve heavy vehicle access, with a focus on permit efficiencies. In relation to Queensland's progress in facilitating improved road network access, the Department of Transport and Main Roads has worked closely with the NHVR to secure Queensland participation in a national notice for the movement of oversized loads. This national notice does away with the requirement for operators to apply for an individual permit for these movements up to 4.5 metres wide. TMR is continuing to explore options for improvements in this area.

Queensland has also extended period permits for heavy mobile cranes from 12 months to three years and has just signed up to a national notice for heavy two-axle cranes. This means that permits are no longer required for two-axle cranes. TMR is also engaged in ongoing dialogue with the heavy haulage industry to ensure the department is aware of industry's specific productivity needs to drive innovative solutions to assist industry.

TMR has also been proactive in dealing with the Queensland agricultural sector to develop two significant national notices for the movement of oversize agricultural machinery. These notices allow growers and contractors to legally move their machinery without the need for a permit, allowing a more responsive approach, particularly during harvest times.

There has been a 22 per cent improvement in approval response times for oversize and overmass permit approvals from 7.5 days to 5.8 days, between April and October 2016. New permit systems are being developed by the NHVR and TMR for deployment in 2017. They will significantly enhance the abilities of both the NHVR and TMR in permit approval response times for industry. Again, I acknowledge the work of the National Transport Commission, the National Heavy Vehicle Regulator, and Transport and Main Roads which have assisted in implementing these reforms.

Given the content of debate, I will address my remaining remarks to comments regarding the Transport Operations (Passenger Transport) Act 1994. Amendments in this bill will also provide for the administration of financial assistance to the taxi and limousine industry in order to implement the \$100 million industry adjustment assistance package. This package is a critical part of the government's program for reform of the personalised transport industry, and I have committed to delivering this to industry as soon as possible to assist with the transition to the new regulatory framework.

Regarding comments made by the opposition about the timing of these payments, this government has been clear. As I noted in my second reading speech, a regulation will be progressed urgently following passage of this bill to detail a scheme for payment of transitional assistance. Subject

to Governor in Council approval of this regulation, payments will be expedited. The intention is to send invitations to eligible licence holders for transitional assistance payments in December to enable payments shortly thereafter.

We undertook a review because we wanted to get these transitional payments right. In contrast to the parroted rhetoric of those opposite, we took steps to consult and listen. We took a considered approach to this legislation. We do not rush into policy decisions. This opposition talks a big game—but it is all slogans. The shadow minister criticised our plan, yet he failed to document any plan of his own. He wants a plan. He does not want to do any work on it. He does not know what it looks like, but he wants it yesterday. He wants to remove the cap on licences, but then he fails to say what the compensation would look like and how they would pay for it.

How does the LNP opposition intend to fund those payments? I note the member for Gaven's endorsement of a levy on rideshare and taxi users. It surprises me that more members opposite did not advocate the LNP's desire to impose a levy. I understand that the shadow minister needs to try to find a point of difference between us on this issue, but some of his hyperbole is too much to bear.

I also reflect on the many examples and stories shared by members from all sides of the debate. They reiterate the importance of the business advisory services that the industry assistance package provides. These services will provide specialist, honest and independent advice to operators—something that is very much needed in this issue—advice that will cut through the misinformation and deception being peddled by a range of people out there, including by many members who reflected on it.

I also point out the contribution made by the member for Buderim, who noted multinationals do not pay enough tax. I look forward to the day when his federal colleagues take action on this or perhaps his new friend Pauline Hanson. The member for Southport highlighted that the current regulatory environment is extremely prescriptive, restricting many elements of choice and flexibility. We have regulations that go so far as to detail how in-car cameras are screwed into cars. It is clear that these regulations are no longer fit for purpose in the current transport environment we operate in.

Stage 2 of these reforms will, as planned and as clearly outlined in the OPT review response, address many of the comments raised by those opposite. As the member for Logan noted, stage 2 will address many of the digital disruptions impacting industry. Further, it will tackle the matters of licensing and safety and provide a full review of the regulatory framework that facilitates personalised transport. It is this stage that is crucial to ensuring a level playing field for all personalised transport players. It should be a considered, thorough and holistic review. However, it appears the proposed amendments from the shadow minister may hasten and put in jeopardy their consideration.

I will continue to work with both the taxi and limousine industries and the industry reference group to ensure we establish the right mechanism for the distribution of hardship payments and, very importantly, deliver stage 2 of the reforms. I will continue to work with industry to ensure that we deliver on the commitment that this government made in response to the Transportation and Utilities Committee.

I remind members that in my second reading speech I noted that the stage 2 reforms would address outstanding concerns from the committee. It is funny to reflect on the rollcall of opposition members we have seen speak on the bill. Not one LNP member advocated innovation. Not one LNP member was in favour of less red tape. What we all heard was a rollcall of the old National Party straining at the bit to be let loose. Where was the former transport minister—the one who put the wall up for ridesharing and stubbornly defended it? Where was the opposition leader or his deputy? I note the contribution from the former assistant minister for public transport, the member for Chatsworth, who highlighted the former Newman government's inaction. I am sure the opposition leader's media advisors are looking to spin their way out of this, but the reality is that the LNP leadership team has failed to make any notable contribution. It is very mediocre.

In closing, I would like to again thank all my departmental officers and staff who have worked tirelessly on this bill as well as the key stakeholders who have been involved in this bill for their hard work, and that is both across the issues associated with personalised transport and the Heavy Vehicle National Law. I want to thank the member for Kallangur, in particular, for the great work that he did on the committee. I also want to thank the member for Logan for his kind words during this debate.

We want to do the right thing by the taxi industry—by the whole of the personalised transport industry. We want to do the right thing by Queenslanders who have worked hard, who have a strong work ethic and who have pride in what they do. I can assure the House that this government will

continue to listen and I will continue to engage with industry. The industry assistance package strikes the right balance in acknowledging the challenges the industry faces while opening up Queensland's personalised transport playing field. I thank 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 140, as read, agreed to.

Clause 141—

### Message from Governor



**Mr HINCHLIFFE** (8.43 pm): I present a message from His Excellency the Governor.

**Mr SPEAKER:** The message from His Excellency recommends the amendments circulated by the Minister for Transport and the Commonwealth Games. The contents of the message will be incorporated in the *Record of Proceedings*. I table the message for the information of members.

MESSAGE

HEAVY VEHICLE NATIONAL LAW AND OTHER LEGISLATION AMENDMENT BILL 2016

*Constitution of Queensland 2001, section 68*

I, PAUL de JERSEY AC, Governor, recommend to the Legislative Assembly that an appropriation be made for the purposes of the attached amendment, to be moved by the Minister, to a Bill for an Act to amend the Heavy Vehicle National Law Act 2012 and the Transport Operations (Passenger Transport) Act 1994 for particular purposes.

GOVERNOR

Date: 19 NOV 2016

*Tabled paper:* Message, dated 29 November 2016, from His Excellency the Governor recommending an amendment to be moved by the Minister for Transport and the Commonwealth Games, Hon. Stirling Hinchliffe, to the Heavy Vehicle National Law and Other Legislation Amendment Bill 2016 [\[2237\]](#).



**Mr HINCHLIFFE** (8.46 pm): I move the following amendment—

**1 Clause 141 (Insertion of new s 155A)**

Page 90, lines 14 and 15 and page 91, lines 1 and 2—

*omit, insert—*

who—

(a) have held or hold—

(i) a taxi service licence; or

(ii) a limousine service licence, other than a special purpose limousine service licence; or

(b) have been or are—

(i) an accredited operator of a taxi service; or

(ii) an accredited operator of a service for the administration of taxi services; or

(iii) an accredited operator of a limousine service, other than a limousine service provided under a special purpose limousine service licence.

I table the explanatory notes to my amendment.

*Tabled paper:* Heavy Vehicle National Law and Other Legislation Amendment Bill 2016, explanatory notes to Hon. Stirling Hinchliffe's amendments [\[2238\]](#).

Amendment No. 1 amends clause 141 of the bill, the new section 155A(1) of the Transport Operations (Passenger Transport) Act 1994, to allow a regulation to provide for a scheme for the payment of financial assistance to certain persons who have been or are accredited operators of a taxi service, a service for the administration of taxi services or a limousine service other than a limousine service provided under a special purpose limousine service licence.

The objective of this amendment is to allow a regulation to provide for financial assistance to certain operators within the taxi and limousine industry in addition to licence holders. This will give flexibility to allow for assistance payments to be made to a broader range of industry participants who have been affected by the personalised transport reforms.

**Mr POWELL:** I rise to speak to the amendment tabled by the minister. I seek clarification given a number of comments made by him and other members of the government on the debate on the second reading stage. On a number of occasions when referring to the amendments that I am about to move, the minister made it clear that his amendment was achieving the same outcome. I ask the minister: does his amendment mean that owners of taxi licences who hold those licences in self-managed super funds or in trusts as corporations or companies—whether that be as a sole operator, a partnership or a corporation—will also now receive payment, whether that be the government's proposed \$20,000 payment or \$10,000 for limousines, or a contribution from the hardship fund as identified by the government? Can the minister clearly state who will be eligible under the amendment that he has just moved?

**Mr HINCHLIFFE:** In relation to the amendment that I have moved, it does not relate to the matters that I think the member for Glass House is asking about. The amendment that I have just moved extends and broadens the nature of persons who can have access to the industry assistance package by including not just licence holders but also operators of taxis. That is a broadening for that purpose.

What I had flagged in my second reading speech and in the government response to the committee report, which I think you may be alluding to, is a commitment about the regulations I will bring forward as a result of the power being created by the amendments contained within the bill in relation to TO(PT)A, which is not the way it had been flagged at the announcement of the government's reforms in August. However, in the context of understanding and appreciating the feedback and engagement that occurred through the committee process, we recognise it would not be appropriate to restrict access to the transition payments to those people who were individual holders and owners of licences as opposed to other forms of ownership such as the name of a company, superannuation funds or family trusts.

What I have committed to as part of the government's response to the committee is that, when we establish the regulation, when we promulgate the regulation, it will not have that restricted model which had been flagged previously. It will be a broader model in terms of allowing a variety of forms of ownership to be able to access those transition payments.

Amendment agreed to.



**Mr POWELL:** I move the following amendment—

**1 Clause 141 (Insertion of new s 155A)**

Page 91, after line 24—

*insert—*

- (2A) However, a regulation may not—
- (a) provide for criteria for eligibility to receive financial assistance that exclude a person from eligibility for the assistance in relation to a licence mentioned in subsection (1) on the basis of the licence being held—
    - (i) by a corporation; or
    - (ii) by an individual on behalf of, or for the benefit of, another entity; or
  - (b) limit the amount payable to a person who is eligible for financial assistance on the basis of the number of licences mentioned in subsection (1) that were or are held by the person.
- (2B) A regulation providing for a scheme under subsection (1) must provide for the scheme to be administered by the authority under the *Rural and Regional Adjustment Act 1994*.

I table the explanatory notes to my amendment.

*Tabled paper:* Heavy Vehicle National Law and Other Legislation Amendment Bill 2016, explanatory notes to Mr Andrew Powell's amendments [2239].

It is opportune now to rise on the amendments that the LNP opposition is proposing to move following that contribution from the minister. I do thank him for responding quite openly to that question. I would like to take the minister on his word that this will be addressed through the subsequent regulation that is developed and that there will not be discrimination made towards the form of ownership of taxi licences. The amendment that I am moving now explicitly ensures that that discrimination does not occur by removing any chance of discrimination occurring against anyone who holds any licence, whether that be by a corporation or by an individual on behalf of or for the benefit of another entity.

The amendment also goes on to ensure that there is no discrimination based on the number of licences held by that individual, that corporation or that form of ownership we have been discussing. The minister has made it very clear that he intends to only provide a one-off contribution from that part of the fund up to a total of two licences. Paragraph (b) of the amendment I have moved ensures that cap is removed and there is no discrimination based on the number of licences held by an individual.

The third part of the amendment just moved is to enact the recommendation of the Transportation and Utilities Committee to ensure that the Queensland Rural Adjustment Authority oversees the administration of that industry assistance and of the hardship fund. We in the LNP believe very strongly, like the committee members did, that QRAA's experience in administering such payments and schemes, particularly around drought and financial assistance, stands them in good stead. It also saves the government the unnecessary burden of creating a commissioner or some other form of bureaucracy to administer this package. It uses the skills of QRAA and it gets that happening sooner rather than later.

I reiterate that I have heard the minister's commitment here this evening that is now recorded in *Hansard*. I know that many taxi licence owners and limousine licence owners would have heard it also. He has committed in his regulation to not discriminate in the form of ownership. I again implore members to consider the amendments being moved now and ensure that that discrimination cannot occur by placing in the legislation a clear direction on both the form of ownership and the number of licences owned.

**Mr HINCHLIFFE:** While I note the foreshadowed ruling by Mr Speaker, I want to respond to the issues that have been raised by the member for Glass House. As I made clear in response to the earlier question, I do commit to the response that we have made to the committee in broadening and making sure we capture the variety of ownership structures. I want to make it clear that the regulation I will bring forward will not be one that will go beyond the cap. There will be a cap of a maximum of two licences that payments will relate to. That is not only fiscally responsible; it also makes sure that we target the assistance of those who need it and need it the most, as opposed to some of the very large corporate structures which own a large number of licences and which in the main have absolutely accrued the benefits from the ownership of those licences over a long period of time.

Before I sit down, I want to respond to and acknowledge the member for Glass House's comments in relation to QRAA. I acknowledge his support, and that of a number of other members I have heard, for the committee's proposal to make QRAA the administrator of the hardship package. To be clear, that was the intention from the very start with the creation of and the description of a hardship package in August when the government's decisions were made. Of course at that immediate point in time we were not in a position to announce that because there needed to be the negotiation and conversation with QRAA and clarification of their capacity to perform such tasks. That sort of work is continuing, but I can assure the House that we recognised and identified the suitability of that capability within government to deliver these packages in a way that was the most efficient, most effective and most understanding of the circumstances of the individuals who would be involved.

### Speaker's Ruling, Amendment Out of Order

**Mr SPEAKER:** In accordance with the ruling I foreshadowed earlier today, I rule the member for Glass House's amendment out of order.

Clause 141, as amended, agreed to.

Insertion of new clause—



**Mr POWELL** (8.56 pm): I move the following amendment—

2

**After clause 141**

Page 91, after line 27—

*insert—*

**141A Insertion of new ch 12, pt 4**

Chapter 12—

*insert—*

**Part 4 Other provision**

**155B Implementing particular recommendations of parliamentary committee**

- (1) The Minister must, within 3 months after the commencement, table in the Legislative Assembly a document containing—
  - (a) a draft Bill or proposed subordinate legislation implementing action in response to the relevant recommendations; and
  - (b) proposed dates for—
    - (i) the introduction into the Legislative Assembly of a Bill substantially in accordance with the draft Bill or the making of subordinate legislation substantially in accordance with the draft proposed subordinate legislation; and
    - (ii) the commencement of the provisions of the Bill or proposed subordinate legislation.

- (2) The proposed date for the commencement of provisions of the Bill or proposed subordinate legislation must be no later than 6 months after the commencement.
- (3) In this section—
- relevant recommendations** means the following recommendations of the Transportation and Utilities Committee made in its report on the Heavy Vehicle National Law and Other Legislation Amendment Bill 2016, Report No. 27 of the 55th Parliament, November 2016—
- (a) recommendation 7 (Licence fee) to the extent it relates to introducing a proposed licencing system for booked hire services;
  - (b) recommendation 22 (CTP insurance);
  - (c) recommendation 23 (Payment of registration and CTP insurance);
  - (d) recommendation 24 (Cameras);
  - (e) recommendation 26 (Training for drivers providing wheelchair accessible services).

As I foreshadowed in my speech during the second reading debate, we in the opposition believe it is well past time that we get going on evening up the playing field for particularly the taxi and limousine component of the personalised transport industry. We heard very loud and clear, as did the Transportation and Utilities Committee, that they cannot wait until the minister's proposed second tranche of legislative reform in the second half of next year. There are some crucial areas where the industry is looking for clarity and for that evening up of the playing field now, not then. In particular, I refer to some recommendations made by the Transportation and Utilities Committee in their report—specifically recommendation 7, regarding a licence fee and particularly a proposed licensing system for booked hire services; recommendation 22, regarding CTP insurance; recommendation 23, regarding the payment of registration and CTP insurance; recommendation 24, regarding cameras; and recommendation 26, regarding training for drivers providing wheelchair accessible services.

We are seeking through this amendment that, within three months of the commencement of the legislation we are debating this evening, the minister must table in this House a document containing a draft bill or proposed subordinate legislation that puts in place those recommendations. We are then calling for the passing of that legislation within six months of the commencement of this legislation. Consultation with the Taxi Council of Queensland has told us that they would love it far sooner—they really would. They would love it tonight. The House heard from a number of speakers who said that the even playing field needs to start now—not in 12 months time. If it does not start now, then it needs to be six months, and they need to see in three months time what it is that the government is proposing to do, particularly around those key recommendations.

The taxi industry and limousine industry will survive if they are given fair compensation and an even playing field. Whilst we cannot get fair compensation because of the Speaker's decision to rule out of order the previous amendment, we are asking members tonight to ensure that the taxi and limousine industries have an evening playing field sooner rather than later. I therefore implore members to vote with the opposition in favour of this amendment.

**Mr HINCHLIFFE:** The government will be opposing the amendment from the opposition. The amendment is unworkable, it is poorly drafted and it is ill conceived. Frankly, it reminded me a lot of the LNP.

**Opposition members** interjected.

**Mr SPEAKER:** Thank you, members. We have another bill to debate after this.

**Mr HINCHLIFFE:** The time frames proposed in the amendment dictate the time frame required for the government to introduce a further piece of legislation into this House, as we have heard from the shadow minister. There is no consideration of meaningful consultation time or consideration by the parliament. Under the terms of the amendment from the member for Glass House, if we presume that 9 December 2016 is the date of assent for this bill, then under those provisions the minister must by 9 March 2017 table in the Legislative Assembly a draft bill or proposed subordinate legislation implementing action in response to the relevant recommendations—that is, recommendations 7, 22, 23, 24 and 26—and proposed dates for the introduction and commencement of the bill or subordinate legislation and the proposed commencement date that must be no later than 9 June 2017.

This amendment would not require the bill to be introduced or commenced by a particular date, but it does require the minister to propose a date for commencement before 9 June 2017. That in itself is a nonsense. It is of great concern that no reasonable consideration appears to have been given to allowing time for comprehensive parliamentary committee review and then debate on the bill.

The only way to achieve the time frames proposed by the amendment would be to bypass or condense due process. I know members opposite have a love of ignoring the community and cutting out meaningful consultation, but this is, frankly, beyond the pale. Should this amendment pass, in order to comply with it, I will be forced to cut short the industry roundtable process that has already been established or schedule consultation hearings over the Christmas-new year period.

**Honourable members** interjected.

**Mr SPEAKER:** We are not going to have an argument across the chamber. The shadow minister has had ample opportunity. I urge him not to interrupt the minister in his response.

**Mr HINCHLIFFE:** I can confirm to the House that I will be on deck between Christmas and new year and into the first week of January, but I am not sure if too many in industry will appreciate that kind of time frame or treatment. However, if the parliament binds me to a process that ignores industry and cuts consultation, that will be a decision for the parliament driven by the member for Glass House, from the LNP team that made buses illegal. This amendment is a joke.


Non-government amendment (Mr Powell) agreed to.

Clause 142, as read, agreed to.

### Third Reading

 **Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Minister for Transport and the Commonwealth Games) (9.02 pm): I move—

That the bill, as amended, be now read a third time.

 **Mr POWELL** (Glass House—LNP) (9.02 pm): I thank the members of this House for agreeing to that amendment. Despite the minister's protestations, it is extremely workable given that this government has now been in power for some 18 months—

**An honourable member** interjected.

**Mr POWELL:** Twenty-one months. They have had the lengthy Varghese review. This legislation and the subsequent parliamentary committee report identified the recommendations that we just succeeded in ensuring are brought to this House within three months and are commenced within six months. I do believe that the industry will be grateful that that has been fast-tracked. They will be looking for ongoing consultation, but part of the reason it was drafted that way was to ensure that a draft bill is placed in here and that a suitable time is given for consideration of that.


Before we conclude tonight I want to add that, whilst we will now not be opposing this bill, we are still incredibly disappointed that the government has not seen fit to remove the discrimination in this bill, despite the reassurances of the minister that he will do it in the regulation; nor has he removed the discriminations around the number of licences for which financial assistance will be paid. Like many members in this House—and I reflect on some of the crossbenchers, too, who have expressed concern—we do have concern that this is too little too late. However, we are very conscious that there are many out there in the taxi and limousine industry who are hurting and who I hope will now receive, as a result of this bill passing tonight, financial assistance in some form before Christmas. What has happened is not acceptable. We are far from happy with what has happened. However, in the interests of ensuring that those who are suffering the most at this time receive some financial assistance, the LNP will not be opposing this bill at the 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

 **Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Minister for Transport and the Commonwealth Games) (9.05 pm): I move—

That the long title of the bill be agreed to.


