


period, although the Premier said yesterday in this place that the CMC had advised that it would not be before the end of the year. Therefore, if the LNP are determined that this will be their nominee and their replacement senator, I do not believe I have any alternative but to support the motion because that is what the party has decided to do in relation to their responsibilities to represent this state in the Senate.

 **Mr STEVENS** (Mermaid Beach—LNP) (11.40 am): To quickly wind up this matter, this motion has the support of the LNP, the people entrusted to replace Senator Barnaby Joyce with another representative. The LNP has picked Mr Barry O'Sullivan. He is our nomination. He will be the senator. Mr Barry O'Sullivan agrees with this. There is no plot, despite the member for Condamine just rabbiting on about that. This is being done with Mr Barry O'Sullivan's agreement in order to allow time to clear the matters from the CMC. As members would know, we do not direct when the CMC finalises the matters they are interested in looking into. We do not dare go anywhere near that course of justice.

What we are doing here clearly—and it has the support of all those people—is giving time for the matters to be cleared so that this House can go forward and celebrate the Premier's nomination of Mr Barry O'Sullivan as the replacement senator in Canberra. That will be a very great day. Mr O'Sullivan is looking forward to that day. According to the presumption of innocence, he is absolutely innocent of anything at this point. Whilst there is a CMC matter to be looked at and it is relevant to Mr O'Sullivan, he himself agrees with the Premier's direction that this matter should be adjourned. I find it incredibly hypocritical for the opposition to talk about voting against this motion; they will be voting against what we want to do with our nomination, which has the agreement of the Senate nominee himself and our party.

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


AYES, 69—Barton, Bates, Bennett, Berry, Bleijie, Boothman, Cavallucci, Choat, Cox, Crandon, Cripps, Crisafulli, Cunningham, Davies, T Davis, Dempsey, Dickson, Dillaway, Dowling, Elmes, Emerson, Flegg, France, Frecklington, Gibson, Grant, Grimwade, Gullely, Hart, Hathaway, Hobbs, Holswich, Johnson, Kempton, King, Krause, Langbroek, Latter, Maddern, Malone, Mander, McArdle, Millard, Minnikin, Molhoek, Newman, Ostapovitch, Powell, Pucci, Rice, Rickuss, Robinson, Ruthenberg, Seeney, Shorten, Shuttleworth, Smith, Sorenson, Stevens, Stewart, Stuckey, Symes, Trout, Walker, Watts, Woodforth, Young. Tellers: Kaye, Menkens

NOES, 11—Byrne, Hopper, Katter, Knuth, Mulherin, Palaszczuk, Pitt, Trad, Wellington. Tellers: Miller, Scott

Resolved in the affirmative.

NORTH STRADBROKE ISLAND PROTECTION AND SUSTAINABILITY AND ANOTHER ACT AMENDMENT BILL

Introduction

 **Hon. AP CRIPPS** (Hinchinbrook—LNP) (Minister for Natural Resources and Mines) (11.49 am): I present a bill for an act to amend the North Stradbroke Island Protection and Sustainability Act 2011 and the Vegetation Management Framework Amendment Act 2013 for particular purposes. I table the bill and the explanatory notes. I nominate the Agriculture, Resources and Environment Committee to consider the bill.

Tabled paper: North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill 2013.

Tabled paper: North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill 2013, explanatory notes.

I am very pleased to introduce the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill 2013 into the House, which honours the Newman government's election commitment to deliver a framework for the orderly conclusion of sandmining on North Stradbroke Island. North Stradbroke Island is the second largest sand island in the world. It is situated off the coast of South-East Queensland, approximately 40 kilometres from Brisbane.

Sandmining on North Stradbroke Island began in 1949. In 1966 Consolidated Rutile Ltd commenced mining operations on the island. Sibelco Australia Ltd purchased CRL in 2009. Today, Sibelco is the only active mining company on North Stradbroke Island. Mining has played a significant role in the economy of the island. As well as providing jobs for residents of the island, Sibelco has also contributed over \$1 million to community development projects.

