




Speech By  
**Linus Power**

**MEMBER FOR LOGAN**

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Record of Proceedings, 30 October 2018

**REVENUE AND OTHER LEGISLATION AMENDMENT BILL; APPROPRIATION (PARLIAMENT) BILL (NO. 2); AND APPROPRIATION BILL (NO. 2)**

 **Mr POWER** (Logan—ALP) (12.35 pm): I note the highly selective nature of the member for Everton's speech. It used to be his stump speech for the leadership, but they have gone off that with recent events down in Canberra and now he just repeats it because he does not have anything else to say. One thing he did not mention is some of the strong job creation that is happening in Queensland under the stewardship of the Deputy Premier and Treasurer. There have been 170,000 jobs created in Queensland since this Labor government came to office. That is five times the number of jobs created under the former LNP government that the member for Everton was a part of, but he will not tell the House that fact.

He will not tell the House that in the past 12 months we have created more jobs in Queensland than Western Australia, South Australia, Tasmania, the Northern Territory and the ACT combined. The other fact he will not tell us is the strength of the Deputy Premier and Treasurer, who is focused on job creation and on what real Queenslanders want out of their economy—that is, good, solid jobs. That is what this government is creating. I will leave that because there are serious issues to address in the bill.

As chair of the Economics and Governance Committee, I rise to support the cognate bills and the committee's reports on the Revenue and Other Legislation Amendment Bill 2018, the Appropriation (Parliament) Bill (No. 2) 2018 and the Appropriation Bill (No. 2) 2018. The committee recommended that all of these bills be passed. As part of our inquiry process on the Appropriation Bill (No. 2), the committee held a public briefing with Queensland Treasury officials and the transcript of the hearing is available on the committee's web page. On 10 September we also invited stakeholders and subscribers to make written submissions. Although the committee did not receive any submissions, the bills and the committee's process is an important part of budget accountability and transparency. It is understood that there will be each year occasions where the government makes an appropriation that is for the benefit of Queensland but had not been envisaged at the time of the budget. Section 66 of the Queensland Constitution makes it clear that this bill is a requirement for appropriation and expenditure unforeseen in the budget.

Some of the largest expenditure unforeseen is relating to the timing of agreed Commonwealth payments where payments from the Commonwealth were shifted from one financial year to the next and the state, rather than delaying vital works for projects such as roads, undertook extra expenditure in order to deliver the projects. The committee asked Treasury for a list of the relevant road projects, and they are listed on page 5 of the report. The parliament's budget was also adjusted as, at the time of the original appropriations bill, the parliament could not be sure of the exact election date and the associated costs of new staff and costs associated with the electoral boundary changes. I commend the bills to the House as a normal part of the process of budget accountability that occurs each year.

This cognate debate also seeks to pass the Revenue and Other Legislation Amendment Bill 2018. This was a bill with a variety of purposes, including expanding electronic conveyancing, an adjustment to the laws regarding alcohol restrictions in some Queensland Indigenous communities, changes to the Indigenous cultural heritage act and changes to the administration of the Cross River Rail Delivery Authority.

The Economics and Governance Committee invited written submissions, and there is a list of 14 submissions in the report. The committee received a public briefing from Queensland Treasury and the Department of Aboriginal and Torres Strait Islander Partnerships. The committee noted that the laws regarding alcohol restrictions only apply to a number of remote Indigenous communities. The committee undertook to travel to Mornington Island to hear firsthand the views of the community. It also held an additional public hearing in Brisbane on 17 September. A list of witnesses who appeared at these hearings is included in the committee's report. Of course, submissions and transcripts of hearings are available on the committee's web page.

The bill continues the expansion of e-conveyancing in Queensland. The process of transferring title is vitally important for Queensland and the nation. That is why this process has proceeded carefully in stages. Originally in 2015, this process was limited to only ELN transfers. This legislation further expands the process by adjusting the duty framework to permit more land based dutiable transactions to be accessed by a registered self-assessor, allowing most land based dutiable transactions to be lodged and settled through e-conveyancing. I note that the Property Council expressed support for the bill saying—

Electronic conveyancing ... delivers a range of benefits for parties transacting property in Queensland ... significantly reduces the time taken to complete a transaction, lowers the risks associated with human error, and makes funds from property sales available much sooner than a standard paper transaction.