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

Motion agreed to.

## CROSS RIVER RAIL DELIVERY AUTHORITY BILL

Resumed from 11 October (see p. 3678).

### Second Reading

 **Hon. JA TRAD** (South Brisbane—ALP) (Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment) (9.05 pm): I move—

That the bill be now read a second time.

Cross River Rail is the Palaszczuk government's highest priority infrastructure project and an important part of our vision to cater for future growth, unlock economic opportunities and make Queensland a more internationally competitive state. The Palaszczuk government is committed to delivering this city-making rail infrastructure project and ensuring that the people of Queensland can benefit from the economic development and community-building opportunities that it will bring.

The Cross River Rail project is essential for the continued growth of passenger rail transport in Queensland. Australian governments at all levels recognise the critical role of urban rail in reducing congestion and making our cities more liveable and productive. Cross River Rail will provide a better connected public transport network, increase services, decrease travel time and make Brisbane a better place to live, work and play.

Cross River Rail is not just a rail infrastructure project. It will position Brisbane and South-East Queensland as a smart and competitive emerging world city that nurtures a knowledge-based economy and builds the jobs of the future. This is why it is so important to establish the authority to deliver this project. It demonstrates that we understand and will fully grasp the catalytic city-making power of this once-in-a-generation infrastructure project.

I turn now to the Infrastructure, Planning and Natural Resources Committee's report on the bill. I thank the committee and the secretariat for its consideration of the bill. I would also like to take this opportunity to thank those who made submissions to the committee and the department for its comprehensive response to each and every issue raised in those submissions. I have considered the committee's report, which was delivered on 24 November 2016. I am disappointed that the non-government members would not agree to a recommendation that the bill be passed. This simply shows that this LNP is the same as Campbell Newman's LNP. They did not support it then—

**Mr Seeney** interjected.

**Mr SPEAKER:** Member for Callide, your interjections are not being taken.

**Ms TRAD:** This simply shows that this LNP is the same as Campbell Newman's LNP. They did not support it then and they continue to stand in the way of this project being built. They are not interested in moving people off roads and onto public transport. They are not interested in making people's commute shorter so they can spend more time with their families. They are not interested in the once-in-a-generation city-making opportunity that this project represents and they are absolutely not interested in the thousands of jobs the project will create and support into the future. The LNP just cannot bring themselves to fully support the project. Let us not forget they spent their three years—

**Mrs Frecklington:** It's about the delivery authority, Jackie.

**Ms TRAD:** I will take that interjection from the Deputy Leader of the Opposition; I cannot help myself. It is called a delivery authority because it is actually going to deliver the project, so I think it is incumbent on me to talk about the project.

Let us not forget they spent their three years in office destroying any and every opportunity to get this project built. They tried to have the project scrapped by an independent review, but when their own hand-picked experts told them that Cross River Rail was the best solution they had to find a different way. They asked for, and then refused, an offer of funding from the then federal Labor government which would have meant Cross River Rail would be under construction right now. Finally, they tore up the plans for Cross River Rail and designed their own inferior project—the Bus and Train tunnel—which was the pet project of Campbell Newman. What we now know is that senior LNP figures agreed it would never be built; it was just all show.

Even after all this history the LNP still cannot agree to support the Cross River Rail project. Even when their colleagues in the federal LNP support the project and are working with us cooperatively to see it delivered, this very, very mediocre state LNP will not support it. Even when the Brisbane City

Council say they support it and that there has never been any question about it, this very, very mediocre state LNP will not support it. The LNP just cannot rise above their own pride and self-interest and admit they have got it wrong on Cross River Rail for the past seven years.

Turning back to the committee report, the only recommendation of the Infrastructure, Planning and Natural Resources Committee was that the Legislative Assembly notes the contents of the report; consequently, I will not table a formal government response to the report but I will address the comments of the committee now.

The report states that the committee was interested in how the Cross River Rail project would be funded and the consultation that would occur around funding. The Palaszczuk government has committed more funds to the delivery of this vital project than any other government. We have put \$50 million into setting up this delivery authority and getting the project up and running, and we have provided an in-principle commitment of \$800 million towards building Queensland's No. 1 infrastructure project. We also now have the Commonwealth on board, with a commitment of \$10 million to support planning for the project and an agreement to be part of the delivery authority going forward.

Just last week the Commonwealth government accepted Infrastructure Australia's recommendation that governments should upgrade legacy capital city passenger transport infrastructure to deliver higher capacity, high-frequency services across all modes. IA's recommendation also suggests that governments should consider Infrastructure Australia's infrastructure priority list ahead of any funding decisions. Cross River Rail has been listed as a high-priority initiative in the latest IA report, published February 2016.

The Prime Minister also announced the establishment of an infrastructure financing unit to make standard practice the exploration of all funding options including concessional loans, user charging and value capture. The Palaszczuk government will continue productive conversations with the Commonwealth government to ensure that Queensland does not miss out on vital infrastructure.

This government is a consultative government, and we have taken into account all the submissions that have been made about the Cross River Rail Delivery Authority. That is what we have done in taking on board the views of those who made submissions during the committee's examination of the bill, and this is why it is important to establish the delivery authority. One of the authority's initial functions once it is established will be to make recommendations to the government about funding options. I note that the government members supported the establishment of the delivery authority. The non-government members did not support it, but their concerns were about the Cross River Rail project, not the provisions contained within this bill.

In the statement of reservation the members for Cleveland and Warrego raised four concerns. None of these four concerns related to the provisions of this bill before the House. Firstly, the statement of reservation specified a concern about the lack of transparency regarding the business case for the Cross River Rail project. Building Queensland published its cost-benefit analysis summary in June 2016. This assessment was published; it is available to the public. The detailed considerations that went into the business case are different matters. They include commercial-in-confidence material and the detailed analysis that is cabinet-in-confidence.

I note that the LNP have never released a full business case, and in particular they never released one for the BaT tunnel. That is because they did not do one, and we know the legacy of No. 1 William Street: no business case whatsoever.

The next issue raised in the statement of reservation claims the authority represents an interventionist approaching to planning. I would point out that the provisions which allow for priority development areas to be declared have been in place since 2012 and were introduced by the member for Callide when he was the deputy premier. They are not new. This is not a new process, and the process that has been in place for a number of years required that the responsible minister consider a range of statutory criteria, including the economic and community benefit to the state that may be gained by the proposed development.

The third issue raised in the statement of reservation claims secrecy about how the Cross River Rail project will be funded; that no detail was provided to the committee about the quantum of the so-called secret taxes; and that Queenslanders will pay more through these so-called secret taxes. There are no secret taxes. The Commonwealth government required us to assess value-sharing mechanisms as part of the submission to Infrastructure Australia. This does not mean that those value-sharing mechanisms will necessarily be used to fund the Cross River Rail project. I reiterate my previous statement: this is why it is important to establish the delivery authority. One of the authority's initial functions once it is established will be to make recommendations to the government about funding and long-term financing options.

The final issue raised in the statement of reservation concerned the speed of the committee's process. The statement of reservation pointed to the Brisbane City Council's submission, which noted that council's response may have included further detailed information if time had permitted. However, when the Brisbane City Council were invited by the committee to attend a public hearing to expand on the issues they raised in their submissions, they declined to attend.

The committee report notes that the committee acknowledges the concerns that were raised in the four submissions received by the committee but considered that amendments to the bill were not required. As the committee report noted, some of the issues raised by submitters fell outside the scope of the bill. In particular, the Brisbane City Council and Queensland Urban Utilities used the bill to voice their concerns about the process for declaring a priority development area. This process has been in place since 2012 and this bill does not change those provisions of the Economic Development Act 2012, which was introduced into this place by the member for Callide when he was the deputy premier.

I note that the committee encourages consultation by both my department and the authority as the Cross River Rail project progresses. In my role as Minister for Economic Development—a statutory role under the Economic Development Act—I am statutorily required to consult with the public and to engage with the relevant local government. Economic Development Queensland's own publication about priority development areas points to the extensive consultation undertaken as part of the process for the declaration of these areas as a matter of course. This includes initial meetings between planning officers of Economic Development Queensland and the relevant council and briefings with council officers. This is part of the normal process for declaring priority development areas; however, this does not mean that the relevant local government is the only voice that we listen to. In making a declaration I must have regard to the purpose of the Economic Development Act and to other criteria such as the economic and community benefit to the state that may be gained by the proposed development.

This project has broad support. I note that, of the four submissions made to the committee, all four supported the delivery of the Cross River Rail infrastructure project. The Commonwealth government has shown its support for the project by contributing \$10 million to the detailed planning. It has also accepted a seat at the table for the planning and delivery of the project going forward.

Today I also intend to introduce two minor amendments during consideration in detail. These are minor technical amendments which have emerged as part of the drafting process of the bill.

It seems that everyone but the Queensland LNP thinks this project should proceed, but it is also important that we do not lose sight of the bigger picture. This project is our No. 1 infrastructure project, but it is about more than just the rail infrastructure alone. The Cross River Rail project will also make the most of the economic development opportunities that this infrastructure will create. It will remake our region, remake our city and position Queensland to capitalise on the knowledge-based economy with Brisbane as a world-class city.

The Cross River Rail Delivery Authority Bill 2016 is what is needed to establish a robust, productive, transparent and independent mechanism for the delivery of this vital infrastructure project. Through combining the functions and powers of a number of government agencies, the authority can act to ensure that not only is the Cross River Rail infrastructure established for the benefit of the community but also the economic development opportunities arising from this once-in-a-lifetime project are seized and fully realised for the benefit of all Queenslanders. I commend the bill to the House.



**Mrs FRECKLINGTON** (Nanango—LNP) (Deputy Leader of the Opposition) (9.20 pm): I rise to make a contribution to the debate of the Cross River Rail Delivery Authority Bill 2016. At the outset, I thank the opposition members of the committee that considered this piece of legislation for their contribution. This morning in the House the member for South Brisbane, the Deputy Premier, said—

... the Premier has made it clear, that we will work hard to get infrastructure dollars out the door ...

That certainly has not happened when it comes to Cross River Rail. The LNP supports additional heavy capacity to service population growth; however, the value of the Cross River Rail project has simply not been demonstrated by Labor. It continues to push Palaszczuk's pet project, which comes with a \$16 billion price tag, with no public strategy on how to fund it. The question remains: if the Deputy Premier believes that she can fund this project, why does this Palaszczuk Labor government not just deliver it? Why does it need another bureaucracy?

This pet project remains unfunded and remains unaffordable. There is no greater example of Labor's inability to deliver than this pet project. This inability has followed successive Labor governments—from the Bligh government, in which the now Premier served as transport minister, to the current inexperienced Palaszczuk government, in which Stirling Hinchliffe is now the minister. The member for South Brisbane continues Labor's strong performance of inaction.

In 2013 the member for Inala, the now Premier, said that Cross River Rail was shovel-ready. She also said that Cross River Rail was ready to go, yet after almost two years in office Labor is yet to turn the first sod on the Premier's pet project. In fact, the project could be said to have virtually gone backwards under the leadership of those opposite. Members of this House will remember that the member for South Brisbane, the Deputy Premier, lost the transport portfolio after less than a year and sowed the seeds of delay with the Redcliffe peninsula line and the 'rail fail' train driver shortage.

It took the member for South Brisbane until August 2015 to put out her first ministerial media statement on Cross River Rail. That ministerial media statement was not a step forward for transport planning in Queensland; it was several steps backwards, with the only thing committed to being the dropping of any integration of buses and trains. It took the member for South Brisbane as transport minister nearly eight months to take an integrated option off the table and recommission a business case on the Cross River Rail project that was described by the now Premier as shovel-ready back in 2013.

It then took 10 months and over \$8 million to complete the business case for Cross River Rail—the business case that still has not been released. Then they tried a cheap political stunt during the federal election campaign by demanding both parties fund the business case that had only just been completed. One would think that a government that had declared itself as open and accountable would have released the business case for the Cross River Rail project.

If this project is as good as the Palaszczuk government believes it is, why will the Deputy Premier not release this report? You have to ask what they are hiding. We soon found out what they were hiding, after the opposition office happened to have a small executive summary of that business case dropped off for us. It made some interesting reading. As soon as anyone reads the executive summary of that business case it becomes painfully clear why the member for South Brisbane was so intent on keeping that business case secret. It is a business case built on bold assumptions, stacked with more and more bold assumptions.

The business case suggests: a new congestion tax, paid for by motorists, amounting to \$1.2 billion; a new motor vehicle registration levy, paid for by motorists, equalling \$1.22 billion; more land tax on nearby property owners, \$1 billion; a new public transport infrastructure tax, paid for by property owners, \$2.6 billion; a new ticket surcharge, paid for by public transport users, \$1.08 billion; and, to cap it off, higher rates on nearby property owners, \$285 million. That amounts to over \$7 billion of new taxes or charges.

We all know that it is in Labor's DNA to increase taxes and charges. Labor never saw anyone else's money that it did not want to spend. Many a time the member for South Brisbane has tried to justify this tax grab by saying that it is a requirement—the Deputy Premier repeated it in the House tonight—of the federal government that value capture be considered. It is probably the first time we have seen the member for South Brisbane or the Labor Party take an order from the Turnbull government. In any case, we know that it is simply not true. Page 20 of the Turnbull government's Smart Cities Plan states that value capture 'will not be suitable for all projects but should be considered on a project by project basis'. I wonder why a business case that has assumptions of up to \$7 billion would be just sitting in there and not considered on a project-by-project basis.

We know with the introduction of this bill that the member for South Brisbane and the Premier think value capture is suitable for Cross River Rail. It is obvious that that is one of the main mechanisms by which this No. 1 pet project of the Palaszczuk government is to be funded. This bill, as introduced by Labor, will allow for the proposed Cross River Rail Delivery Authority to have delegated powers from the minister for Economic Development Queensland to impose these new charges and special levies on landholders. In its submission to the parliamentary inquiry the Property Council said of Labor's plan—

... the Property Council remains cautious of the prospect of utilising 'value sharing' or some form of 'value capture' levy to contribute towards financing Cross River Rail. The Property Council has cautioned the Government on the need to ensure any potential funding model does not become simply another tax.

It continues—

... poorly designed 'value capture' levies, based on perceived increases in property values, pose a significant economic risk.

...

The Government should seek innovative uses of existing revenue streams prior to developing new bespoke taxing models to finance the Cross River Rail project.

It is clear that, along with the LNP committee members, key stakeholders have grave concerns about the lack of consultation and the impact of the Palaszczuk government's plan for secret taxes to fund the Cross River Rail project. We also know that there are members of the cabinet who have concerns with the Deputy Premier's plan for these secret taxes masquerading as value capture. The Treasurer, at his post-budget address to the Committee for Economic Development of Australia, was completely dismissive of the Deputy Premier's plan to fund Cross River Rail when he said—

When we talk about value uplift and value capture, yes it's going under the river, there's a not of people either side of that line, maybe a few cray.

There you have it: the Treasurer and the Deputy Premier are totally divided on this No. 1 project or the way they are planning to fund it, with the Treasurer publicly ridiculing the Deputy Premier and value capture for Cross River Rail.

Labor has kept Queenslanders in the dark about the true cost of this project and how it will be funded. This is especially concerning given that the 1.21 cost-benefit ratio stated by the Deputy Premier failed to take into account the European Train Control System, even though the ETCS was funded in the 2016-17 budget. After media questioning, Building Queensland had to remodel the cost-benefit analysis for Cross River Rail and the benefit ratio reduced significantly, to 1.06. This is an embarrassing mistake and undermines public confidence in the secret cost-benefit analysis. This means that the claimed benefits of the project barely exceed the costs.

We all know the Deputy Premier was then caught out during estimates when the LNP revealed that Labor's stated \$5.4 billion cost of Cross River Rail only included the tunnel. The Deputy Premier had not included the cost of trains—a blunder and a clear indication that the Deputy Premier had no plan on how to fill the large financial black hole of Cross River Rail. It gets better: the Deputy Premier had also forgotten the operating costs and the costs of works to other stations to support the Cross River Rail project. These hidden costs are real costs. These costs have blown the cost of this project out to over \$16 billion.

**Mr Seeney:** I bet she forgot train drivers, too!

**Mrs FRECKLINGTON:** I take that interjection from the member for Callide, who said, 'I bet she's forgotten train drivers as well.' We need to factor those in. When we hear the cost of this project is \$5.4 billion, we have to take into consideration the added-on costs which put this project at \$16 billion, and that is the concern that Queenslanders have with the project: how is Labor funding the project?

Like I said at the beginning, it is not in relation to the need for a heavy capacity; it is about how this government plans to fund its pet project. Even before we had seen the Premier had broken Labor's election promise not to sell assets, the Deputy Premier had already modelled land sales in the secret business. Over \$200 million in land sales was attempting to fill this \$16 billion black hole. Even with these election-promise-breaking land sales and the secret taxes, it is simple mathematics that Labor is still well short of the \$16 billion needed for this pet project and, after two budgets, Labor has allocated only \$50 million—not for any construction works but for more studies and more consultants. If Labor was serious about Cross River Rail, it would find the money in the budget. After all, Labor has cut \$2.3 billion from the LNP's infrastructure programs and failed to deliver \$2 billion of its promised infrastructure last year. If only the member for South Brisbane had the numbers around the CBRC table! Maybe the Deputy Premier actually does but she just does not want to deliver the Premier's pet project.

We then saw the Clayton's commitment of \$800 million that is not in the budget. This is not a real commitment. We cannot have an announcement of \$800 million in the budget for a project when it is not budgeted for. Again, it is simple 'Labor-nomics'. It just does not add up, especially when Labor describes the commitment as 'in principle'. The Palaszczuk Labor government needs to decide whether it supports this project or it does not, because if it does support this project it will find the money to fund the project.

Labor has not just been fighting with itself on how to fund Cross River Rail; it has also been fighting with the Brisbane City Council about integrated projects—projects like the Brisbane Metro that would address the clear and present problem of bus congestion in the Brisbane CBD. Bus congestion currently chokes CBD roads during peak hours, impacting on all road users, not just public transport users. Yet the Premier has told Brisbane City Council and the Lord Mayor to ditch his metro style plan. The Premier went on to say—

Forget it, because what we need is all three levels of government focused on the most important infrastructure project for our state, which is the Cross River Rail in south-east Queensland.

There you have it: a Premier who cannot walk and chew gum at the same time, a Premier who does not have a plan to solve bus congestion in the Brisbane CBD, a Premier who could not deliver Cross River Rail as transport minister and simply cannot deliver it now as Premier. The Deputy Premier does not want to support the metro project given that it can be delivered at a fraction of the price and said—

It can't cannibalise it, it can't duplicate it. It would be silly to spend money on two public transport projects that effectively do the same thing.

This is a startling admission from the Deputy Premier and a great insight into 'Labor-nomics' which we know never adds up. It is not the only startling admission from the member for South Brisbane in relation to Cross River Rail. In an interview on 4 October with the Deputy Premier, Steve Austin said—

Now the *Courier-Mail* has a story this morning that you haven't even established it yet. It's late. It was supposed to start now. In fact you haven't even drafted the legislation to facilitate its establishment. Why not?

The Deputy Premier replied—

Steve, look that story is actually factually incorrect.

Steve Austin said—

Where?

The Deputy Premier went on to say—

Let me explain why. Where? Well, firstly as we said it would be established in October and the last time I looked it was early October. The legislation has been finalised and it is going to cabinet very soon. I have said, and I explained this to the *Courier-Mail*, that the model we are pursuing is the same model we pursued with Building Queensland and that is to establish the delivery authority internally until the legislation goes through the Parliament. Legislation, and as it should, because as I said this is a \$5.4 billion project ...

Then Steve Austin goes on—

Sorry, let me interrupt Deputy Premier. You've told me that, but the paper says that the legislation has not been introduced, meaning introduced to parliament. So the paper is quite correct. You haven't even sent it to Cabinet yet, so the ... story is correct.

It is just incredible that we have been waiting on this bill. We assumed it was going to be delivered back when the Deputy Premier was on Steve Austin because she said it was going to be and the legislation was being finalised and the secret business case's time line said it would be done by October. We know that now, on 1 December, we are eventually debating the bill. I have to give the Deputy Premier credit there. We are debating the bill a couple of months later with respect to her time line, although it is interesting to note that there has not been a big rush to get this bill through.

What hope do Queenslanders have to get infrastructure delivered on time when this Palaszczuk government cannot even establish the delivery authority and then when the public finds out how incompetent it is it will not come clean and admit that it is actually late on its own modelling? Here we are with a delivery authority that is late, we have a tunnel without trains, taxes without consultation and a pet project without a competent owner.


It will not surprise the House that I will be moving several amendments to the bill. The LNP has serious concerns with the bill and I foreshadow the amendments that have been circulated in my name. The LNP is concerned about the secrecy about how it will fund the project, including the use of value-capture mechanisms under delegated powers from the Minister for Economic Development Queensland. Labor has ample opportunity to inform property owners, public transport users, motorists or anyone else that Labor intends to impose a new special rate, tax or charge. Labor has failed to undertake this consultation.