In April 2011, the then Bligh Labor government passed the North Stradbroke Island Protection and Sustainability Act 2011. The act was purported to provide a framework to transition the economy of North Stradbroke Island away from sandmining and towards nature based recreation, tourism and

education. The act provides for the phasing out of mining, specifically that mining interests for Yarraman Mine would end in 2015, the Enterprise Mine would end in 2019 and all mining to cease with the closure of the Vance Mine in 2025.

015 The act sought to protect and restore the environmental values of the island and facilitate the staged creation of areas to be jointly managed by the state and the traditional owners of North Stradbroke Island. The Bligh Labor government declared a new national park over 20 per cent of the island in 2011, with the stated ultimate goal of 80 per cent of the island being protected as national park and jointly managed by the Quandamooka people, who are the recognised native title holders, and the Queensland government.

While the Newman government supports the general intention of the North Stradbroke Island Protection and Sustainability Act 2011 to transition the economy of North Stradbroke Island away from mining and towards nature based recreation, tourism and education, the previous government made several fundamental errors which have rendered the act ineffective. The amendments contained in this bill will correct those errors.

The first significant error made by the Bligh Labor government was the assumption it made about the island's economy. Under the act, one of the most significant economic drivers on North Stradbroke Island will cease in six years. This time frame is far too short, given that there is currently no alternative economic activity of any significance that would be capable of generating jobs and incomes to replace those currently provided by sandmining.

The strict time frames imposed by the act simply do not allow sufficient time for the local community and businesses to transition the island's economy away from a dependence on sandmining. The reality is that the economy of North Stradbroke Island was, and still is, largely dependent on sandmining operations. It is estimated that Sibelco currently injects close to \$130 million annually into the state's economy. The population of the island is highly dependent on sandmining for employment and income. Compounding this naïve assumption about the ability of the island's economy to transition is the Bligh government's second error, which was not doing enough to facilitate the establishment of alternative business enterprises on the island.

The Newman government recently enacted the Nature Conservation and Other Legislation Amendment Act 2012. That act amended the Nature Conservation Act 1994 to allow for the authorisation of ecotourism facilities in national parks. Under the act, 'ecotourism facility' is defined as a facility whose primary purpose is to facilitate the presentation, appreciation and conservation of the land's natural condition and cultural resources and values.

Consistent with the Newman government's commitment to open up national parks and increase access for tourists and the local community, the government has also introduced into the House the Nature Conservation and Other Legislation Amendment Bill (No. 2) 2013.

The amendments in that bill seek to broaden the objects of the Nature Conservation Act to provide for recreation and commercial uses in protected areas, while continuing to retain the focus on nature conservation. The bill includes a number of supplementary outcomes with regards to meeting the objective of the conservation of nature: the use and enjoyment of protected areas by the community; the involvement of Indigenous people in the management of protected areas in which they have an interest; and the social, cultural and commercial use of protected areas in a way consistent with the natural, cultural and other values of the areas. Those amendments will go a long way to assisting in the transition of the North Stradbroke Island economy by providing a legislative basis to facilitate the development of tourism and ecotourism operations on the island; however, it will still take time to develop private sector interests and encourage investment to facilitate the development of tourism and ecotourism on the island.

The Bligh Labor government's third error in enacting the North Stradbroke Island Protection and Sustainability Act 2011 was to materially cut short Sibelco's proposed mining activities and the resource life potential. This represented a significant economic loss to Sibelco and damaged the State of Queensland's reputation in terms of sovereign risk. The regulatory restrictions placed on Sibelco, such as denial of access to a resource, imposed closure dates and reduced mining lease area, ignores all market forces that drive investment decisions in resource projects.

The precedent of amending legislation to change mining lease conditions is quite significant and one that has direct implications for investor confidence in exploration and minerals development in Queensland. As such, the enactment of this bill will return Sibelco to a position similar to what it would have been if the North Stradbroke Island Protection and Sustainability Act 2011 had not been enacted and will go some way to restoring Queensland's reputation in terms of sovereign risk.