The bill also seeks to restore the original intent of the registration of charitable institutions in relation to the Taxation Administration Act. It specifically calls for an entity that seeks duty, land tax or payroll tax exemptions to include in its constitution specific clauses making clear that the purpose of the entity is to use its income and property solely for the promotion of charitable causes. The committee's report noted the concern over the transition and the time in which these often volunteer organisations and boards would have to comply. I note that the minister has addressed this concern. It is vital—and all Queenslanders expect—that, if a charitable organisation seeks a tax exemption, the organisation be solely focused on the stated aims of the organisation to fulfil a charitable purpose.

The amendments to alcohol restrictions on remote Aboriginal communities is an important change to clarify the intent of the laws limiting alcohol in specific communities under the Aboriginal and Torres Strait Islander Communities Act 1994. The original act attempted to deal with the issue of homemade alcohol by banning the production of alcohol from home-brew kits and home-brew concentrate, and this has recently been defined as only a concentrate made from malt and hops. However, in reality alcohol can be made from any sugar based solution, not just a malt one, which makes the problem more complex. Specifically, we heard of the problem of sugar based home-brew alcohol utilising what is called Turbo Yeast, this being the brand name of a strain of yeast refined to create higher strength alcohol quickly and at high temperatures. This, unfortunately, is a powerful product to create illicit high-strength alcohol in a remote location for sale. This legislation attempts to correct this problem by prohibiting substances for the making of homemade alcohol. Obviously, alcohol can be made from any form of sugar solution from fruit, sugar or malt, wild yeasts or bread-making yeast, or even the remnant yeast cells in Vegemite. That is why the offence is triggered by the intent of a person in using a substance or a combination of substances in a way that is not for their original purpose.

Many submitters spoke of the presence of yeasts that are used specifically for brewing, often in the production of a spirits wash that is intended to be distilled. These yeasts are industrially created to consume sugars at a very fast rate and to create alcohol very quickly and to survive longer, creating a higher percentage of alcohol, sometimes up to 20 per cent. The yeasts can also survive at a higher temperature. In fact, it is as if they were designed to quickly produce high-strength alcohol in the tropics that is easy to hide from the police before it is sold. The committee report details that the Police Service noted that these quick, high-strength brewing yeast strains create a particular problem but emphasised that—

If turbo yeast were taken away it takes longer but there is still a problem because it—

alcohol—

can still be made.

Others made the claim that turbo yeasts should be specifically identified under the act. The committee report stated—

that turbo yeast or any other yeast designed for the production of alcohol should be referred to separately as a substance that is an offence to possess—

I emphasise that this was in addition and not instead of the provision that deals with substances with the intent to produce alcohol. I note that the minister has agreed with the police that these specific industrial forms of yeast are only one part of the problem and that alcohol can be produced from a variety of sources.

For many in this House the recognition of the rights of those Australians descended from the people who inhabited this continent for 40,000 years is vitally important. The Aboriginal Cultural Heritage Act 2003 and the Torres Strait Islander Cultural Heritage Act 2003 recognise the importance of preserving cultural heritage in consultation with the best Aboriginal or Torres Strait Islander party for the area being affected. This amendment attempts to clarify which party should be the party with which an entity deals when these cultural heritage acts are triggered. These are serious issues where finding the correct parties can be complex and indeed contested. This was made more complex by the result of the Nuga Nuga Aboriginal Corporation decision, which overturned the provision of the 'last claim standing' provision of the act. These amendments restore this original intent by adding the term 'registered' to clarify the original intent.

There was considerable concern about this from a variety of parties. While this amendment creates certainty for landholders, there was concern that a party that had actively been rejected in a court as having any evidence of connection to a particular area of land may still be the party identified as the last claim standing. I specifically acknowledge the Deputy Premier's commitment to address the concerns by a wider ranging review of the provisions and administration of the Aboriginal cultural heritage acts. The submissions and contributions to this committee can help inform that review to address those concerns.

I commend these bills to the House and note the other issues of Cross River Rail and the State Penalties Enforcement Act. The more complete findings of the committee are contained in the report. I also wish to thank Melissa of the committee secretariat who has served ably as our secretary throughout the process. She is going to continue to work for us but in a different role. I thank her for her participation as well as the entire secretariat. I commend the bills to the House.