Additionally, there are no safeguards in the bill. There is no obligation in the bill for public consultation to occur before these rates, taxes and charges are levied. There is no appeal mechanism for the impacted parties. The board is appointed by the government, but the members of that board are not elected officials. The chief executive of the delivery authority will be employed outside the Public Service Act, as will many of the other delivery authority staff. The delivery authority will be commercially focused. It is a recipe for disaster to give this authority delegated powers from the Minister for Economic Development Queensland to impose these special rates or charges. The LNP opposition also considers it inappropriate for any powers delegated to the delivery authority board from the Minister for Economic Development Queensland to be subdelegated to another set of delivery authority personnel. There is no justification provided in the bill for this arrangement. Again, it moves substantial power away from elected officials and reduces accountability.

Again, in failing to fulfil its promise for openness and accountability, the government has sought to exclude the delivery authority from the Right to Information Act, except when it is performing a community function. As a statutory authority, the delivery authority will not be subject to the scrutiny that a public company would be, but the government has excluded it from the scrutiny that would ordinarily apply to a public entity. There is inadequate explanation for that in the bill. The government has ignored the existing protections in the Right to Information Act about information that is commercially sensitive. The government has taken the easy way out and, given its conduct to date about the Cross River Rail project, the LNP opposition sees no reason to support this exemption.

The bill seeks to allow the chief executive of the delivery authority and other staff competitive market salaries outside of the restrictions on Public Service pay rates. Given that there are numerous departmental heads in the Public Service who are paid more than half a million dollars a year, it is staggering that the government must offer higher salaries than that to oversee a delivery authority for a project that is already underfunded. It is clear that Labor has again lost touch with reality. The LNP opposition urges the Deputy Premier and Labor to harness the skills and experience within the Queensland Public Service. The Public Service has delivered big projects such as Cross River Rail before. When in government, the LNP had experience in developing such projects—for example, delivering the \$10 billion rescue package for the Bruce Highway. Labor needs to back Queensland's public servants.

As I said at the beginning of my speech, the LNP supports additional heavy capacity to service population growth. However, this Labor government has not demonstrated the value of the Cross River Rail project. The government continues to push the Premier's pet project that has a price tag of \$16 billion and no public strategy of how to fund it. After nearly two years in government, the Palaszczuk Labor government has further stalled this project. This is evident by no funding in either of its two budgets for the construction, a delivery authority that was not established in October in accordance with the business case schedule, and no financing plan. The LNP opposition believes that Queenslanders already pay enough tax and that governments have an obligation to live within their means and not waste taxpayers' money but still provide essential public services.

 **Ms SIMPSON** (Maroochydore—LNP) (9.43 pm): I rise to speak to the Cross River Rail Delivery Authority Bill 2016. This bill comes from a Labor government that, according to now Premier Anastacia Palaszczuk, had a Cross River Rail project that was, allegedly, shovel-ready in 2013. I would say that it is a Tonka toy shovel that the government was modelling this project on, because there was not a shovel-ready project that had a properly constituted funding plan and delivery plan. This is typical of what we see with a Labor government that is very good at communication strategies based on glossy brochures, but when you dig a bit deeper—not into the sandpits where the Tonka toys are but in the real world where people who build major infrastructure exist and people who know what it takes to responsibly finance and manage the projects exist—you see that this government has never had a project that is properly scoped and managed. I will talk a little bit more about what real project delivery looks like.

This is a government that is more about being Tonka toy ready than it is about having a real rail plan. After all, it is a rail plan with no trains. I recall that, in some of Labor's previous expansion plans, it also planned trains without seats. This Labor government's recent Redcliffe rail experience has resulted in up to 200 fewer services across South-East Queensland because it simply did not plan the rollout of that network to ensure that it had tracks and trains with drivers.

That gives me no confidence that this Labor government will be able to deliver a project of the magnitude of Cross River Rail—not the one that it has been talking about. After nearly two years in government, all we have seen is more studies, more glossy brochures and more announcements about reviews but no tangible progress. Cross River Rail is a huge project. The capital costs alone are expected to be \$5.4 billion, but that does not include the cost of the trains, the auxiliary station works or operational costs, which means that the total cost of the project could exceed \$16 billion—and it is totally unfunded. So far, all we have seen is funding to set up—wait for it—a new bureaucracy. That is something that this government excels at. In its own words, it really has a mandate to set up bureaucracies but not to build the infrastructure that turns the wheels of industry.

In the last budget, this Labor government committed funding towards the proposed delivery model. Prior to that the government had announced \$800 million in in-principle funding for the Cross River Rail project from a \$1.5 billion infrastructure fund. It is not clear what conditions were on this in-principle funding allocation, but if Labor were serious about this project it would have included the funding in the 2016-17 budget.

I thank the Turnbull government for honouring its election promise and committing \$10 million towards the delivery authority, but there is clearly a large financial hole in the state government's budget that needs to be filled to commence this project. During the five years that it would take to build this project, it would consume around 11 per cent of the average annual capital budget. I will say that again: during the five years that it will take to build this project, it would consume around 11 per cent of the average annual capital budget. That would significantly reduce the government's ability to provide other infrastructure projects.

It is important to talk about these issues, because I and the other LNP members support additional rail capacity to address the bottlenecks in the network. We have seen too much of a Labor government that says, 'We've got a problem; we'll throw money at it. Don't ask the nasty questions about how it is going to be funded in a way that it does not suck the guts out of all the other infrastructure projects, because we need it.'

We will never forget what occurred with the disaster of the water grid in this state. We are still paying for that absolutely appallingly mismanaged water grid.

**Mr Seeney:** \$9 billion.

**Ms SIMPSON:** That was a \$9 billion project. That is debt that has hung around the neck of every Queenslander. It is an albatross that has hung around the necks of subsequent governments. It was appallingly mismanaged, because there was a disaster committed under Labor that allowed a situation where they did not progressively build water infrastructure. When they had a need, they threw so much money at it in a hurry, with no business plans and no attention as to how that money would be spent. There was a need, so the former Labor government threw money at it and they did it so badly that Queenslanders are still paying off that debt in Queensland today.

We have a right and a need to ask questions about how this money is going to be spent on Cross River Rail, because this Labor government and its predecessors have form. It is not good form, because we are paying the cost of that today. Where is the extra money going to come from? As we know from the water grid, which is now debt that is languishing against the state budget and is, in fact, causing great difficulties in ensuring that forward infrastructure programs are properly rolled out, we must get value for money. We must ask those tough questions. There must be transparency in regard to infrastructure project delivery. There must be no more of this silly situation where Labor members laugh it off and say it does not matter. We want to see the business plans. We want to see them scrutinised. We want to see that there is integrity in the way that infrastructure is delivered.

In my mind it is a form of corruption when taxpayers money is taken and there is a failure to apply a standard of accountability by making it transparent to parliament and the people. What we see with this Cross River Rail project, in the way that Labor is bringing it forward, is unfortunately more than just a shadow of what happened with the water grid. In fact, it is a large and looming black hole—in fact, a sinkhole—that lies underneath the future budgets of this state. It must be opened up to a process that allows us to scrutinise how that money is spent.

From the leaked summary of the business plan that has not been released to the public we see that there has been mooted a congestion tax to be paid by motorists of about \$1.2 billion; a registration levy, paid by Queensland motorists, who are already paying huge rego increases thanks to the failure of Labor to plan, of \$1.22 billion; land tax on nearby property owners of \$1 billion; a public transport infrastructure tax on property owners of \$2.6 billion; a ticket surcharge paid by public transport users of \$1.08 billion; and higher rates on nearby property owners of \$285 million. Queenslanders have a right to know, but Labor has kept them in the dark about the true cost of Cross River Rail. Who will pay for it? They will. The LNP believes Queenslanders have a right to know how they will be slugged by the new taxes and charges that this government is trying to keep under wraps.


I support the amendments that my colleague the Deputy Leader of the Opposition is putting forward to bring about some integrity in relation to this matter under the Right to Information Act by allowing issues to be brought into the open. We must see full business cases brought forward rather than this government hiding behind commercial-in-confidence. Commercial-in-confidence my foot! It is just another example of a government that does not want to be open and accountable in how this is going to be funded.

This is another example of the typical lack of transparency from a Labor government that resulted in invoice tendering and the absolutely abhorrent blowout of the cost of the water grid in Queensland that we are all paying for today. We have seen examples of infrastructure costs blowing out under Labor

due to poor planning and being beholden to construction unions that also do not want to be accountable and open to scrutiny. The business case should be released. We should be able to see the way this project is put together. Most of all, we should see what the plan is to fund it rather than have it hidden under the carpet.

This bill seeks to exempt the proposed Cross River Rail Delivery Authority from the Right to Information Act. This is a totally unacceptable avoidance of public scrutiny. I support the proposed amendments which will ensure that the Cross River Rail Delivery Authority is not an exempt entity from the Right to Information Act. The LNP remains supportive of additional rail capacity to unlock the rail network, but it must be affordable, it must be value for money and it must not be an albatross around the neck of every other infrastructure project in this state. In my own area we need to see not only rail lines extended but also roads.

*(Time expired)*

 **Mr KELLY** (Greenslopes—ALP) (9.54 pm): I support the Cross River Rail Delivery Authority Bill 2016. I take a moment to note on this World AIDS Day that 35 million people have died from AIDS.

This is an important step in delivering an important piece of infrastructure. It has been a long week and I am tired. I have not had much sleep. At times tonight when listening to the debate on the previous bill I felt like I was hallucinating, that history was being rewritten, and now we have people talking again about the BaT tunnel. Much like Batman, that is a piece of fiction. It probably makes a good comic, but it is never going to be reality. Let us talk about what will be reality.

It is imperative that we continue to invest in public transport infrastructure. A few weeks ago I took the opportunity, as did many other members of this House, to go along and listen to Engineers Australia. What were they talking about? They were talking about how to fund infrastructure. What did they talk about and recommend? They talked about value capture. If a body like Engineers Australia is suggesting that value capturing is something that responsible governments should explore, I think it is certainly something we should be considering.

Madam Deputy Speaker, I know that, like me, you are very concerned about public transport infrastructure. Often when we raise these issues we are labelled as nimbies and inner-city trendies. Those labels are completely wrong and completely unfair. My electorate, like yours, has been impacted by major infrastructure for many decades—freeways, busways, veloways, hospital redevelopments and tunnels. While this infrastructure is valuable to our community, the truth is this infrastructure serves the entirety of South-East Queensland and often the entirety of the state. So too will the Cross River Rail. It will benefit my electorate, but it will benefit the entirety of South-East Queensland. It will open up our capacity to increase transport corridors. We have a choke point and we cannot increase capacity unless we deal with that choke point. The Cross River Rail will give us the capacity to do that.


My community, like yours, Madam Deputy Speaker, is changing rapidly. We are seeing massive increases in density. It is absolutely imperative that we get the infrastructure right to support this growth. I have met with Minister Jones to discuss school infrastructure and together you and I have met with the Deputy Premier, our neighbour, to discuss many infrastructure issues. Like ourselves, the Deputy Premier is a passionate advocate for improving public infrastructure. It is sad that those opposite do not support this bill. They want to stand in the way of the authority that will make this entire project happen.

Public transport has changed so much in the years that I have been using it in Brisbane. Unlike the Prime Minister, I do not just stroll onto it every now and then to make a point, I have used it consistently throughout my career. When I started work I could not use it because as a shiftworker it would not deliver me to and from hospitals at the time I needed to be there so I had to walk or use a bike. It is not fun riding home through the Valley at 11 o'clock at night in a white nurse's uniform I can tell members. In my last jobs in two different hospitals on two different sides of town I could use public transport for all shifts. Earlier one of the honourable members on the other side of the House described public transport as middle class welfare. Perhaps that member should come on a bus with me, as I used to do, at 5.30 in the morning and see those workers going to work in hospitals, in nursing homes or to schools as cleaners.

Many people use public transport. People in my electorate want to choose public transport. The researchers who work at Griffith Uni or the TRI want to use it. Families want to use it to get to their local parks and to shopping centres. Young people want to catch buses to and from concerts and restaurants. Engineers and geologists want to head into the city for work in mining and agricultural firms that benefit our entire state. There are things that make it more likely that people will choose to use public transport:

it must be safe; it must be easy to use—I think that the go card and the TransLink app innovations have made a huge difference to the ease with which we can use public transport; it must be affordable—I acknowledge the great work of the transport minister with the Fairer Fares program; it must be frequent; and it must be well connected—this authority is an important step in building frequency and connectivity across our entire network.

Our community is changing due to increasing density. We must make sure it changes for the better by getting the infrastructure in place to support an increasing population. This bill is an important step in achieving that objective. I call on those opposite to get on board and support this important piece of infrastructure. I note that many of the speakers are not from South-East Queensland and I welcome their interest in this issue, because it does affect our entire state. I ask them to support the bill. People in my electorate support it and I know that you, Madam Deputy Speaker, support it. I commend the bill to the House.

 **Dr ROBINSON** (Cleveland—LNP) (10.00 pm): I rise to contribute to the debate on the Cross River Rail Delivery Authority Bill 2016. The LNP opposition has great reservations about this government's specific Cross River Rail project. A solution is required to the capacity issues that exist for public transport, rail and bus, across the Brisbane River. Those capacity issues are heightened because of the north-south geographical divide of the Brisbane River and governments have to either tunnel underneath or bridge over it.

The Cleveland line runs from the city to the Cleveland station. It is an incredibly important piece of public transport infrastructure that enables thousands of workers and other residents to travel to and from work and elsewhere on a daily basis. The ability to provide more peak-time rail journeys—that is, to grow patronage—is largely dependent upon solving the restrictions created by the single line sections of track between Cleveland and Manly and the Merivale Bridge crossing of the Brisbane River. Therefore, I will continue to fight for the duplication of the rail line between Manly and Cleveland. Even a staged approach, built section by section, would greatly assist.

Together with the rail duplication issue, the cross river situation is now restricting the capacity of the South-East Queensland public transport network, including the Cleveland line. Improvements in efficiency of movement across the Merivale Bridge will not now make a considerable difference. They are not sufficient. The view of transport experts, government and non-government, is that another bridge crossing will not provide a viable, workable and affordable solution to all of the challenges faced.

The former LNP government's funded tunnel solution was received enthusiastically by the people of the Cleveland electorate, the broader Redlands City region and the people of South-East Queensland. The LNP government put forward a tunnel solution that worked for both train and bus services, but unfortunately Labor scrapped those plans upon coming into government and has done nothing to replace those plans in the past almost two years. It has taken this asleep-at-the-wheel government until now to propose a plan. We have waited for it all year and we have heard talk about it throughout the year. However, suddenly the Deputy Premier wanted the delivery authority bill rushed through the committee process without any substantial consultation with key stakeholders, without any clear plan how to fund the project itself, without a business case except the thick cloud of new taxes hanging over the project, without any agreement with the Brisbane City Council about how the planning regime will work and without substantial community support for this specific Cross River Rail proposal.

The government has put on the table a proposal to build a tunnel across the Brisbane River. This bill seeks to provide the delivery authority to try to move that project forward and it has to be examined on that basis. The stated policy objectives of the bill, as per the explanatory notes, are as follows—

The objective of this Bill is to set up the statutory framework for the Cross River Rail Delivery Authority.

The Cross River Rail project will deliver a new rail connection across the Brisbane River, as well as generating wider economic benefits. The Cross River Rail economic development strategy will articulate the 40-year blueprint to capitalise on government investment in Cross River Rail. The Cross River Rail innovation and economic development corridor will incorporate a series of major clusters of economic activity and opportunities, centred around the Cross River Rail stations, and linking to major facilities such as hospitals and universities.

The notes further state—

The Authority will be an independent statutory body, operating on a commercial basis, with the power to acquire land connected to the Cross River Rail project and associated prescribed 'transport-related projects'. It will operate outside of the political framework with an independent board, while still being subject to the oversight of the Queensland Government. It will provide a whole-of-government approach that addresses multiple government priorities, private sector demand, planning, and stakeholder and community engagement, providing project certainty for private sector investment. To the extent that they are required, the Authority will also undertake community service obligations relating to the projects.

The Cross River Rail Delivery Authority Bill 2016 was introduced into the parliament on 11 October 2016 and subsequently referred to the Infrastructure, Planning and Natural Resources Committee, of which I am the deputy chair. The committee considered the bill over a short period. While the committee had healthy discussions and has an understanding that the project is critical infrastructure, the committee could not reach agreement on the passing of the bill. I thank the members of the committee and the secretariat for their work.

The LNP members of the committee submitted a statement of reservation that outlined serious concerns about the Cross River Rail Delivery Authority Bill. In our statement of reservation, LNP members expressed concern about a number of things. Firstly, there was a lack of transparency regarding the business case for Cross River Rail projects that is stifling public debate about a project that will cost much more than \$5.4 billion. Secondly, the interventionist approach to planning is causing uncertainty and inconsistency. Thirdly, there is secrecy about how the government will fund the Cross River Rail project, including the use of undefined value capture mechanisms under delegated powers from the Minister for Economic Development Queensland. Fourthly, there has been a rushed approach to pushing this bill through the committee process given the substantial delay in establishing the proposed delivery authority.

In terms of the lack of transparency, Labor's election policy for Building Queensland states—

The policy guidelines for Building Queensland will require that a cost-benefit analysis and assessment of value for money take place prior to any project approval and that this assessment be released for public consultation.

It is disappointing that Labor has not done as it promised in the election. It has ignored repeated calls to release the secret business case and cost-benefit analysis for the Cross River Rail project. Queenslanders have been kept in the dark about the true cost of the Cross River Rail project and who will pay for it. There are a whole range of concerns about the cost-benefit ratios stated by the Deputy Premier. The Deputy Leader of the Opposition covered that most adequately, so I will not repeat that information. My concerns are the same.

After media questioning, Building Queensland had to remodel the cost-benefit analysis for Cross River Rail and the cost-benefit ratio reduced significantly. The LNP members of the committee consider that it is inappropriate for a further \$50 million be spent to establish the proposed delivery authority until the public has had the opportunity to scrutinise the cost-benefit analysis, consistent with Labor's election promise. Further, under questioning in the committee, department officials admitted that a substantially more detailed breakdown and itemisation of the expenses totalling \$50 million exists in the department. Committee members requested that that information be provided on notice and the departmental officials agreed that it would be provided. They said that it existed and that it would be provided. Therefore, it was a great disappointment to be denied that information, after a commitment had been made to the committee that the department would provide it.

I can only speculate that the Deputy Premier or another minister has intervened and refused to make the promised details available to the committee. That interference by the government into information provided to the department, meaning that the committee and by extension the parliament do not have the necessary information to make informed decisions, is disgraceful and has only bred further suspicion and mistrust in the government and its handling of this project. The departmental staff did, however, finally admit—after almost cross-examination and the asking of many questions—that the stated \$5.4 billion figure does not include trains. We have had trains without seats from this lot, trains without drivers and now tunnels without trains. How much more will it cost than the Deputy Premier is admitting to? How many other billions of dollars will Cross River Rail cost Queenslanders?

In terms of the interventionist approach to planning, the LNP members of the committee cannot recall a government in living memory that has run roughshod over local government planning responsibilities as this one has. Brisbane City Council's Chief Executive Officer, Mr Colin Jensen, expressed similar concerns in a submission to the committee and the impact the Palaszczuk government's approach is having on planning outcomes. The Brisbane City Council submission stated—

Council is seriously concerned about the proposal to expand the authority of the Queensland Government in the city's planning. The city is currently experiencing an unprecedented level of Queensland Government planning intervention via the combination of mechanisms including Priority Development Areas ... State planning regulatory provisions, ministerial call-ins and ministerial directions. The city is at risk of becoming a two speed development environment. This approach is not sustainable.

The LNP committee members urged the Palaszczuk government to curb its interventionist approach to Australia's largest local government. It is critical that the Palaszczuk government work with key local councils, like the Brisbane City Council, for the benefit of all Queenslanders and not for their own political interests.

In terms of secret taxes, the explanatory notes state a statutory body, established under special purpose legislation, was determined to be the preferred model for the authority because it has the ability to specify land acquisition powers and any value-sharing mechanism. Value sharing is described in the explanatory notes as a form of funding that recovers some or all of the private sector value created by public investment in infrastructure.

No detail has been provided through the committee process about the quantum of secret taxes that will be imposed under value-sharing mechanisms, which Queenslanders will pay more through these secret taxes and what safeguards or opportunities for public consultation will be available regarding the imposition of these secret taxes under value-sharing mechanisms. A number of key stakeholders share the LNP committee members' concerns. The Property Council of Australia, in its submission to the committee, stated—

... the Property Council remains cautious of the prospect of utilising 'value sharing' or some form of 'value capture' levy to contribute towards financing Cross River Rail. The Property Council has cautioned the Government on the need to ensure any potential funding model does not become simply another tax.

...

... poorly designed 'value capture' levies, based on perceived increases in property values, pose a significant economic risk.

...

The Government should seek innovative uses of existing revenue streams prior to developing new bespoke taxing models to finance the Cross River Rail project.

The LNP committee members and Brisbane City Council have substantial concerns about the lack of consultation to date and the impact of the Palaszczuk government's proposed plan for secret taxes to fund the Cross River Rail project.


In terms of the rushed committee process, the government has been talking about establishing this authority since April this year. However, it took the government over six months to prepare the enabling legislation and introduce it to the parliament. The LNP committee members note the enabling legislation was only introduced after media scrutiny about the Palaszczuk government meeting the project schedule outlined in the Cross River Rail business case. This schedule required the authority to be in place by October. It has become a systematic failure of the government to miss self-imposed delivery dates.

The government missed its own deadline. The committee worked under substantial pressure to deal with the legislation for this very complex and very expensive piece of infrastructure. There were eight business days for stakeholders and interested parties to review the bill and provide feedback. The Brisbane City Council noted this rushed consultation in its submission, which states—

It is important to note, that this is Council's initial response to the Bill. Given submitters were allowed only eight business days to review, consider and respond to the Bill, Council response may include further detailed information.

They are hoping there is a further opportunity. The way the project has begun is hopefully not a sign of the way it will continue. The LNP committee members are disappointed that the government has failed to properly consult on the proposed delivery authority to deliver Labor's No. 1 priority infrastructure project.

In summary, the LNP committee members have serious concerns about this bill and some of the specifics of this project and the government's: lack of transparency about the business case which is stifling public debate; interventionist approach to planning which is causing uncertainty and inconsistency; secrecy about how it will fund the Cross River Rail project; and the rushed approach to pushing this bill through the committee process. This is not a good sign of things to come.

 **Ms LEAHY** (Warrego—LNP) (10.15 pm): I rise to contribute to debate on the Cross River Rail Delivery Authority Bill 2016. I would like to thank the Infrastructure Planning and Natural Resources Committee staff for their assistance with the inquiry and the professionalism with which they have produced report No. 37, especially given the time frames in which they had to do so. I would also like to thank my fellow committee members from both sides of the House for their participation in the committee examination process.

Cross River Rail is proposed to be a 10.2 kilometre rail link from Dutton Park to Bowen Hills with stations at Boggo Road, Woolloongabba, Albert Street, Roma Street and the exhibition showgrounds. Just under six kilometres of Cross River Rail is through a tunnel under the Brisbane River and the central business district. The state government has already allocated \$50 million in the 2016-17 budget for the establishment of the authority. This included \$11 million for employee expenses, \$30 million for contractors and consultants and \$9 million for other expenses.

Taxpayer funds were allocated before the legislation to establish the authority was introduced into this parliament. It is important I think that we put the quantum of this budgeted expenditure into perspective. For instance, in the Royalties for the Regions progress report round 1 under the former LNP government there were 18 successful projects across six local government areas, which had a combined value of \$49 million. These projects provided core infrastructure such as water and waste management, infrastructure to support essential community services, flood mitigation projects to better safeguard communities and critical road safety improvements and access improvements across regions that were impacted by resource development. Those projects increased safety and helped address the cost-of-living pressures on regional communities. Here we have \$50 million—

**Mr POWER:** I rise to a point of order, Madam Deputy Speaker. I have been listening and I cannot see the relevance of this to the Cross River Rail Delivery Authority Bill.

**Madam DEPUTY SPEAKER** (Ms Farmer): I am listening to the member. I feel like we might be getting there. Member for Warrego, can you assure me that you are speaking to the long title of the bill?

**Ms LEAHY:** Yes, Madam Deputy Speaker.

**Madam DEPUTY SPEAKER:** I am willing to allow you some flexibility there. Thank you, member for Logan.

**Ms LEAHY:** Here we have \$50 million already budgeted for the Cross River Rail Delivery Authority. That is a considerable amount of taxpayers' money. At the same time that this government made this budget allocation there are people in my electorate who are driving on roads that are very narrow and have kilometres of deep drop offs, roads that have school buses on them and roads that, because of a lack of maintenance from the state government, are becoming narrower and more dangerous every day.

These roads carry an enormous amount of produce and freight. I think we should note that the Cross River Rail project will not carry any freight whatsoever. In these areas there is wealth and exports. They pay the taxes and charges that contribute to the \$50 million allocation made by the state government for this project. Those wealth-generating areas, however, are unlikely to receive any benefit from the Cross River Rail project, and they are unlikely to see that in the short or the long term.

This Cross River Rail project could cost up to \$15 billion. There is a considerable question as to whether Queenslanders can afford such a project, so I wanted to get this \$15 billion figure in perspective. What is there in regional Queensland that costs around \$15 billion? What does \$15 billion really buy? The Queensland Transport and Roads Investment Program outlines approximately \$20 billion of investment for transport infrastructure over the coming four years. One project for inner-city Brisbane could cost a similar amount to that of the four years of the roads investment program in Queensland.

What growth and jobs do regional Queenslanders receive from the Cross River Rail? What benefit will the Cross River Rail bring to those who have to fund it? Will Cross River Rail eventuate or have we already wasted money—\$50 million—in this year alone? If there was a well-known business case, we might know whether there was any growth or jobs that benefit any other areas in Queensland. At this stage we do not have that level of transparency. There was no business case provided to committee members or to the committee. I note that the Deputy Premier mentioned a business case. I invite the Deputy Premier to table that business case in the House so that we can all be fully informed about it.

Hence, the LNP committee members have extensive concerns which I will continue to outline. There is a lack of transparency regarding the business case for the Cross River Rail project which is stifling public debate about the expenditure on this project. There is an interventionist approach to planning which is causing uncertainty and inconsistency. There is secrecy about how the government will fund the Cross River Rail project including the use of the value capture mechanisms under the delegated powers from the Minister for Economic Development Queensland. There was also a very rushed approach in pushing this bill through the committee process given that there was substantial delay in establishing the delivery authority by the government. The state Labor government's election policy for Building Queensland stated—

The policy guidelines for Building Queensland will require a cost-benefit analysis and assessment of value for money take place prior to any project approval and that this assessment be released for public consultation.

With the Cross River Rail project, Labor has broken its election promise in relation to the release of the business case for public consultation. This Labor government has ignored repeated calls to release the business case and the cost-benefit analysis for the Cross River Rail project. This is a major

infrastructure project. Compare it to the merger of Ergon and Energex which is the largest merger in Queensland, an estimated total value of \$25 billion. The Cross River Rail could cost up to \$15 billion—funds that Queenslanders cannot afford to spend. Queenslanders have been kept in the dark about the true and future cost of this Cross River Rail project and who will pay for it. For a project of this size, that is simply not good enough. There is a question: is it really appropriate for that \$50 million of taxpayer funds to be spent to establish the proposed delivery authority when the public, the parliament and the stakeholders have not had the opportunity to properly scrutinise that cost-benefit analysis consistent with Labor's election promise?

The bill is also an appalling impost on local government planning responsibilities—that is, the planning responsibilities of the largest local government in Queensland, the Brisbane City Council. Brisbane City Council's Chief Executive Officer, Colin Jensen, expressed concerns in a submission to the committee about the impact that the Palaszczuk government's approach was having on planning outcomes. Brisbane City Council stated in their submission—

Council is seriously concerned about the proposal to expand the authority of the Queensland Government in the city's planning. The city is currently experiencing an unprecedented level of Queensland Government planning intervention via the combination of mechanisms including Priority Development Areas (PDAs), State planning regulatory provisions, ministerial call ins and the ministerial directions. The city is at risk of becoming a two speed development environment. This approach is not sustainable.

I urge the Palaszczuk government to curb its interventionist approach to the Brisbane City Council and, for that matter, to all councils across Queensland. It is critical that the Palaszczuk government work with key local councils like the Brisbane City Council for the benefit of all Queenslanders, not just for the Palaszczuk government's own political interests or pet projects or for particular members of parliament in inner-city Brisbane.

I wish to turn to the value sharing which is outlined in the explanatory notes. The explanatory notes for the bill state that a statutory body, established under special purpose legislation, was determined to be the preferred model for the Cross River Rail Delivery Authority because, among other things, it had the ability to specify land acquisition powers and any value-sharing mechanisms. Value sharing is described in the explanatory notes as 'a form of funding that recovers some or all of the private sector value created by public investment in infrastructure'. Little detail has been provided through the committee process about the quantum of secret taxes that will be imposed under value-sharing mechanisms, which Queenslanders will have to pay through these secret taxes and what safeguards or opportunities for public consultation will be available regarding the imposition of these secret taxes under value-sharing mechanisms.

Key stakeholders also share the LNP committee members' concerns. The Property Council of Australia in their submission to the committee stated—

... the Property Council remains cautious of the prospect of utilising 'value sharing' or some form of 'value capture' levy to contribute towards financing Cross River Rail. The Property Council has cautioned the Government on the need to ensure any potential funding model does not become simply another tax.

...

Poorly designed 'value capture' levies, based on perceived increases in property values, pose a significant economic risk.

...

The Government should seek innovative uses of existing revenue streams prior to developing new bespoke taxing models to finance the Cross River Rail project.

True to form, the Palaszczuk Labor government has been talking about establishing the delivery authority for Cross River Rail since April 2016. However, it took the government over six months to prepare the enabling legislation and introduce it to the parliament. To make things worse, this enabling legislation was only introduced after media scrutiny about the Palaszczuk government meeting the project schedule outlined in the Cross River Rail business case. This schedule required the Cross River Rail Delivery Authority to be in place by October. This is now 1 December. It has become another rail failure of the Palaszczuk Labor government to miss their self-imposed delivery dates.

After doing nothing, the Palaszczuk government missed its own deadline. The parliamentary committee was then forced to fast track consultation on the bill. Committee members were only able to provide eight business days for stakeholders and interested parties to review the bill and provide feedback. Brisbane City Council noted this rushed consultation in its submission, which states—


It is important to note, that this is Council's initial response to the Bill. Given submitters were only allowed eight days to review, consider and respond to the Bill, Council's response may include further detailed information.

No wonder the committee only received four submissions. Given the size and the cost of this project, there should be many more than four submissions. There should be hundreds of submissions for a project of this size. I just get the feeling that there is an attempt to sneak this legislation through without scrutiny by the public, without scrutiny by stakeholders and without scrutiny by the parliament. Given the time of the night that we are debating this legislation and the time of the year, one would have to draw that conclusion.

This is a large infrastructure project that comes at a massive cost to Queenslanders. Some Queenslanders might be lucky enough to use the project in the future if it is ever built; others will not, and some will have to pay for the project through the value capture mechanisms. All Queenslanders should have the opportunity, however, to scrutinise this legislation—the costs, the benefits—and the business case for this project. The LNP committee members are disappointed that the Palaszczuk government has failed to properly consult on the proposed delivery authority to deliver Labor's pet priority infrastructure project. Again, it is already looking like another rail fail.

This bill is true to form for the Palaszczuk Labor government. It lacks transparency, transparency about the business case—the costs, the benefits—for the Cross River Rail project, and this is stifling public debate about the expenditure of what could be up to \$15 billion worth of taxpayers' money. There is an interventionist approach to planning which is causing uncertainty and inconsistency. There is secrecy about how the Cross River Rail project will be funded, including those value capture mechanisms under the delegated powers from the Minister for Economic Development Queensland. The bill has been rushed through the committee processes because of the substantial delay by the government in establishing the delivery authority.

As a regional Queensland, though, it is disappointing to see this project in inner-city Brisbane, when comparable projects are not being invested in across regional Queensland. From regional Queensland's perspective, I encourage the government to seek infrastructure projects in regional Queensland as there is a need in regional Queensland. We do not need to have a situation where we have a two-speed infrastructure economy across Queensland.

 **Mr POWER** (Logan—ALP) (10.20 pm): The Deputy Premier in her second reading speech said it best. She said, 'Cross River Rail is not just a rail infrastructure project. It will position Brisbane and South-East Queensland as a smart and competitive city and help build the knowledge based economy and jobs of the future.'

Brisbane, as is Logan, is defined by its river. While we would not live without it, it is a major barrier to transport and movement. To connect the city in a modern way, we need a second central rail crossing. We need to have an authority to work to deliver this vital piece of infrastructure and we need to get on with it. We know that the LNP government torpedoed this project once in 2012. It was ready to go, they had federal support and they failed Queenslanders. They made the project unworkable and impossible with the impossible BaT tunnel design.

They torpedoed it again in 2014. They knew they would never be able to build it, but they wanted a fig leaf for the election; that is all. Now once again they want to torpedo this project at enormous economic cost to millions of people and thousands and thousands of small businesses. The government has a fundamental role to be the coordinator to build these big-city defining projects. We know that we lift economic productivity for the whole region—from Logan to the Gold Coast, to Caboolture to Ipswich—via this project. We know that we face growth in Logan; we feel it every day and we face population growth of two million to a population of 5.3 million in the region. The annual cost of LNP delay, the cost of LNP indecision and the cost of LNP spoiling in the greater Brisbane-Gold Coast area is over \$2 billion currently, but it will rise to \$9 billion annually by 2031.

**Mrs Frecklington:** Just deliver it.

**Mr POWER:** Just vote for it. I note that the member for Cleveland found as many reasons as he could to be against the project. He said the words 'I support it but'; 'in principle yes, but'. The LNP speakers today said that it was too rushed. They said that it was too delayed. They said that they did not like the model. They wanted something else. They did not like the funding model. They did not consider it was needed. They wanted this tunnel to be built in Roma. They thought the BCC should have other ideas. There were not enough submissions. They consulted too long. There was not enough consultation. They will always say about this project 'I support it but' and they will find a reason to torpedo this.

Let us go back to the economics. We know that South-East Queenslanders already pay for the lack of this project. They pay \$2 billion in congestion—time spent away from their families, time spent on fuel when they are in congestion, time spent waiting to get deliveries and time spent waiting for


things to connect in this city. We know that that price will rise to over \$9 billion annually for 2031. Further, some in this place might see it as an inner-city project. While there is a public benefit there, I see, as I know the Deputy Premier does, a much wider view. This is needed for the whole of South-East Queensland. It means we can run the trains that we need on the Beenleigh line. For the residents of Logan, we know that every year the LNP delays, stalls, finds reasons or says 'we support it in principle but', that is one more year's delay in the construction of passenger rail on Salisbury through Flagstone.

**Opposition members** interjected.

**Mr POWER:** They do not like to hear it. They know that their ideology costs South-East Queensland jobs. They know that their ideology forces South-East Queenslanders to be delayed every day. We know that this project would be great for Browns Plains, for Boronia Heights, for Greenbank and for Flagstone. It would generate value for the whole region via reducing traffic congestion. We need to support this.

The member for Cleveland opposed the project. It was not ready; there was a problem with it. There is always going to be a problem for him. We know that in his area trains from Manly to Cleveland would save over 14 minutes coming into the city. These would be savings for constituents in that area where they would get there quicker. More people would use the trains. There would be less traffic on roads such as Old Cleveland Road or Ricketts Road, but that is not what the member for Cleveland wants. He wants congestion for the people of the bayside. He wants them to be held up. He wants them to pay the LNP-delaying tax. He wants them to have to pay for LNP inaction. I have had enough. We need this project. Even the federal government has committed a further \$10 million because it is committed to the detailed planning of this project. It is adding to the \$50 million of the state government contribution.

Let us get on with this city-defining project. Let us have some forward-thinking vision. Let us get rid of the congestion that the LNP is causing and let us connect our great urban region. We cannot wait to be torpedoed once again by the short-sightedness of the LNP. Let us get this authority working.

 **Mr POWELL** (Glass House—LNP) (10.36 pm): Cross River Rail is shovel-ready. Who said that? That would be the Premier when she was opposition leader in 2013. It could create thousands of jobs straightaway, she said. It is a ready to proceed project, the Premier said in 2012 when she was the transport minister. Labor's track record on Cross River Rail is one of dithering, delaying and denial. It is a project that has floundered under Labor—first under the Premier when she was the project minister and now under an inexperienced Deputy Premier. The only saving grace is that the Deputy Premier stripped the bungling transport minister of any involvement in the project. I guess South-East Queensland and Queensland can thank her for that.

It took the Deputy Premier until August 2013 to put out any media statements about Cross River Rail. When she did, what did she say? Was there any movement on her claimed No. 1 priority? No. What the Deputy Premier did was rip out the bus component from the LNP's plan. The Deputy Premier pressed reset on the project and began yet another business case—reviewing, not doing. What that means is that the government not only has no plan to deal with the congestion on the north coast rail duplication, or any other rail line for that matter, but also has no plan to deal with serious bus congestion here in Brisbane—congestion that is happening right now.

We only need to look at Victoria Bridge every morning or afternoon to see the buses lined up bumper to bumper. That needs a solution now, not later. Thousands of commuters every day get stuck in bus traffic trying to cross the Brisbane River. When Lord Mayor Graham Quirk puts forward a proposal to fix Brisbane's busways, what does this government say? The Premier told the Lord Mayor to ditch his metro style plan. The arrogance of this government! That is typical of this Palaszczuk Labor government. They rely on others to solve their problems and then rubbish them when they do. Someone else has to come up with a solution to fix the problem of bus congestion—congestion that will be made worse by the Deputy Premier when she cuts the bus component of the BaT tunnel—and the Palaszczuk Labor government bags the Brisbane City Council. The government says, 'Go away, we don't want to hear about it.'

Instead, since April this year, this government have been doing what they do best—nothing. Sorry, they did say that they would set up the Cross River Rail Delivery Authority, but then they reverted to self again and did nothing—until now, and only now because the Deputy Premier had to be reminded by the *Courier-Mail* that she had forgotten to set up the delivery authority she had promised. The Deputy Premier was shamed into drafting legislation, tabling it in this place and rushing it through the committee process, allowing only a few days for concerned stakeholders to make submissions.


Based on the responses received by that truncated committee process and as the shadow minister for local government, I am concerned about this government swooping in and usurping the responsibilities and powers of councils. Let me quote from the submission made by the Brisbane City Council CEO, Colin Jensen. He said—

Council is seriously concerned about the proposal to expand the authority of the Queensland Government in the city's planning. The city is currently experiencing an unprecedented level of Queensland Government planning intervention via the combination of mechanisms including Priority Development Areas (PDAs), State planning regulatory provisions, ministerial call ins and ministerial directions. The city is at risk of becoming a two speed development environment. This approach is not sustainable.

**Ms Grace:** This is about the 10th time.

**Mr POWELL:** I take that interjection from the member for Brisbane Central. It may be the 10th time she has heard it, but she is clearly not listening. For the Brisbane City Council to have these concerns and for these concerns to be ignored shows that those members, like the members for Yeerongpilly and Brisbane Central, do not care what the Brisbane City Council is trying to achieve here in inner Brisbane and indeed for the benefit of South-East Queensland commuters as a whole. This encroachment on council turf is worrying. We saw last night that this government has no qualms about kicking councils when they are down, forcing job losses on them. I am also concerned about: the lack of transparency regarding the business case for the Cross River Rail project which is stifling public debate about this \$16 billion project; the interventionist approach to planning which is causing uncertainty and inconsistency; and the secrecy about how this government will fund the Cross River Rail project, including the use of value capture under delegated powers from the minister.

Let me be clear. The LNP knows there is a need for a second river rail crossing here in Brisbane. As the member for Glass House, I know that my constituents need the second river rail crossing. We also know commuters are fed up with being stuck on buses as Brisbane city streets choke up. The solution must be affordable and value for money. In its current form, Labor's Cross River Rail raises concerning questions about cost, funding and value. We will do what this government will not; we will work collaboratively with our council and federal colleagues for a value-for-money, holistic solution for Brisbane and South-East Queensland commuters. In the meantime, the message is simple for this asleep-at-the-wheel government—stop reviewing, start doing.

 **Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Minister for Transport and the Commonwealth Games) (10.44 pm): I rise to speak in support of the Cross River Rail Delivery Authority Bill 2016. The Cross River Rail project, when built, will not only transform the South-East Queensland public transport network for the better by making it easier and more efficient to travel in this growing region but help our state reap numerous economic benefits. A report from the Australian Senate's Rural and Regional Affairs and Transport References Committee in 2014 outlines a series of economic benefits from effective and efficient public transport—namely, connecting wealth and labour to the marketplace; removing productivity bottlenecks; and maximising opportunities for individuals, business and government to increase income and asset value. Make no mistake, this project will transform the region, and, in line with the remarks in the Senate report, and countless others, it will create jobs, better housing and increased productivity for the region.

The investment in Cross River Rail is not just an investment in critical rail infrastructure, which we desperately need; the project will unlock the city of Brisbane's potential so it becomes a more attractive, vibrant and connected place to live, work and play. In his *Quarterly Essay* earlier this year, George Megalogenis described investment in transport infrastructure as one of the magic keys of policy to unlock our potential. There is no doubt that Cross River Rail will be a magic key to unlock the potential of our city and our state.

I would also like to address the benefits of this project to my own electorate on behalf of my constituents in the electorate of Sandgate. You may wonder, Madam Deputy Speaker, how this affects an electorate such as mine, 15-or-so kilometres from the Brisbane CBD, and whether the river crossing would be required. We are all aware that the population of South-East Queensland is growing rapidly. By 2041, the population of greater Brisbane will have swelled by around two million people to 5.3 million. My electorate has a number of booming suburbs contributing to this growth, such as Fitzgibbon, Taigum and Bracken Ridge served by the north coast line. Of course, there is continued growth in infill and suburbs in my electorate served by the Shorncliffe line, such as Sandgate, Shorncliffe, Deagon and Brighton. With this booming population, we need to have reliable and efficient public transport to support it, as many of these people will have to commute to the CBD or to the inner-southern suburbs.

This ever-increasing flow of people will place additional pressure on a rail system that is already bursting at the seams, particularly with only one rail crossing over the Brisbane River. What is needed is not just extra services. What is needed is a better integration of land use, infrastructure and transport. What is needed is smarter, more efficient and better connected services. That is why Cross River Rail is critical to Queensland's future. Cross River Rail will ease rail congestion by doubling capacity across the Brisbane River and through the CBD from the south and it will expand the network for future growth. It will provide new or upgraded stations for the inner city's key employment and urban renewal areas, at Woolloongabba, Bowen Hills, Roma Street, Albert Street, the Exhibition and Boggo Road.

The Palaszczuk government believes that Cross River Rail is the infrastructure solution to meet the demands of our growing population. The Turnbull LNP government at a federal level has committed to its implementation as an indication of their agreement in relation to the importance of this project. The LNP Lord Mayor and Deputy Mayor have also expressed their backing of the project, and they have done that in person to me and made it very clear that they see that this is important for the city and the city's growth. It appears that it is only some in this chamber who fail to understand the benefits.


A project of this significance, as with any piece of critical infrastructure, comes with a price tag. As a result, the state must work with our federal and council counterparts as well as the private sector to get the funding for this project. Establishment of an independent statutory authority provides the appropriate cover and certainty to lift this above political life, as has been one of the challenges in the past when the Newman government scrapped the shovel-ready previous iteration.

This government is in it for the long haul. As such we want to open up a number of funding avenues. Value capture was explored as part of the business case for the Cross River Rail project because it is a requirement of the Commonwealth government's principles for innovative financing. I want to make it abundantly clear to the House that the Queensland government has not yet made any decisions about whether value-sharing mechanisms should be used to help fund the Cross River Rail project. These federally imposed principles require that assessment of proposals include consideration of 'what proportion of the project can be funded by the beneficiaries of the infrastructure through targeted contributions and what proportion of the project should be funded by the broader community'.

I turn to the substance of the bill, which establishes the delivery authority for this vital project. As stated in the explanatory notes, the delivery authority will be an independent statutory body, operating on a commercial basis, with the power to acquire land connected to the Cross River Rail project and associated prescribed 'transport related projects'. The important part of this statutory body is that it will operate distinctly from the political vagaries of the day, with an independent board, but it will still be subject to oversight from the Queensland government. This way it will be an accountable body but free from political interference. This government wants it to be got on with and we want it to be built. Cross River Rail will no longer be a political football.

We have seen delivery authorities used as a mechanism for undertaking infrastructure projects not only in Australia but around the world. Similar bodies have been established for the Barangaroo redevelopment in Sydney and for Crossrail and HS2, projects in the United Kingdom. When the Cross River Rail Delivery Authority is established by this bill there will be an enabling of collective decision-making, bringing on board the possibility of Commonwealth and local government funding, separate from political cycles at those levels of government as well.

This bill will provide certainty to the project and to the commuters who rely upon it. As such, I commend the bill to the House.

 **Mr SEENEY** (Callide—LNP) (10.49 pm): I rise to make a short contribution to the consideration of this Cross River Rail Delivery Authority Bill 2016. I say to the people out there in Queensland who are watching this debate at 10 to 11 on a Thursday night—all five or six of them—that there is a reason that we are here debating this bill this late at night. If they listened to the speakers on the other side of the House, and especially the member for Sandgate, who just spoke, they would think that the reason is that we need to pass this bill so that when we come back here in February the Cross River Rail will be built, the trains will be running under the river and the whole problem of urban congestion in Brisbane will be solved. That is the illusion that has been created by a number of speakers on the government side tonight: we have to pass this legislation so that Cross River Rail can be built. Nothing could be further from the truth. Nothing could be more ludicrous.

The reason we are here at 11 o'clock on a Thursday night considering this legislation is because the Deputy Premier got caught out by the *Courier-Mail*, who reminded her of a promise that she had made to set up a delivery authority, and so the legislation was rushed in here. It was not even mentioned

earlier in the week, but suddenly it was decided that we had to do it this week. 'So let's get it done, members, so that the trains can run under the river by February—by the time we come back—so that people in South Brisbane can have access to a whole new railway system by the time we get back in February.' Of course it is ludicrous! It is totally ludicrous.

It is also important to make it clear what this bill does. It does not build a railway; it does not advance the project; it sets up a bureaucracy. Is that not what Labor governments do? Every time Labor governments talk about infrastructure there are a couple of things that are always in the conversation: one, they set up bureaucracies; and, two, they put their hand out for somebody else to pay. They put their hand out for somebody else's money. That is what this government has done in relation to public transport options here in Brisbane. They come up with what they think is a good idea. Whether it is or not I am not even going to debate.

As a number of people on this side of the House have said, of course we need to continue to build the public transport infrastructure in Brisbane. Whether that is our proposition or their proposition or the proposition that the Lord Mayor is developing for a metro type transport system, all of those things are worthy of consideration. Part of that consideration has to be who is going to pay for it. There has to be a heck of a lot more in-depth consideration than what the member for South Brisbane has brought to this particular project. The member for South Brisbane's consideration is limited to the production of a glossy brochure and a hand stuck out to Canberra saying, 'Please pay for it. Please can somebody else pay?'

Tonight we find that we have a bureaucracy being set up. I would argue in all seriousness that the case for any necessity for that bureaucracy has not been made. The Deputy Premier made what I would think is something of an off-the-cuff remark that she has now been trapped into delivering, if you like and that is why we are here at five to 11: so she can avoid that embarrassment with the media in Brisbane. I am probably better qualified to make that observation than a lot of people here because I was the person who introduced the Economic Development Act that the Deputy Premier opposed at the time. I sat here tonight and I read the contribution that the member for South Brisbane made when she was in opposition about EDQ, about the corporation sole that we set up for exactly this purpose: for the purpose of delivering these sorts of major projects. Whether they be major transport projects, major urban development projects, major mineral production projects or major agricultural projects, the EDQ bill was introduced to facilitate those projects.

The member for South Brisbane has come into this parliament a couple of times over the last two years and talked about how great the priority development area concept is and how wonderfully successful the priority development areas are at Cleveland, Southport and the Commonwealth Games accommodation village. I sat here and thought, 'Is this the same member for South Brisbane who stood in this House and raved on about conspiracy theories when we amalgamated the two acts, the Economic Development Act and the ULDA?' Of course that is the nature of the hypocrisy of the member for South Brisbane and the Labor Party.

What we have to realise as we consider this legislation tonight is that when it comes to these major projects this government, like so many Labor governments before it, are all talk and no action. They are all talk, no action, they want someone else's money and they take the credit for all the work that other people do.

**Ms Trad:** One William Street. One project, Jeff.

**Mr SEENEY:** One William Street is a classic example. One William Street is the initiator of the Queen's Wharf development. That is why 1 William Street is there. It is the initiator of the Queen's Wharf development that this government loves to take credit for. I saw it described in the paper today as the biggest project in Queensland, a city-changing project, and so it is. However, this lot cannot take any credit for it. I saw the Deputy Premier sitting around the big table in the new cabinet room. She was sitting there like a little schoolgirl in the big seat. Were this government elected last term, that area would still be a dusty car park just as it has been for the last 14 years. Remember the North Bank project that never happened? Those people opposite could not deliver a newspaper on a Sunday morning. No way! All they do is take the credit afterwards and seek money from somebody else.


In the short time I have available to me I want to reinforce some comments that were made by the member for Warrego. While this government thinks it is appropriate to invest \$50 million setting up a bureaucracy to give their mates some jobs and protect the Deputy Premier, while they think it is worthwhile spending \$50 million on that sort of commitment, roads and infrastructure across the rest of Queensland in the electorate represented by the member for Warrego, in my electorate and in the

electorate represented by the member for Whitsunday go unfunded. An amount of \$50 million would make a huge impact on our roads, on the infrastructure that is important to us. The amount of \$50 million would make a huge impact, yet it has been committed here almost in a trifling, offhand way simply because the Deputy Premier made an off-the-cuff comment about a delivery authority and she has presented no case as to why that delivery authority is necessary. When you sum up—

**Ms Trad:** Someone.

**Mr SEENEY:** The member opposite is so insignificant I have forgotten her name. When the member for South Brisbane sums up, I challenge her to point out to this House why this delivery authority is necessary and why this project could not have been delivered by Economic Development Queensland. Why couldn't all of the powers and authority that were created in that Economic Development Act, which you opposed, not have been used to deliver this project? I see that in this particular bill there is a suggestion that most of those powers are now going to be delegated. You criticised me when I created the option for EDQ as a development authority. Now you want to shift those—

*(Time expired)*

 **Hon. MC BAILEY** (Yeerongpilly—ALP) (Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply) (11.00 pm): Why are we here debating this bill? The central reason why we are debating this bill is that Campbell Newman did not want to embarrass Tony Abbott. That is the central reason why we are here. This is a step forward, but it is a step forward because of the failure of the Newman government when Tim Nicholls was the treasurer of this state. They had a Cross River Rail project all set up and ready to go, and Campbell Newman refused to embarrass Tony Abbott. He refused to stand up for Queensland. He sold out this state. He let down South-East Queensland's transport needs. We saw three years of dithering with their record majority because they were not interested in outcomes.

Look at the debate here. They really rolled out their heavy hitters, didn't they: the member for Warrego, the member for Cleveland, the member for Nanango and the member for Glass House. Most of the speakers were not even from South-East Queensland. It is no wonder they lost Sunnybank, Stretton, Springwood, Waterford, Logan, Algester, Brisbane Central, Stafford, Redcliffe, Lytton, Bulimba, Greenslopes, Morayfield and Kallangur in one election, because they did not back in the commuters and the passengers of South-East Queensland with an outcome.

Cross River Rail has to happen. It should have happened years ago. It did not happen because of the failure of those opposite. They had their opportunity to close the deal and get on with it. We could have had it half built by now, but we got dithering and inaction from the opposition. This delivery authority is a step forward to achieving what is needed: simply put, that is a second inner-city rail crossing in Brisbane. It is astonishing that in this day and age, with 2.4 million people in South-East Queensland, we only have one inner-city rail crossing.

The previous Bligh Labor government had this project ready to go; it simply needed a green light from Campbell Newman, and he refused to embarrass Tony Abbott. That is why he lost: he did not back Queensland. Any Queensland government that does not back Queensland ahead of Canberra will lose in this state. That is what happened to the member for Callide and that is what happened to the member for Clayfield. They sold out Queensland for their Liberal mates in Canberra. They did not stand up for this state and they paid the price.

I commend this bill to the House. It is a catalyst project. Compare it to the previous project. The previous project was going to cost \$4 billion to \$5 billion and not even integrate with the rest of the rail system. It did not integrate with the Cleveland line. You were going to spend \$4.5 billion and not integrate a second inner-city rail crossing with the Cleveland line. With an absurdity! What an absolute folly! Those opposite have no understanding of public transport and no understanding of the need to move South-East Queenslanders around the region and in and out of the CBD, where so many jobs bring in everybody every day. It was a massive failure for the member for Clayfield. As Campbell Newman's right-hand man in the previous government, this is another failure and another mess that the Palaszczuk government has to fix up. This bill is a step forward to fix up the mess left by the LNP and the member for Clayfield and their failure to deliver for South-East Queensland. One of the reasons all of those South-East Queensland seats were shredded on election night was because they did not back them with a transport solution.

What we need in South-East Queensland is a balanced transport system. The Cross River Rail project is not just about public transport; it is about motorists. It is about people using other roads, because we see modal shift from motorists going onto the train system, so we see more road capacity


for those people who have to drive. It is a fact that some people will have to drive because their transport patterns dictate that, but there will be a proportion of people who could go either way if they have a balanced transport system, and this project is about getting them into the CBD fast on a much more direct route. All public transport lines—north, south, east, east and west—will see reduced travel times with the Cross River Rail project. That is what this project is about, and yet we have the absurd contribution from the member for Cleveland, the member for Maroochydore and the member for Glass House, whose constituents will benefit from this project after three years of absolute inaction by the previous government. Yet their people, after massive swings in the last election, like lemmings continue to oppose good policy in South-East Queensland. I wish them luck in the next election. They have learned absolutely nothing from the most devastating political loss in any political election in this county's history. They went from 78 seats to losing government in one election, and they have learned absolutely nothing. That is probably the most astonishing thing that I have witnessed.

When it comes to the funding of this project, this project is a catalyst project. It will mean integration with the Cleveland line; it will mean integration with the Park Road station; it will mean the redevelopment of the Woolloongabba area; there will be integration with the Roma Street station; it will see the Albert Street station integrate with the new Queens Wharf precinct down that end of town; and it will see the exhibition area well-served by public transport. It is clearly a project that requires cooperation with other levels of government; it is that simple. It is petty criticism from the opposition to say that somehow we should be doing it ourselves. Of course you have to work with other levels of government.

My views have been very clear about Canberra ripping off Queensland on a range of fronts and not cooperating with Queensland, and I will always stand up for Queensland no matter who is in Canberra. I do not care who they are: we will stand up and we will go in to bat for Queensland. When they back Queensland with a decent deal, I will praise them; I will tell you that right now. Our chance of getting a decent deal with the federal government is certainly better than under Tony Abbott, who hated public transport. He was not interested in solutions and he was not interested in evidence to the extent that the federal government is at least cooperating and engaging with us on this project. That is a positive step forward and I acknowledge that. Clearly you need joint cooperation, and it will be to the federal government's credit if they land on a decent funding deal for this project because South-East Queenslanders understand the need for this. I have talked to many South-East Queenslanders on this issue at train stations. They want it; they want us to get on with it; they want the opposition to support it; and they support this bill. Those who oppose it are living in La La Land. They do not understand South-East Queensland and the issues of mobility around South-East Queensland.

In closing, can I just say that of course we should look at innovative ways of funding this project. If some people might benefit from it, then obviously that is something we should look at. Intervention is planning. As far as I am aware, planning by its inherent definition and nature is interventionist, and yet we are being told that somehow planning is interventionist. Of course it is interventionist: it is about good outcomes. It is about the orderly integration of this project into our transport system to move people where they need to go.

This bill is absolutely good policy. It is logical. It is regrettable that there is a need to have it whatsoever. It is a failure of the LNP and those opposite, who failed for three years to deliver for South-East Queensland. That is why all those seats were shredded. The opposition ought to wake up to themselves and start supporting good policy in this place, otherwise they will certainly pay for it. I commend the bill. I commend the Deputy Premier for her leadership on this issue. She understands these issues. This government understands these issues. For those South-East Queensland members who do not support this sort of good policy, I wish them good luck at the next election.

 **Mr NICHOLLS** (Clayfield—LNP) (Leader of the Opposition) (11.08 pm): If ever we have heard in this House a diatribe that is not worth listening to, it is the one we have just heard from the member for Yeerongpilly. If ever there was a frustrated planning minister it is the member for Yeerongpilly. I remember the now member for Yeerongpilly when he was a failed councillor. I remember him when he could not get the seat after his mate Tim Quinn became the mayor. Helen Abrahams came in and there he was, the poor little deputy chairman—

**Mr BAILEY:** Mr Deputy Speaker, I rise to a point of order. I have never spent a day in opposition in a chamber with this man—never.

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

**Mr POWER:** Far be it from me to give the opposition leader pointers, but should he not be relevant to the bill, rather than describe the career of the Minister for Main Roads?

**Mr DEPUTY SPEAKER:** I call the Leader of the Opposition.

**Mr NICHOLLS:** When the minister says that he was never in opposition, he did not have the courage to. He ran away in 2004. It was all too hard for him. He had a little fit and decided he would nick off somewhere. I am not quite sure where it was. He disappeared into the darkness, all because—

**Mr BAILEY:** Mr Deputy Speaker, I rise to a point of order. The member for Clayfield is still not speaking to the bill. I ask him to come back to the bill.

**Mr DEPUTY SPEAKER:** Leader of the Opposition, I will bring you to the long title of the bill.

**Mr NICHOLLS:** Absolutely. I was just responding to the comments by the member for Yeerongpilly, who displayed no shortage of personal vitriol when he was speaking in respect of the actions of the LNP in government. I think it is salutary to reflect on the motives of the member for Yeerongpilly. That motive is clearly his frustration at never being able to get the job that he wanted. The job he wanted was planning chair in the Brisbane City Council. We are talking about planning here—planning around land use and planning around future transport infrastructure needs. These are all the desires of the member for Yeerongpilly that have been unfulfilled over a long, unrewarding and unremarkable career in the political field.

Tonight we are discussing the authority that the government seeks to create to do what it does best—that is, create another bureaucracy but still fail to deliver. It was the Labor Party that from 2006 to 2012 failed to deliver anything in respect of the Cross River Rail project. It did deliver four different estimates of how much it would cost. It did deliver a station down near the Park Royal that was going to flood. It did not deliver an integrated solution for Brisbane's rail river crossing problems.

What those opposite are seeking to do tonight, in the last gasp of this parliamentary sitting year, is pass a bill to create another bureaucracy. What bureaucracies do we already have that could possibly handle this? There is the Department of Transport and Main Roads. One would think that a department with something of the order of 6,000 employees would be able to manage the design and delivery of a rail project. There is also Queensland Rail. Those on the other side of the chamber may not trust Queensland Rail—they certainly cannot manage Queensland Rail—but we have a rail authority that would be able to deliver the project.

As the member for Callide has pointed out, Economic Development Queensland is designed specifically to do this type of work. The Deputy Premier has trust in that body to deliver the Northshore Hamilton project, the Commonwealth Games and part of the Queen's Wharf precinct, but it cannot deliver on the Cross River Rail project. When the Economic Development Bill was brought to this House in November 2012, the Deputy Premier opposed the establishment of that organisation. She opposed it and she opposed the delegation of planning powers to EDQ, yet she now seeks to use the very legislation she opposed in this place to delegate more powers to another—in her terms—unelected and unrepresentative body. The Coordinator-General is another department that could help deliver the Cross River Rail project. The Coordinator-General was certainly not absent when it came to delivering Airportlink. In fact, the entire project was overseen by the Coordinator-General's department.

There is bureaucracy upon bureaucracy. If you listened to the Deputy Premier and those opposite you would think that, by some magical waving of the wand and the passing of this legislation tonight, Cross River Rail would suddenly roll out tomorrow—that it would suddenly sprout out of the ground fully formed and built. Nothing could be further from the truth, because this government fails on the one fundamental test for the delivery of any river crossing project—that is, being able to find the money to deliver it.

We hear the pious stories about value capture. Let us look at value capture. How does it work? It works because the government picks up the increase in values of land around projects that are being built. That is the fundamental premise of it: as the value increases the government says, 'We will take a little bit of that.' Value capture is nothing more than a tax. That is a word those opposite do not like to use, but it is nothing more than a tax.

We already have those taxes here in Queensland. They are called land tax, rates and GST. They all collect on the uplift in value. Value capture is a tax on other taxes, if you look at it that way. There is no way in the world—and the business case admits it—that value capture will ever provide the billions of dollars necessary for another rail crossing of the Brisbane River.


The need to cross the river is not doubted. The need to provide better public transport links is not doubted. What is doubted is the ability of this government to find the necessary funds to build it anytime soon. They are already arguing over their ephemeral operating surplus, reported on today. They do not know whether to pay down debt, whether to pay for the extra public servants they have put on or whether to invest it on infrastructure.

Let us now also deal with the claims made by the member for Yeerongpilly and by others that the state failed to take up an offer by Anthony Albanese in relation to Cross River Rail—a supposed offer of \$750 million. What those opposite will not tell you is that the deal came with strings attached that would have cost Queensland. Any money that was being provided by the federal government under the deal offered by Anthony Albanese would have been redistributed away by the Commonwealth Grants Commission in the next three years. Anthony Albanese sought to give with one hand and over the next three years take back with the other hand in the Commonwealth grants redistribution process.

We were there to protect Queenslanders. We went back to the federal government and said, 'If you want to make a grant for Cross River Rail, make it on the same terms that you offered to your mates in the Bligh Labor government and get the Treasurer to give us a piece of paper that says that it will not be included for the purposes of redistribution under the Commonwealth Grants Commission.' Do honourable members know what? They said no. They would not provide the funds on the same basis that they provided the \$300 million that went into the Redcliffe peninsula rail line. They wanted to hand over \$750 million in one way and tax it back from Queensland taxpayers in another. We said, 'That is no deal for Queensland. That is no deal that is going to deliver for Queensland.' That was not going to provide the money necessary to build a proper and effective Cross River Rail project.

Make no mistake: that deal would be costing Queenslanders now and we would not be delivering the other infrastructure that we were able to put in place across the state. The Commonwealth Games would not be being delivered now. The Toowoomba Second Range Crossing would not be being delivered now. The billions of dollars going into the Bruce Highway upgrade would not be being delivered now if that mangy, tight-fisted deal offered by Anthony Albanese had been accepted by the state of Queensland because of the way the Commonwealth Grants Commission operates to redistribute the funds that are made by grants.

Another flaw in this bill is the complete lack of transparency. I have seen how these operations work. City North Infrastructure, which delivered the Airportlink, was not covered by any right to information application. Queensland residents were worse off for it and people in my electorate were worse off because of it and that is why I will be supporting the Deputy Leader of the Opposition's amendments tonight.

 **Hon. JA TRAD** (South Brisbane—ALP) (Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment) (11.19 pm), in reply: I thank all members for their contributions tonight, but I particularly want to thank government members for their contributions. I think we have seen writ large and underscored the fact that on this side of the House we are incredibly committed to the provision of nation-building, city-making infrastructure. We on this side of the House actually understand the obligation of governments to make contributions to cities and regions that will set up the economic opportunities and jobs of the future. What we have seen from those opposite is not one new idea, not one new position. There was a lot of misinformation, there was a lot of distorting of facts and a lot of distorting of quotes—selective quoting—but what we did not see is, one, a position on whether or not they will support this legislation tonight and, two, if they do not what is their proposition? What is their proposition as an alternative? We do not know what that is because they have not articulated it here tonight.

**A government member:** Crawling under a rock!

**Ms TRAD:** Crawling under a rock; I take that interjection.

**Mr SEENEY:** I rise to a point of order. I find that offensive. I challenged the Deputy Premier to tell us why EDQ was not a valid authority.

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

**Mr DEPUTY SPEAKER** (Mr Furner): Order! Hang on, member for Logan. I am dealing with a point of order. Have you finished, member for Callide? Did you find that comment offensive?

**Mr SEENEY:** Yes, Mr Deputy Speaker, I did. I found that comment personally offensive and I ask that the Deputy Premier withdraw it.

**Mr DEPUTY SPEAKER:** Deputy Premier, would you—

**Ms TRAD:** Mr Deputy Speaker, for the benefit of all those who have stayed late for the past three nights, I withdraw and I would like to move on because I am actually over the pettiness that has been displayed by those opposite. Let us get down to business, let us have this debate, let us get this done and let the staff members who have been looking after us for the past week into the wee hours of the morning actually get acknowledgement and congratulations for all of the work that they have put in this year.

Let me address some of the issues that have been raised here tonight, and I acknowledge the Speaker has come in to see this debate wrapped up. Firstly, there was a lot of discussion about a delay in this project and this project being subject to additional reviews and additional planning. Let me say quite clearly that Cross River Rail would be under construction now if those opposite—Tim Nicholls when he was the treasurer of this state, Campbell Newman when he was the premier and mostly Scott Emerson when he was the transport minister—had agreed to the terms of the deal that they had proposed to the federal Labor government at that time—750 apiece, fifty-fifty availability payments for the construction of the project over the future, that the federal government would bear on its own balance sheets the debt for the project. That project—Cross River Rail—would be under construction now. Make no bones about it. If there is any criticism of a delay in this project, it is because those opposite tore up a deal—tore up a once-in-a-generation deal to get this project built.

With regard to the issue of value capture, we have heard a bit in relation to value capture and I do acknowledge the Deputy Leader of the Opposition's contribution in relation to it. I want to table for the benefit of the House two federal government papers that have made a significant contribution to the value capture debate. The Deputy Leader of the Opposition did quote from the Smart Cities Plan. I am not sure that she actually read as far as page 19, but I will quote from this document because I do think it is demonstrative of the passion, energy and desire of the federal Turnbull LNP government to embrace innovative financing for large-scale infrastructure projects including value capture. It states—

We have a policy to explore value capture early in all business cases seeking Commonwealth funding for infrastructure. We will also issue a discussion paper on the Australian Government's approach to value capture.

**Mrs Frecklington:** My quote was on page 20, so I obviously read further than 19.

**Ms TRAD:** I take that interjection from the Deputy Leader of the Opposition; she did get to page 20. Additionally, only last month the federal government also released the discussion paper called 'Using value capture to help deliver major land transport infrastructure'. In fact, it is a policy paper that states—

As part of the Principles we committed to assessing all projects for their suitability for innovative financing arrangements and new revenue streams—including equity, loans, government guarantees, user charging and value capture.

I table for the benefit of the House both of those federal government papers.

*Tabled paper:* Document, undated, by the Department of the Prime Minister and Cabinet, titled 'Smart Cities Plan' [\[2240\]](#).

*Tabled paper:* Document, dated November 2016, by the Australian Government, titled 'Using value capture to help deliver major land transport infrastructure: Roles for the Australian Government, Discussion Paper' [\[2241\]](#).

This fundamental issue about who is going to pay for this project is a critical issue and I do not think that we should avoid it because we know that those opposite had only one way to fund the BaT tunnel, and that was to sell assets. What we said is that we think there are other ways. We think we should keep assets in public hands, but we think that we should find other ways in which to ensure that large-scale infrastructure projects of this scale and size can get up and we have found that way. We have not just discovered it by ourselves; we have looked at other jurisdictions and seen what those jurisdictions have done in relation to delivering these large-scale infrastructure projects, including projects like Crossrail in London. What was quite clear is that in order for us to maximise the economic development opportunities of such significant projects we needed to ensure that we could develop to the maximum potential land along the rail corridor—along the transport infrastructure corridor—in order to ensure that we could finance this project long term, and we make no bones about that. We are on the same page as the federal government in relation to it. In fact, there are councils in this state that are doing it now. In fact, Economic Development Queensland does it now. For those opposite to come into this place and suggest that what we are doing is something that is so abhorrent and so wrong that it should be opposed is just incredibly inconsistent with what is occurring now in a much minor scale and what they themselves introduced through the Economic Development Act when they were in government.

There has been a bit of talk about establishing another bureaucracy. Let me make clear that special purpose vehicles are needed to be established to ensure large-scale infrastructure projects of this scale and size, and we are talking about more than \$5 billion in terms of an infrastructure project and we are also talking about a potential return to the state over 40 years in terms of land development opportunities in the vicinity of \$70 billion. For us to do this properly, what we are doing through the delivery authority is—and I hope that the member for Callide is listening, because I am explaining this to him because he did want to know why this delivery authority was important—we are taking the powers that currently reside across different agencies into a delivery authority to make the delivery of the infrastructure project and the development of the land alongside it as efficient and as focused as possible. The member for Callide, who was deputy premier, should understand that because he introduced SARA.

**Mr Seeney:** Exactly the same thing.

**Ms TRAD:** I take that interjection from the member for Callide; yes. For those opposite to say that we like these powers for land development opportunities but we do not like these powers to be conjoined with responsibilities in relation to transport infrastructure provision is completely incongruous to what they initially argued in terms of the delivery of the Economic Development Act.

**Mr SEENEY:** I rise to a point of order. The member for South Brisbane is verballing me. That is not what I said. I find it offensive and I ask that it be withdrawn. It is not really hard to understand the point that I am making.

**Ms TRAD:** Yes, I withdraw the comments. I conclude by simply saying that we cannot underestimate how important this project is for our capital city. We know that, without a second heavy rail river crossing, our train system will come to a halt in the coming years. We simply will not be able to transport people throughout our region as efficiently and as fast as possible because we have not had the courage or the foresight that past generations had in terms of building critical infrastructure in preparation for a growing population. I think we are better than that. I think we have the capacity to deliver this project in a way that completely reshapes our city and our region. In this bill we have exactly that ability in order to deliver this project and also ensure that we take full advantage of the city-building opportunities that come with it.

The other important point that I want to make is that the ability for the delivery authority to exercise the powers that are contained under the Economic Development Queensland Act is important in terms of making sure that this project can be, to a degree, self-sustaining—that those people in the South-East Queensland corner who will benefit from this project make a contribution to the long-term delivery of this project. When we look at the fact that we have made a decision that Queenslanders have asked us to make in terms of asset sales, when we look at the competing infrastructure priorities right across our state, it is incredibly important that we make sure that an infrastructure project of this scale and size can, to a certain degree, be self-sustaining financially. That is the experience that we have had in other jurisdictions. That is certainly the experience in the Crossrail project in London. I reckon that we have the capacity to do it here in Brisbane. I commend the bill to the House.

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

**AYES, 43:**

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

**INDEPENDENT, 2**—Gordon, Pyne.

**NOES, 43:**

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

**KAP, 2**—Katter, Knuth.

Pair: Russo, McArdle.

The numbers being equal, Mr Speaker cast his vote with the ayes.

Resolved in the affirmative.

Bill read a second time.

## Consideration in Detail

Clauses 1 to 32, as read, agreed to.

Clause 33—



**Ms TRAD** (11.39 pm): I move the following amendments—

**1 Clause 33 (Membership of board)**

Page 23, lines 22 to 25—

*omit, insert—*

- (c) the chief executive of the department in which the *Transport (Rail Safety) Act 2010* is administered, or a senior executive nominated by that chief executive;

**2 Clause 33 (Membership of board)**

Page 24, after line 14—

*insert—*

- (8) A senior executive nominated by a chief executive under subsection (1)(a), (b), (c) or (d) is a board member for the period decided by that chief executive.

I table the explanatory notes to my amendments.

*Tabled paper:* Cross River Rail Delivery Authority Bill 2016, explanatory notes to Hon. Jackie Trad's amendments [\[2242\]](#).

Amendment No. 1 makes a technical amendment to refer to the current rail safety legislation, the Transport (Rail Safety) Act 2010. When this bill was introduced, it seemed likely that the Transport (Rail Safety) Act would be repealed by the proposed national law before this bill was debated in parliament. Consequently, the advice from the Office of the Queensland Parliamentary Counsel was to refer to the new national law instead.

However, as it turns out, the Rail Safety National Law (Queensland) Bill 2016 has not yet been debated in this House. Consequently, again on the advice of the Office of the Queensland Parliamentary Counsel, we are proposing to refer to the current Transport (Rail Safety) Act and rely on the provisions of the Acts Interpretation Act 1954 to ensure that the reference will not be obsolete should the Rail Safety National Law (Queensland) Bill 2016 be passed.

**Mrs FRECKLINGTON:** In relation to amendment No. 2 and clause 33, which relates to the membership of the board, I ask if the member for South Brisbane has undertaken a public interest assessment to determine whether it is appropriate to allow board members to send proxies to the Cross River Rail Delivery Authority Board given that the bill allows the Minister for Economic Development Queensland to delegate substantial powers to the board, including the power to levy special rates and charges, on owners or occupiers of rateable land?

**Ms TRAD:** I should have also included that the amendment also ensures that the director-general of the Department of Transport and Main Roads is a permanent board member of the Cross River Rail Delivery Authority as well. It is common practice for boards to allow proxies. I understand the Deputy Leader of the Opposition's questions, but I think it is entirely reasonable to extend the provision of proxy arrangements particularly when one considers the federal Turnbull LNP government has agreed to have a federal government representative on the board and should they not be able to attend it is entirely appropriate that they should be able to send a proxy.

Amendments agreed to.

Clause 33, as amended, agreed to.

Clauses 34 to 77, as read, agreed to.

Clause 78—



**Mrs FRECKLINGTON** (11.42 pm): The LNP has opposed Labor's secret plan for new taxes on property owners, property occupiers, motorists and public transport users. There has been no public consultation in relation to these new taxes and during estimates the government refused to provide any details about the modelling of the new taxes undertaken in its secret business case. The government said this modelling was commercial-in-confidence and cabinet-in-confidence. Excerpts from the business case show Labor is proposing six new taxes to pay for its funding black hole. We talk about the \$7 billion worth of value capture: taxes, levies and charges on motorists, property owners, infrastructure tax, ticket surcharges and high rates on nearby property owners. The delivery authority will be commercially focused and it is unaccountable to the people of Queensland. The amendment proposed by the LNP opposition will prevent the Minister for Economic Development Queensland from delegating powers to impose special rates and charges on property owners or property occupiers. These powers are contained in chapter 3 part 6 of the Economic Development Act 2012.

In relation to the second amendment, unlike Labor, the LNP believes in openness and accountability. The inexperienced Palaszczuk government has broken its promise in relation to openness and accountability. This is evident in the government's bill that seeks to exempt the Cross River Rail Delivery Authority from the Right to Information Act for all matters other than community functions. The LNP believes it is an inadequate level of public accountability. There are protections in the Right to Information Act to protect commercially sensitive information and the member for South Brisbane's department uses these protections often in relation to the Cross River Rail project.

**Mr SPEAKER:** Deputy Leader of the Opposition, will you move your amendment?

**Mrs FRECKLINGTON:** I move the following amendment—

**1 Clause 78 (Amendment of s 169 (Delegations))**

Page 42, lines 17 to 20 and page 43, lines 1 to 22—

*omit, insert—*

**78 Amendment of s 169 (Delegations)**

(1) Section 169—

*insert—*

(1A) Also, MEDQ may delegate any of its functions or powers under this Act, other than a function or power under chapter 3, part 6, to the Cross River Rail Delivery Authority.

(2) Section 169—

*insert—*

(7) In this section—

**Cross River Rail Delivery Authority** means the Cross River Rail Delivery Authority established under the *Cross River Rail Delivery Authority Act 2016*, section 8.

**Mrs FRECKLINGTON:** I table the explanatory notes to my amendments.

*Tabled paper:* Cross River Rail Delivery Authority Bill 2016, explanatory notes to Mrs Deb Frecklington's amendments [\[2243\]](#).

**Mr SEENEY:** I rise to support the amendments that have been moved by the member for Nanango and to pose the question formally to the member for South Brisbane that I did in an interjection earlier in the debate. The member for South Brisbane said that the reason for the formation of this authority was to bring together—I will try to quote her as accurately as I can—powers from across government into a single entity where they could be exercised more efficiently. As I said in my interjection, that is almost exactly what I said when I set up Economic Development Queensland back in 2012—almost exactly. The question that I pose now formally to the member for South Brisbane is which powers from which department or which entities are being brought together within this new authority?

**Ms TRAD:** I will address the comments and the questions sequentially. I will firstly start with the matters raised by the Deputy Leader of the Opposition in terms of the delegation of the MEDQ's powers. In terms of the Minister for Economic Development Queensland's powers, I am not sure what they have against proxies and delegates here tonight but I will try to illuminate the situation for them. The amendment proposed by the member for Nanango, the Deputy Leader of the Opposition, removes the ability of the Cross River Rail authority to subdelegate a power that has been delegated to it by Economic Development Queensland. It is an absurd proposition that is designed solely to frustrate the timely decision-making of the authority. For example, it will mean that when the authority issues a development permit for property development it will need full board approval where that permit includes an infrastructure charge. If the board were to meet only every two months, that is a long delay for a major job-generating development project.

Let us be very clear: this is not a new power. It is an existing power under the Economic Development Act brought in by the member for Callide when he was the deputy premier and the minister for planning. It is also a power that is standard across all local governments in Queensland. I am advised that 90 per cent of all development decisions in local government are delegated to council officers. This is the same power proposed to be used by the delivery authority.

In relation to the consolidation of powers I say, for the member for Callide's benefit, the one thing that the delivery authority will be able to do that distinguishes it apart from Economic Development Queensland is build Cross River Rail. It will build the project, as well as develop the land around the project, as well as collect a revenue stream in order to finance the project going forward.

In relation to the question regarding right to information, under the provisions of the bill the authority is required to act as a commercial enterprise to the extent this is practicable. This requirement applies to all of the authority's functions except for when it is performing its community service obligations. Since a commercial enterprise is not usually subject to the right to information framework, it would place the authority at a commercial disadvantage if its competitors or partners could obtain commercial information under the right to information framework. An example of why the delivery authority needs this power is that a commercial contract to buy land would be exempt under the existing RTI Act, but a list of properties to be purchased may not. Including this provision, limited to the commercial activities of the business, will ensure important commercial decisions, like the purchasing of land, have adequate protections to guard against property speculation which could unnecessarily lead to additional project cost.

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

**AYES, 43:**

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

**KAP, 2**—Katter, Knuth.

**NOES, 43:**

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

**INDEPENDENT, 2**—Gordon, Pyne.

Pair: Russo, McArdle.

The numbers being equal, Mr Speaker cast his vote with the noes.

Resolved in the negative.

Non-government amendment (Mrs Frecklington) negatived.

Clause 78, as read, agreed to.

Omission of heading—



**Mrs FRECKLINGTON** (11.56 pm): I move the following amendment—

**2 Part 9, division 3 (Amendment of Right to Information Act 2009), heading**

Page 43, lines 23 and 24—

*omit.*

For clarification, this relates to the amendment to the Right to Information Act 2009. As I said previously, unlike Labor the LNP believes in openness and accountability.

**Government members** interjected.

**Mrs FRECKLINGTON:** They are pretty steady, given that I have repeated what I said a couple of minutes ago. The inexperienced Palaszczuk government has obviously broken its promise. While we know that the Palaszczuk government has continually broken its election promises, tonight they have broken the promise that the Premier made that hers would be a government that would be open, transparent and—I think it was—accountable. Obviously, that promise has been broken in relation to the clause before the House. That is evident, given that this bill seeks to exempt the Cross River Rail Delivery Authority from the Right to Information Act.

**Ms Jones:** No-one cares.

**Mrs FRECKLINGTON:** I take the interjection from the education minister, because the people who will care are the people who will be affected by this. They may like to look into the effects that the proposed project will have on them and their land. Those people will care. They may like to tender a right to information search.

The LNP believes that there is an inadequate level of public accountability if the authority is not subject to right to information. The Right to Information Act contains provisions to protect commercially sensitive information. The member for South Brisbane's department continually uses those protections

in relation to the project. Our amendment will ensure that the Right to Information Act applies to the proposed authority. We consider that the public interest is not served by excluding a commercially focused authority from the Right to Information Act, especially as that authority may be given the power to impose special rates and charges, that is, all the taxes, fees and charges that the authority now has the right to impose, but with no openness, no accountability and, because of this clause, no-one will be able to apply for right to information.

We will stand up for openness and transparency. Labor will continue to ensure that a veil of secrecy is wrapped around this Cross River Rail project, but we know that there is \$7 billion worth of secret taxes that this Deputy Premier still refuses to rule out.

**Mr SEENEY:** I rise to support the amendment moved by the member for Nanango. It is obvious from this debate that there is only one reason for this authority to be formed and that is to prevent people accessing information. That is the sole reason.

Members will recall that I posed the question to the member for South Brisbane in the consideration of the previous amendment about what additional powers were going to be allocated to this authority. She said, 'Nothing; none.' She said, 'The difference is that this authority can deliver where EDQ, which has exactly the same powers, cannot.' She said, 'Just because I wanted it to, it will.' With a little stamp of the foot she said, 'Because I say it will, it will.' It will have exactly the same powers. It will have no other powers except this freedom of information difference.

It is becoming increasingly obvious that this authority is just about protecting the government from the right to information provisions. It is about covering it up. It is about covering up the activities that are going to go on so that this government can demonstrate to Queenslanders just how open and accountable it is, or not.

**A government member** interjected.

**Mr SEENEY:** It is just as well it is Christmas because you are a turkey. This government—

**Mr Pitt** interjected.

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

**Mr SEENEY:** It is alarmingly clear that this whole charade has been about one thing. This authority has not been set up to bring together powers from different agencies across government, as the member for South Brisbane quite erroneously said in her summing-up of the second reading debate, because she cannot point to any of those powers. She cannot stand up here and answer a direct question about which powers are being delegated to this authority.

She says, 'The only powers that are being delegated are the ones that EDQ already has.' That is what I said in my second reading address. I said that the functions of this authority could be fulfilled by EDQ. That is why EDQ was set-up in 2012. That was the legislation that I introduced. That is the legislation that the member for South Brisbane opposed in 2012. Now she wants to take those powers that that legislation granted to EDQ and delegate them to an authority. The only reason she wants to do that is to protect that authority from the right to information provisions—to cover it up.

**Mr NICHOLLS:** I also rise to speak in support of the amendment moved by the Deputy Leader of the Opposition. I do so from the position of experience.

**Ms Jones** interjected.

**Mr SPEAKER:** Pause the clock! Minister for Education you are warned—

**Ms Jones** interjected.

**Mr SPEAKER:** Those who were baiting you can both be warned. Minister for Education, you are warned under standing order 253A. If someone wants to bait someone else they will also be warned.

**Mr NICHOLLS:** I support the amendment on the basis of experience. That experience is the experience of the residents in my electorate and the adjoining electorate of Stafford, then held by the now member for Sandgate, in relation to the operations of City North Infrastructure. For those members who may not recall, City North Infrastructure was set up by the Bligh government as a delivery authority to deliver the Airportlink. City North Infrastructure was set up with a commercial purpose. It was set up to facilitate the development, investigation and creation of a toll road and that toll road charges commercial rates.

That body was also given powers—powers to acquire land, including subsurface land, powers in relation to compensation and powers in relation to investigation of complaints by residents in relation to activities of CNI. CNI was the subject of a number of right to information applications, but it was exempted from the right to information legislation.

Despite applications being made to the Information Commissioner, which were upheld but subsequently ignored by City North Infrastructure, information was not provided. City North Infrastructure, like this body, will fall between the gaps, between an ASIC registered corporation subject to the Corporations Law and the right to information law that applies to all other statutory bodies. It falls between the gaps conveniently for government so government does not have to disclose information embarrassing, information that gives people rights, information that would allow people to seek compensation, information that would allow people to take action for recovery or loss or damage.

When people in my electorate suffered as a result of what they allege were subsidence issues as a result of the creation of the Airportlink tunnel they were denied the right to seek information from a public body set up by the corporation to deliver a public good—namely, a toll road. This does not go to the creation of infrastructure. This goes to the fundamental right of citizens to be able to obtain information from entities established by their government for the purposes of delivering public works.

No other organisation set up by government has that immunity. No department has that immunity. It is improper and wrong for this organisation to enjoy that immunity. Commercial matters can be delivered by commercial-in-confidence. The matter can be adjudicated by the Information Commissioner not by a statutory fiat.

**Ms TRAD:** If those opposite had found these exemptions so offensive then they should have come into this House when they had the numbers and were sitting on this side of the House to amend CS Energy Ltd and Stanwell Corporation Ltd which enjoy exactly the same RTI exemptions as we are proposing here tonight. We know that there are elements of the business of government that require a commercial focus and commercial activities.

It is important for us to ensure that the delivery authority has the ability to act in a commercial way not only to ensure the delivery of the project and for the economic development opportunities that surround it but also to ensure that the taxpayer gets the best value for money so that the speculation around land and property development is not exploited because there are people who would want to use RTI provisions to find out the commercial operations of the delivery authority and take full advantage of that. The delivery authority will be subject to RTI provisions insofar as the community service obligations contained within the delivery authority act provide. It will be subject to RTI applications insofar as they have a responsibility to deliver on community service objectives.

For the benefit of the House, I will address some of the things that the member for Callide said. The member for Callide comes into this place and preaches about transparency when he is the man who condoned coming into this place at midnight to change legislation to protect an LNP donor. That is an albatross that he will forever wear around his neck. He has no credibility. These are the people who introduced limits—

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

**Mr SPEAKER:** Pause the clock!

**Mr SEENEY:** I would love an opportunity to debate that issue with the member for South Brisbane. However, I do not have that opportunity so I have to take offence at her comments and ask her to withdraw them.

**Mr SPEAKER:** Deputy Premier, will you withdraw.

**Ms TRAD:** I withdraw.

**Opposition members** interjected.

**Mr SPEAKER:** Members, can we move on and have the vote?

**Ms TRAD:** For the benefit also of the member for Callide, can I point him to pages 8 to 16 of the explanatory notes, which detail in full all of the powers that are consolidated under the delivery authority act. I am not going to do his job for him. I cannot help it if he cannot read.

**An opposition member** interjected.

**Mr SPEAKER:** Yes, I might get a bit testy too soon.

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

**Mr SPEAKER:** For all further divisions I proposed that the bells be rung for a duration of one minute.

**AYES, 43:**

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

**KAP, 2—**Katter, Knuth.

**NOES, 43:**

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

**INDEPENDENT, 2—**Gordon, Pyne.

Pair: Russo, McArdle.


The numbers being equal, Mr Speaker cast his vote with the noes.

Resolved in the negative.

Non-government amendment (Mrs Frecklington) negatived.

Clauses 79 and 80—

**Mr SPEAKER:** I note that the member for Nanango's amendment No. 3 proposes to omit clauses 79 and 80. Therefore, the member should oppose the clauses.

 **Mrs FRECKLINGTON (12.16 am):** Like we have been talking about in the previous amendment, this amendment proposes to omit clauses 79 and 80. Clauses 79 and 80 refer to the Right to Information Act again. It needs to be pointed out to the Deputy Premier that, if the authority is subject to the Right to Information Act, there is an exemption in relation to commercial-in-confidence under the Right to Information Act. I ask that the Deputy Premier look to the Right to Information Act so she can understand that the only query that has come from the other side is in relation to commercial-in-confidence information. That exemption is already relied upon and is in the act.

Again, I note that this government bill would exclude the Cross River Rail Delivery Authority from the Right to Information Act. There have been no credible arguments before the House as to why it should be excluded. This amendment omits those clauses to enable the people of Queensland to access right to information material in relation to this proposal.

**Mr NICHOLLS:** We will oppose clauses 79 and 80 of the Cross River Rail Delivery Authority Bill. These clauses effectively operate to exclude the operation of the Right to Information Act from applicability to the Cross River Rail Delivery Authority. I have already explained that these sorts of authorities set up with this type of immunity do so at the risk of the public interest. There are already sufficient protections involved in the right to information legislation. Indeed, part 3 of the Right to Information Act 2009, under the heading 'Factors favouring nondisclosure in the public interest', says—

2 Disclosure of the information could reasonably be expected to prejudice the private, business, professional, commercial or financial affairs of entities.

The act already provides for the operation of the right to information legislation to exclude the disclosure of information that could 'prejudice the private, business, professional, commercial or financial affairs of entities'. That protection already exists in favour of entities where it is genuinely commercial.

The Deputy Premier got up and said, 'What about CS Energy?' Let me say this—there are two things. In relation to CS Energy, CS Energy is not a single delivery body charged with delivering one piece of infrastructure. CS Energy is an ongoing operation that has multiple commercial operations over multiple years and is expected to be an ongoing entity operating in a commercial field. There is no commercial competitor to the Cross River Rail Delivery Authority. There is only one Cross River Rail Delivery Authority that can deliver this project. CS Energy operates in a commercial field with a number of both private and public suppliers of electricity and does so with an ongoing purpose.

That is the reason companies like CS Energy or any of the other government owned corporations have that right. They are ongoing operators. They enter into a range of multiple activities and they have commercial competitors. In relation to the Cross River Rail Delivery Authority, there is only one body

and that is it. That body has the full weight of the government sitting behind it in terms of ability to acquire land being delegated to this authority, to grant approvals being delegated to this authority. CS Energy does not have those powers. It has to go to the regulator to get them. This body has its own powers to do it. That is why it is important that, not only because it exercises those powers but because it is judge, jury and executioner, the right to information legislation applies.

**Mr SEENEY:** I rise to support the proposition that clauses 79 and 80 should not stand part of the bill. What we have learnt here tonight very clearly—and it is a good lesson for all of the government backbenchers over there—is that just because the member for South Brisbane says it does not mean it is right. In fact, if the member for South Brisbane says it, it is probably not right because the member for South Brisbane has twice tonight put the case to this parliament to justify this legislation and in both instances that case has been demolished.

In this particular case she says, 'We need this authority so that the RTI protections can be afforded to commercial-in-confidence arrangements.' As the Leader of the Opposition has just demonstrated, you do not. Those provisions already exist in the RTI legislation. Previously in a response to me about why this particular authority was required when EDQ already exists with the powers that were provided to that entity for exactly this purpose, in a response to me about why the EDQ was not able to deliver this project, why this new authority had to be formed, the Deputy Premier said that we had to bring together powers from different parts of government and different entities in government.

Twice I asked her what those powers were and what those entities were, and twice she was not able to tell us because there are none. When we set up EDQ in 2012, we set it up for this purpose—for the purpose of delivering projects such as Cross River Rail—and the member for South Brisbane opposed it. Members should look at *Hansard* of 28 November 2012 and read the vitriol and the conspiracy theories that the member for South Brisbane put forward to oppose EDQ. EDQ is the vehicle that was set up for this type of project. The member for South Brisbane has twice tonight been caught out in this parliament not knowing what she is talking about—either deliberately misleading us or misleading us by not telling us the truth. I suppose the third option is that she is misleading the parliament because she is simply not across the issues.

**Mr SPEAKER:** The question is that clauses 79 and 80, as read, stand part of the bill. Those of that opinion say 'aye'.

**A government member:** Aye.

**Mr SPEAKER:** Those against 'no'.

**Opposition members:** No.

**Mr SPEAKER:** I think the ayes have it.

**Mr SEENEY:** I rise to a point of order, Mr Speaker. There were no ayes.

**Mr SPEAKER:** Order! Member for Callide, resume your seat. That is a reflection on the chair. I heard an 'aye' and I have called it.

Clauses 79 and 80, as read, agreed to.

Schedule 1—

Division: Question put—That the schedule, as read, be agreed to.

**AYES, 43:**

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

**INDEPENDENT, 2—**Gordon, Pyne.

**NOES, 43:**

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

**KAP, 2—**Katter, Knuth.


Pair: Russo, McArdle.

The numbers being equal, Mr Speaker cast his vote with the ayes.

Resolved in the affirmative.

Schedule, as read, agreed to.

### Third Reading

 **Hon. JA TRAD** (South Brisbane—ALP) (Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment) (12.27 am): I move—


That the bill, as amended, be now read a third time.

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

Motion agreed to.

Bill read a third time.

### Long Title

 **Hon. JA TRAD** (South Brisbane—ALP) (Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment) (12.28 am): I move—

That the long title of the bill be agreed to.

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

Motion agreed to.


## SPECIAL ADJOURNMENT

**Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Leader of the House) (12.30 am): I move—

That the House, at its rising, do adjourn until 9.30 am on Tuesday, 14 February 2017.

Happy Valentine's Day!

### Valedictory

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for the Arts) (12.30 am): Like all good things, the parliamentary year 2016 must come to an end. While this weekend we return to our homes and families and look forward to the festive season, it is incumbent upon all of us to look back on the year that was to celebrate achievements, to reflect on challenges and to look forward to the year ahead. The year 2016 has been eventful to say the least, both at home and abroad. We have seen seismic upheavals on the international political stage, not least of which among two of our oldest and closest friends. Both Brexit and the US election have reminded us that political orthodoxy can be thrown on its head.

**Mr SPEAKER:** Pause the clock. I understand that someone in the gallery above me is taking photos.

**An honourable member:** They have gone now.

**Mr SPEAKER:** Thank you, members, for your assistance.

**Ms PALASZCZUK:** That is not to mention an incredibly close federal election here at home, where a first-term government with a big majority was nearly thrown out after one term. There are lessons for all of us in those results, but the biggest one has been something we know only too well here in Queensland—that is, that governments and leaders who do not listen to the people are punished accordingly.

We also live in a world where the enduring and worthwhile ambition of global peace and stability remains an aspiration, not a reality. We live in a world where cowardly terrorist attacks mean we must remain constantly vigilant. We as a parliament have paid our respects to our friends in Paris, Nice and Orlando, among others. We hope and pray that peace-loving people the world over can live their lives secure in the knowledge that their family and friends are safe from terror attacks.

We have also been touched by tragedy here at home. When Queenslanders, indeed all Australians, think of Dreamworld they think of holiday fun on the Gold Coast. So, too, would have Cindy Low, Kate Goodchild, Luke Dorsett and Roozbeh Araghi. Their tragic deaths at one of our most famous holiday attractions is a stark reminder to us all that, while life is short, sometimes it is too short, and it is always precious. Little more than a week later we were again shocked to our core. The attack on Brisbane bus driver Manmeet Sharma stunned Queensland. He was a passionate member of the Indian community, but he was an equally passionate Queenslanders. In paying tribute to those we lost, we must honour them all by staying the course, by working together to create an even better state for our kids than the one that has been handed to us. That is what drives my government and me every day.

Queensland is now 157 years old—or should I say 157 years young! It is an old saying that for some may just be words, but for me it rings true: Queensland's best days truly are ahead of us. We face challenging times—economically and socially—but I am optimistic for the future. We live in a decentralised state. As I have acknowledged many times, our regional economies are not experiencing the same levels of growth as the south-east and that means many families are doing it tough. This year we have ramped up our efforts to support regional Queensland and get them back to work. Our \$40 billion Capital Works Program, the Back to Work program, Building our Regions, Skilling Queenslanders for Work and our renewable energy revolution are just some of the programs creating jobs, especially in the regions. On top of all that, our statewide tourism drive is about getting more tourists to our state. We have already attracted record numbers of new flights, especially from China, and just last week the tourism minister and I announced a brand-new campaign called I Know Just The Place. Some would even suggest that Parliament House here in Brisbane is 'just the place' and, of course, I would wholeheartedly agree—maybe not at this hour, though.

That is just a snapshot of my government's focus on the regions. There will be more to come in 2017. It comes at a time when our traditional industries are roaring back to life. Commodity prices have increased, and increased rainfall out west is giving our farmers hope. As well as fostering traditional sectors, members will also know that I am passionate about diversifying our economy and creating new industries, especially when they complement existing ones. I am personally driving, with my government, the establishment of a biofuels industry, and with the recent visit of US Navy Secretary Mabus and our investor forum next week it continues to go from strength to strength. Much of that is being driven by the \$405 million Advance Queensland agenda. We are already reaping dividends in attracting to Queensland new businesses like Southern Oil and Japan's Oji Fibre Solutions. A highlight of the year was our Advance Queensland Innovation and Investment Summit, shining a light on our innovation sector and attracting interest from all over the world.

We have also seen a huge amount of activity in preparation for the 2018 Commonwealth Games. With fewer than 500 days to go, the countdown to the Gold Coast 2018 Commonwealth Games is on. Our planning and preparations are on time and on budget. It will be enormous for the Gold Coast, and for Queensland, and I look forward to a big year next year in the lead-up to 2018.

While we have to wait until 2018 for the Commonwealth Games, the Gold Coast is already attracting the world's attention. I am a very proud arts minister. We are doing more than ever to attract blockbuster Hollywood movies to Queensland. It was pandemonium on the streets of Brisbane when Chris Hemsworth, Tom Hiddleston, Cate Blanchett and Anthony Hopkins arrived for the filming of *Thor*. I could not mention the highlights of 2016 without mentioning meeting Thor in person! In all seriousness, *Thor* might get the headlines, but the arts sector as a whole is in very good health. We have boosted funding for large- and small-scale productions as well as small to medium organisations across the state. We had the first World Science Festival outside of New York in Brisbane this year, attracting 120,000 participants, and we have successfully negotiated with Marvel for a huge exhibition at GoMA next year. Queensland is a modern, cosmopolitan, thriving community and our arts sector is crucial to that.

Also crucial to Queensland is the availability of first-class front-line services. As we promised, we have returned the focus to the front line, with a record Health budget of \$15.4 billion and a record Education budget of \$12.9 billion. We have employed 1,940 extra nurses, 650 extra doctors, nearly 480 extra health professionals, 940 extra teachers and teacher aides, 300 extra police, 54 extra paramedics and 44 extra firefighters. We have 166 more child safety workers than we had two years ago, we will employ another 47 by the end of the year and we are fast-tracking an additional 82 new child safety workers.

Overwhelmingly the government has delivered on its promises to Queenslanders. Our economic achievements speak for themselves. Queensland now has lower unemployment, higher growth—both domestically and in exports—and higher confidence. I am equally proud of my government's drive to modernise Queensland to help create a safer, fairer and more equal society. Just this week we have passed our serious organised crime laws focusing on all forms of organised crime. We also passed through the parliament earlier this year our alcohol fuelled violence reforms; further protections for domestic violence victims, including a new stand-alone offence of strangulation; a new insurance scheme to provide lifetime treatment, care and support to workers catastrophically injured in the workplace; and the framework for shifting 17-year-olds out of adult prisons and into youth detention centres. We have legalised the use of medicinal cannabis and established a parliamentary inquiry into the tragic re-emergence of black lung disease among coal workers.

We are leading the nation on domestic violence reforms. Recently we hosted the first ever COAG summit on domestic and family violence right here in Brisbane. In a bipartisan nature, the people of Queensland voted to increase parliamentary terms from three to four years. I would like to pay special tribute to the Attorney-General and the member for Mansfield for the work they did on that front. We also received the Barrett Adolescent Centre Commission of Inquiry report and announced plans for a new facility at Prince Charles Hospital. Members would know how important that issue is to me and other members of my government, and I look forward to helping families open that centre in the next year or so.

Those are just some of the highlights and achievements from this year, and it takes a team effort to get so much done. I would like to thank my leadership team of Deputy Premier Jackie Trad and Treasurer Curtis Pitt for their continuing contribution and support. I thank each and every one of my cabinet colleagues. Individually and collectively, they have worked tirelessly in their respective portfolio areas, often spending a lot of time away from their loved ones. I thank my caucus for their outstanding efforts throughout the year and for their input and their contributions on behalf of Queensland and their constituents. It is an absolute pleasure to work with each and every one of them.

I make special mention of Angela, Kirby, Mark and the whole team in my office. Working for the Premier and coordinating activities across government can be a thankless job at times, but I could not do what I do without the support of a great team. From the bottom of my heart, I thank them.

Today is a farewell for my principal media adviser, Brendan Connell. Today is Brendan's last sitting day before he joins the private sector. Through opposition and into government, Brendan has been a constant source of expert advice and support. Brendan is well respected across the government and the media. Just over a year ago Brendan and his wonderful wife, Amy, welcomed a baby boy, Owen. On behalf of the government I wish Brendan continued success. On a personal note, I thank Brendan for his dedication, hard work and belief. We did climb Mount Everest, after all.

I thank my Director-General, Dave Stewart, his deputy, Graham Fraine, the director-general's office staff and all of the DPC for their efforts throughout the year. I thank each and every single public servant in Queensland. In my view, they are often unfairly demonised but, to my cabinet, my government and I, they are the backbone of good government in Queensland. It is on them that the people of Queensland rely for the services that are essential to their way of life. I like to think that, since our election, we have again made the Queensland Public Service a dynamic, efficient organisation with a workforce that enjoys what they do and takes pride in their jobs, one that is comfortable providing frank and fearless advice and one that is committed to its role in serving the people. Thank you and merry Christmas to you and your families.

As Premier, I do not spend as much time in Inala as I would like. I am fortunate to have a great team out there, working with me in the best interests of my constituents. To Mel and Michelle: thank you.

I would also like to pay tribute to the opposition and the crossbench. To Tim, Deb and their entire team, even the member for Callide: merry Christmas. To the crossbench members for Mount Isa, Dalrymple, Cook and Cairns: thank you for the constructive way you have engaged with the government on legislation this year. I wish you all a safe, healthy and happy Christmas period.

I believe that we are greatly served by the calibre and integrity of the Queensland media gallery. To the regular gallery members who cover us every day and their colleagues across the state: I hope you all get a well-deserved break over Christmas.

Turning to the parliament, Mr Speaker, I thank you for the wise, calm and good humoured way that you have presided over the chamber again this year, not to mention your outstanding stewardship of the parliamentary choir. We look forward to an even larger repertoire of Christmas carols next year. My thanks also go to the Deputy Speaker, the member for Bulimba, and the panel of temporary speakers, who all contribute to the orderly running of the House.

I thank all of the staff of the parliament for their efforts this year. A big thankyou goes to the Clerk of the Parliament, Neil Laurie, for the impartial advice and support that he provides to all members of this House. I also thank Deputy Clerk Michael Ries, First Clerk Assistant Leanne Clare and all of their respective officers, including those in the Table Office, for their support throughout the year.

I acknowledge the Director of Corporate Services and Electorate Office Liaison, Michael Hickey. I understand that Michael has announced his retirement and that his last working day with us is to be 16 December. I give particular thanks to Michael for all of the hard work that he has provided to the parliament since coming to work here in 1989. On behalf of the House, I wish Michael and his family all of the best for his retirement.

I thank the Director of Property and Facility Services, Stewart Johnson, and his team, including the gardeners, cleaning and maintenance staff for the outstanding work that they do in presenting the parliamentary precinct in such an impressive manner. I acknowledge the Acting Committee Office Manager, Bernice Watson, and all of the committee staff for the important role that they play, together with the Parliamentary Librarian, Katherine Brennan, and all of the library staff. I know that I speak for all members when I give special thanks to our Chief Hansard Reporter, Lucinda Osmond, and everyone in her team for the accurate and highly efficient way that they record not only the debates and proceedings in this chamber but also the hearings conducted by committees. I thank the Manager of Security and Attendant Services and Sergeant-at-Arms, Michael Watkin, and all of the parliamentary attendants and security officers for the competent way that they undertake their important work.


I pass on our thanks to all of those in the Catering Services team, led by Simon Neale, for the wonderful job that they do. When we talk about a year of reforms, the work the catering team has done in the cafeteria has been nothing short of exceptional. Well done! I also acknowledge the hard work of the Manager of Human Resource Services, Peter Morris, the Manager of Financial and Administrative Services, Craig Atkinson, the Manager of Information Technology Services, Mike Coburn, the Parliamentary Counsel, Annette O'Callaghan, and her officers for all of the work that they do in preparing legislation for the parliament to consider, and all of their respective officers. I thank them all for the important contribution that they make to the smooth and efficient running of the parliament. In summary, I again thank all of the staff of the parliament for the outstanding job that they do on behalf of the people of Queensland.

I thank our police, health and emergency services workers for what they do each and every day. In particular, I thank those who will be working over the Christmas and new year period. It is a credit to all of them that they put the safety of their fellow Queenslanders ahead of precious time with their families. For that, we are deeply honoured.

Like every other Queenslander, I rely on my family and friends for support: to Shaun, my mum, dad, sisters, nieces, nephew and nan, who took ill this year but is now on the mend. I would like to say a quick goodbye to my little mate Zep, who passed away suddenly on Sunday of this week. He was a lovely little dog.

Whether it is the stories of this year's Queensland Greats such as Quentin Bryce, Mal Meninga and Lloyd McDermott, our Queensland Australian of the Year, Professor Alan Mackay-Sim, or the everyday triumphs and achievements of regular Queenslanders, the people of Queensland continue to inspire me each and every day. Queenslanders are relentlessly optimistic and so am I. I said that I would be a premier for the entire state, and this year I have travelled from Coolangatta in the south to the Torres Strait in the north and out to the west. To every Queenslander I have met along the way I say: it is your needs, your hopes and your aspirations that drive me every day. To those I have not yet met, keep an eye out in 2017!

To one and all, please be careful on our roads, at our beaches and everywhere in between. Please look out for each other, because that is what Queenslanders do. To all my fellow Queenslanders: have a safe, happy and merry Christmas, and best of luck for 2017.

 **Mr NICHOLLS** (Clayfield—LNP) (Leader of the Opposition) (12.47 am): As the 2016 parliamentary year draws to a close, and after a long session this week, I rise to reflect on what has been a busy year: a year of great promise, challenges and, at times, unthinkable tragedy across our state. In recent weeks we were left shocked by the tragedy at Dreamworld, as reflected on by the Premier, when four young lives were taken so suddenly. It hit home for all of us. As Queenslanders, we have all spent a day with loved ones at those parks. I have taken my kids to Dreamworld on many occasions, having bought them season passes. It could have been any one of us on that ride that tragic day.

In the same week we were sickened by the random and senseless attack on Brisbane bus driver Manmeet Allisher, a talented entertainer and a much loved member of his community. Amid the darkness of that horrific act, we were buoyed by the bravery and selflessness of taxidriver Aguek Nyok. Both the Premier and I met Mr Nyok at the service held at the Sikh temple in Inala. Originally from South Sudan, Aguek arrived in Australia as a refugee. He taught us all what it is to be a Queenslander when he put his own life at significant risk to save others that day. As Queenslanders so often do in these challenging times, we united together and when we do we are stronger for it.

We have seen upheavals in the political world. In the United States of America and in the United Kingdom we have seen the most obvious of those upheavals, but they ripple throughout the rest of the world. France and many other countries are also experiencing those sorts of changes, be they on the left or the right.

However, we can also reflect on brighter times throughout the year, such as our mighty Maroons notching their second series win in a row, slowly climbing their way back to one day, hopefully, surpassing their previous record of eight in a row. Also notching up two consecutive wins were the Queensland Firebirds, who are stronger than ever, taking out the 2017 ANZ Championship.

For the LNP 2017 has been a year of significant progress and growth and we, too, are stronger than ever. In saying that, I would also like to acknowledge past leaders. We would not be in this position if it were not for the hard work of Lawrence Springborg and John-Paul Langbroek, who showed leadership at a time when our party could easily have been destabilised. Instead, they galvanised our members and helped us move forward as a dynamic and cohesive team that is energised for the future and regularly holds this government to account.

One of the achievements of our team during the year was shown in the united effort with respect to vegetation management. That effort was on full display when we successfully defeated Labor's unfair vegetation management laws just a few months ago—laws that would have made farmers criminals on their own land and driven up prices for new home buyers, laws that would have hindered, not helped, our rural families who provide the food and fibre we rely on, all to appease a certain inner-city Brisbane Greens vote. I am proud that we stood beside our farmers and graziers every step of the way and we will continue to do so into the future.

We are also joined by a new member in this place: David Janetzki, the member for Toowoomba South, who in difficult conditions achieved terrific results in this year's by-election and is serving the region well as an energetic and tireless local member. I am sure that he will continue to do so.

We are hard at work developing and delivering policies that will show Queenslanders that our experienced and enthusiastic team has the credentials to get this state moving again. In the last few months we have hit the ground running, with major policy announcements including our Get Queensland Working jobs package, which will help create 20,000 jobs for young Queenslanders. We have spoken about reintroducing our successful Royalties for Regions. When we speak to regional Queenslanders their chief concern is a hunger for jobs. That is why we have committed to restoring and refining our signature \$495 million Royalties for Regions program: to help unlock the economic potential of regional Queensland, create more jobs and improve our communities. This will build on our 2012-15 program, which invested in 147 regional community infrastructure, road and flood projects with a combined value of more than \$790 million.

We have spoken about taking the scourge of the drug ice off our streets. We have announced a five-point action plan to help take that drug off our streets, including a \$1 million Dob in a Dealer reporting program. We have announced that the LNP will commit to a landmark container deposit scheme as the next step in protecting our environment. Our CDS will give consumers, businesses and charities a 10-cent refund for aluminium, glass and plastic drink containers returned for recycling. For too long Queensland has lagged behind other states. For too long this government failed to take action on this important environmental reform.

One of the proudest moments not only for the LNP but also I think for this parliament was when we provided justice for survivors of child sexual abuse. The LNP was the first to act to lift the statute of limitations on child sexual abuse claims to empower victims to seek justice in their own time. Under previous laws, victims had only three years from their 18th birthday to lodge claims for compensation. Our policy, which has been adopted in this place, saw that limit lifted in recognition of the time it can take for Queenslanders to deal with that trauma. That was not enough for us. We pushed to have those laws apply not just to survivors of institutional abuse but to all child sexual abuse survivors, because everyone deserves their day in court. We were also successful in pushing the laws to include survivors who have been pressured into accepting a settlement in the past because of previous time limitations. By removing past deeds, all survivors will be able to apply to a court to review and to potentially revisit those settlements. That is an Australian first that we can justly be proud of.

We were proud to move the motion that led to the creation of the inquiry by this House into black lung disease—an inquiry pushed by the LNP by a resolution in this House and now uncovering reams and reams of maladministration over many years that does no government of the past, of any political persuasion, proud but will provide justice and information for those who suffer coal workers' pneumoconiosis.

We have announced our Wi-Fi tourism policy. We live in the greatest state in the greatest country in the world, but we need to do more to spread the word. That is why we have committed to funding 500 Wi-Fi hotspots in key tourism destinations, so that our international tourists and visitors can tell the rest of the world what we already know—that is, you would not want to be in any other part of the world

and it is a great place to come. We will commit \$3 million over three years to allow tourists to share their Queensland holiday with their friends across the globe and we will work with councils to introduce that program.

From tourism to the environment, an LNP government will commit to a ban on single-use plastic bags across the state. These single-use supermarket bags have an average life span of just 12 minutes but can take more than a thousand years to fully decompose. By phasing out single-use bags from our local supermarkets across our first term of government, we will be making an important investment in our future. This is a simple lifestyle change that will cut public waste, reduce landfill and provide a safer environment for our wildlife and families. Unlike others who sat around waiting for two years to do something, we saw the gap and decided to take action. Those actions have been supported by a number of community organisations and environmental organisations.

We spoke about tourism. We spoke about what makes Queensland great and why people visit here. Nothing is more iconic in Queensland than the Great Barrier Reef. In Cairns recently we were proud to reaffirm our commitment to the future of the Great Barrier Reef, building on the investment of \$35 million a year that the LNP put into the Great Barrier Reef while in government. That is why a future LNP government will commit \$300,000 to the Citizens of the Reef program—an initiative run by science and conservation leaders from across the globe that will raise much needed awareness. Our investment is on top of the \$1.3 million contribution made by the federal government. Instead of talking the reef down, we are about talking the reef up so that our tourism operators can invest more and employ more, supporting more than 67,000 jobs and delivering \$6 billion a year to our economy.

The regions are vital to Queensland. Deb and I have spent a lot of our time travelling the state, meeting families, business owners and operators and everyday Queenslanders. As we have moved around and listened to people in our cities, towns and regions, the message we have heard loud and clear is that Queenslanders feel they are being left behind. They are concerned that the economy is grinding to a halt and they do not believe that the current government has a plan for growing the economy or delivering the jobs Queenslanders need. They are unsure of what the future holds and they want a team that has a plan for the future, that is committed to getting Queensland moving again.

I will not run through the litany of mistakes made by Labor over the past 12 months or so, but those out there in the regions know it—whether it is a rising youth unemployment rate, topping 27 per cent in Cairns, where youth unemployment continues to drive a higher crime rate; whether it is the failures of the justice system under this government which are creating a revolving door in relation to youth crime, where offenders are hauled before the courts and released only to embark on further crime sprees days later; whether it is opening the doors to criminal gangs again by watering down the LNP's tough laws. There are those in Queensland who are living these experiences day by day, and it would not be appropriate to conclude the year without making reference to what they feel, what they are experiencing in the regions and what their concerns are. These are the experiences lived by people and these are the experiences that we are listening to and we are hearing that will help us formulate our policies in 2017.

We cannot do it alone. There are many people behind the scenes. Here in this place, despite our successes, despite holding this government to account as a strong and effective and accountable opposition should—including the amendments that were made tonight by the member for Glass House, the shadow transport minister, in relation to the Heavy Vehicle National Law—there are many others we must thank.

Mr Speaker, I would like to acknowledge the significant role you play in the day-to-day business of this House, in ensuring that we can have a full and, as always described, robust debate on important subjects while maintaining the democratic processes that we so often take for granted. This is not a simple task, but I extend my thanks and those of the LNP to you, the Deputy Speaker and the temporary Speakers who contribute to the smooth running of the House and the damage to our eardrums.

To the Clerk of the Parliament, Neil Laurie: I thank you for your dedication, your advice and your continual assistance to all members of the House. I would also like to acknowledge the work of Deputy Clerk, Michael Ries; First Clerk Assistant, Leanne Clare; and the Director of Corporate and House Services, Michael Hickey, for the assistance they provide to ensure parliament can run smoothly and effectively.

Thanks to our Manager of Information Services, Mike Coburn, and our hardworking catering team, led by Simon Neale, who ensure we are well fed for long nights in the House. I join with the Premier in saying that the standard and the quality of food has changed remarkably in recent months and, I must say, in my judgement and in the judgement of colleagues, for the better. I thank the catering

staff for their hard work, for their long nights and for their patience and perseverance. I also acknowledge new facilities manager, Stewart Johnson, who now oversees the refurbished level 7. It is a terrific new entertaining area and I am sure no-one will be terribly sad to see the end of the old Sebel tables and chairs on those levels. I look forward to seeing many events occur in those areas.

Thank you to the Sergeant-at-Arms, Michael Watkin, and all the security staff, who make sure that everyone who works here can do so safely and return to their families at the end of the day or at the week's end. A warm thanks to the Chief Hansard Reporter, Lucinda Osmond, and all of her hard workers, who do a tremendous job. I have never found them to misquote me at all, let me say, Mr Speaker. At times the House can move very quickly, but it would appear that Lucinda and her team never miss a beat. I also wish to acknowledge the work of committee staff and the secretariats. Our committees work hard to provide thoughtful advice on the merits of policies before the House. Whilst we do not always agree in those committees, we value their contribution and thank them for their care, diligence and patience.

I must also give my sincere thanks to all the hardworking electorate staff, especially my own electorate staff, Sam and Jan. Your tireless efforts keep our offices moving, even when we cannot physically be there, and ensure that our local constituents and communities can be well served and have their needs taken care of. It is no easy task and we could not do it without you. Thank you to the opposition staff in my office for the many hours of hard work you put in behind the scenes. You know who you are and how much faith our team has in you.

To my deputy, Deb Frecklington: thank you for your enthusiasm and wholehearted support and for all the hours of driving and travelling you do from your electorate of Nanango. It is not easy to live three hours from the city of Brisbane and carry on the role that you do. After we finish up at the end of a hard week you then have to drive three hours home at two, three or six o'clock in the morning to meet constituent engagements the next day and then come back again. I know how much time Deb spends away from Jason and her three lovely girls, Isabella, Lucy and Elke, so to you, Deb, I say a particular thanks.

To all my shadow ministers: thank you for your tireless efforts this year and your dedication to your portfolios. I see firsthand the effort that those shadow ministers put in, and I am proud to be leading such a dynamic and determined team.

To my entire LNP parliamentary team: I thank each and every one of you for your support this year. We should all be proud of what we have achieved so far. I know that we will continue to build on this momentum in 2017 and I am excited for the year ahead.

To the Clayfield SEC and our SECs and branches across the state and in particular in my area, Mark Passfield and Mary Caroline van Paasen, and to all our 14,000 LNP members: the broad branches of all levels of community and society make up the LNP, and that is what makes our party so great. I thank you for your enthusiasm and support throughout the year. We have a lot to look forward to.

I want to acknowledge at the end of this year the Governor, the Hon. Paul de Jersey, and his wife, Kaye, for their invaluable contribution to Queensland community and Queensland life. The care and pride they take in fulfilling this important role should be an example to all in public life.

Finally, to my long-suffering and still dedicated and talking to me wife, Mary, and our children, Jeremy, Duncan and Kate: you are and always will be my proudest achievement. I thank you for your unwavering support and love. Jeremy has finished school this year and his younger brother will follow later next year, with Kate not far behind. When I started in this business some 16 years ago I could carry Jeremy from my elbow to my hand. He is now four inches taller than me and is embarking on a career at university—I hope, if the marks are good enough, otherwise somewhere else. He will have to go out and earn it. It shows how quickly time flies in this place, how much time we spend in this place and the sacrifice that we and our families—on both sides of the House—make in not having fathers and mothers around. It is truly to our partners, to our friends and to our families that we owe a debt of gratitude.


Let me take this opportunity to thank members from all sides of parliament for their contribution this year. I want to particularly acknowledge the Premier, the Deputy Premier and their team and members of the crossbenches and other parties. Although we may not always agree—we may rarely agree—we are united in our passion for this great state. I think all of us come to this place with a desire to deliver a better outcome. In doing so, not only do I acknowledge the support of my family but I also acknowledge the support that all of us as MPs receive from our friends, our partners and our families.

The media are an essential part of our processes here in Queensland. It is never going to be an easy relationship, but it is always going to be a necessary relationship, a necessary part of our democracy. Whilst we may always wonder where that photo came from or where that grab was made, there is no doubt that we are stronger for having a robust media that questions us and, if you like, puts us to the test. Can I give special sympathy to those members of the media who are assigned to the night shifts. Believe me, we know how you all feel. You are part of this parliament late into the night and into the early hours, and we thank you for your dedication to your craft and your cause.

I want to wish everyone a merry and festive Christmas period. I hope that all can spend time surrounded by loved ones and enjoy a well-earned break over the Christmas period so that we can return refreshed and revitalised for what is sure to be a huge year in 2017.


Finally, on behalf of the opposition I wish all Queenslanders a safe and very happy Christmas and new year. There is nothing quite like a Queensland Christmas: swimming in the pool or the surf, playing backyard cricket and enjoying a barbie with family and friends. In many respects we are lucky to enjoy those privileges, so I would also like to acknowledge those Queenslanders who are not as fortunate, who do not anticipate such happy times and for whom our simple pleasures are things to be fondly sought after. Our thoughts and prayers are with you over the Christmas break and we hope that there will be greater joys ahead for you in 2017.

Mr Speaker, it is well past time that we finished in this place. Let us conclude our business promptly and take some time to enjoy some of your Christmas hospitality. Merry Christmas to all!

 **Mr KNUTH** (Dalrymple—KAP) (1.07 am): On behalf of the crossbenchers I wish to acknowledge the government and the opposition. We have had some wins and we have had some losses, and I suppose we need to be very content with our lot. There have been some massive and robust debates, and I have to acknowledge the opposition. You do deliver robust debate and you are continually providing that pressure. I do also acknowledge the highlights of the year. As mentioned, one of ours is probably the blocking of the vegetation management legislation, which was big for rural and regional Queensland. I do have to acknowledge the government's bill for the nurse-to-patient ratio. My mum had fought for that for 30 years, so it was a very passionate moment.

I also want to acknowledge the working cabinet committee that came to Charters Towers. I am raising this because there was a debate until four o'clock in the morning. The plane left at three o'clock with the Premier, the Treasurer, the Minister for Communities, the Minister for Industrial Relations and the member for Mundingburra, but the way you kept your composure throughout the day with no sleep made a big impression and imprint on Charters Towers and we very much appreciate that.

We also thank the Clerk, Neil Laurie, for his passion, dedication and determination and all the parliamentary staff as well as the Speaker of the House. It has just been a big year, but I wish everyone a merry Christmas and happy new year, and may 2017 be a big year for all of us.

 **Mr SPEAKER:** Honourable members, I join in saying thank you to members for your assistance in the running of parliament and the management of our precinct. I thank the Premier and the Leader of the Opposition and their respective leadership teams for their contribution and wise counsel during our parliamentary leadership meetings, referred to as the Committee of the Legislative Assembly. I also acknowledge the contributions from our crossbench members.

The smooth running of our parliament relies heavily on the Leader of the House, the member for Sandgate, and the Leader of Opposition Business, the member for Callide, in reaching agreement on many matters. I thank both of you for your efforts. I also acknowledge the work of our Clerk and the many different hats he has to wear, especially when providing advice to opposing parties whilst at the same time maintaining confidentiality of the discussions. I also thank the Deputy Clerk and the other Clerks at the Table.

I thank the Deputy Speaker and the members of the Speakers panel for helping me with the Speaker's duties and for their good spirit in singing as a lead-in to the lighting of the Christmas tree. Members, can I say that I have had a number of inquiries about what you plan for next year. I thank members and staff for their patience during the lengthy repairs to the roof of level 7 of the Annexe. It is good to hear that many members have expressed an interest in using this much improved venue.

The Premier has already acknowledged that at the end of this year we will see the departure of our Director of Corporate Services, Mr Michael Hickey. I am informed that Michael commenced employment with the Queensland government in January 1978 and was appointed to the Parliamentary Service in June 1989. On behalf of members and staff, I thank Michael for his dedicated service and the caring manner he displays when working with others. I also thank him for his commitment to the

development of significant policies and plans for the parliament over many years, particularly the parliament's Heritage Management Plan, which is a significant piece of work and will benefit the parliament for many years to come. I am sure that all honourable members will join with me in wishing Michael the very best in his retirement.

**Honourable members:** Hear, hear!

**Mr SPEAKER:** I thank our Hansard staff and our parliamentary press gallery, who have already been acknowledged for all their efforts in reporting the proceedings in the House. Indeed, I am sure that all members will join with me in acknowledging the hard work of the Parliamentary Service staff, who makes our place function effectively and efficiently and provide members with a home away from home. I say well done and I thank you all.

I thank my Nicklin electorate officers, Vicki, Lynelle and Paul, for stepping up to the new challenges that have arisen as a result of my additional duties as your Speaker. I also acknowledge the detailed briefings I receive from Danielle Cooper, my research and legislation officer, who works from parliament. I especially acknowledge the Speaker's office manager, Roylene Mills, and our executive assistant, Gail Easton, for their hard work in attending to all matters pertaining to the Speaker's duties.

I thank my wife, Jenny, for her unfailing support in my role as both the local member and the Speaker. Without her, I would not be here today. I acknowledge the important role that families and partners play in the lives of all members as we work for the people of all of Queensland.

I wish all members a safe and peaceful Christmas and, in line with tradition, I now invite all members, staff and people who are still awake and closely connected to our parliament to join with me and others for an end-of-session function in the Speaker's Hall.

## ADJOURNMENT

**Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Leader of the House) (1.13 am): I move—

That the House do now adjourn.

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 1.13 am (Friday).

## ATTENDANCE

Bailey, Barton, Bates, Bennett, Bleijie, Boothman, Boyd, Brown, Butcher, Byrne, Costigan, Cramp, Crandon, Crawford, Cripps, D'Ath, Davis, de Brenni, Dick, Dickson, Donaldson, Elmes, Emerson, Enoch, Farmer, Fentiman, Frecklington, Furner, Gilbert, Gordon, Grace, Harper, Hart, Hinchliffe, Howard, Janetzki, Jones, Katter, Kelly, King, Knuth, Krause, Langbroek, Last, Lauga, Leahy, Linard, Lynham, Madden, Mander, McEachan, Miles, Millar, Miller, Minnikin, Molhoek, Nicholls, O'Rourke, Palaszczuk, Pearce, Pease, Pegg, Perrett, Pitt, Powell, Power, Pyne, Rickuss, Robinson, Rowan, Ryan, Saunders, Seeney, Simpson, Smith, Sorensen, Springborg, Stevens, Stewart, Stuckey, Trad, Walker, Watts, Weir, Wellington, Whiting, Williams