This leads me to the fourth error made by the Bligh Labor government in enacting the North Stradbroke Island Protection and Sustainability Act 2011. This act imposed a restricted mine path for Sibelco's Enterprise mine. The original explanatory notes state that this was done in order to ensure that future mining avoids areas of high conservation value as much as possible. Not only did this amendment contribute to the sovereign risk I have already referred to, but it also created unnecessary red tape and legislative duplication.

Protection of the environment is a matter for the Environmental Protection Act 1994—an act which is specifically designed for that purpose. It is import to note that the environmental assessments originally carried out on Sibelco's mining leases prior to the 2011 act were based on a larger mining area that would be returned to Sibelco. Areas such as the Ramsar wetlands on the island will still not be able to be mined pursuant to the conditions of the environmental authority. Further, the original environmental assessment considered the standard criteria as defined in the Environmental Protection Act 1994. Whilst there was no legislative requirement for an environmental impact statement to be completed at the time of the original approval, the applicant did undertake an environmental studies report; therefore, environmentally sensitive areas on the island are well protected without the unnecessary introduction of duplicate legislation. The location of mining activities is a matter for determination by the holder of the mining lease and the Department of Environment and Heritage Protection pursuant to the environmental authority.

The fifth error made by the Bligh Labor government was not to provide any mechanism which enabled access to the mine sites at the end of the mining lease to carry out necessary rehabilitation. This is a truly remarkable oversight. The amendments contained in this bill will enable Sibelco to seek a renewal of mining leases in 2019 at the Enterprise mine until 2035, thereby providing a realistic time frame in which North Stradbroke Island can transition to other industries such as nature based recreation, tourism and education, and remove the restrictive mine path at the Enterprise mine and consequently replace the environmental authority. This will reduce the harm done to Queensland's sovereign risk, leave environmental matters to the appropriate legislation and provide for an opportunity to renew mining leases associated with Yarraman mine and Enterprise mine until 2020 and 2040 respectively with a non-winning condition. This will provide the necessary mechanism to allow for the rehabilitation of the mine sites.

I would like to point out that the extension of mining activities provided for by this bill will not occur within national parks or environmentally sensitive areas on North Stradbroke Island. Indeed, the majority of the Enterprise mine area is of low ecological significance, with over 50 per cent of its footprint having been previously disturbed or used for key infrastructure such as roads, water pipelines, power lines or electrical substations. This area is not pristine forest and has a history of disturbance from logging, mining and infrastructure construction dating back to the 1950s.

016 I would also like to assure members that the amendments in this bill are being made in accordance with the requirements of the Commonwealth Native Title Act 1993 and will not breach or necessitate any amendment to the current Indigenous land use agreement between the state and the Quandamooka people. This government is committed to meeting all its obligations and responsibilities under the ILUA.

In March of this year the Vegetation Management Framework Amendment Act 2013 was passed. This act will restore much needed balance to the state's vegetation management framework. While a number of provisions came into effect on assent, a range of provisions, including two new relevant purposes for clearing of native vegetation for high-value agriculture and irrigated high-value agriculture, are proposed to commence in November 2013.

Since March the department has been working hard to implement these reforms. In doing so, it has been identified that several provisions in the act associated with high-value agriculture and irrigated high-value agriculture will duplicate requirements within the state development assessment provisions that will be prescribed under the Sustainable Planning Regulation 2012; namely, the requirement to minimise and mitigate the effects of clearing and the provision of an environmental offset for the clearing of vegetation. These provisions in the act which require landholders to demonstrate how they have minimised and mitigated the adverse effects of clearing and to provide a significant beneficial impact for the clearing of endangered and of-concern regional ecosystems are unnecessary and clearly represent duplication. Amendments in this bill will address that duplication by omitting these requirements from the Vegetation Management Act. I commend the bill to the House.

First Reading

Hon. AP CRIPPS (Hinchinbrook—LNP) (Minister for Natural Resources and Mines) (12.01 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 Agriculture, Resources and Environment Committee

Madam SPEAKER: Order! In accordance with standing order 131, the bill is now referred to the Agriculture, Resources and Environment Committee.

Portfolio Committee, Reporting Date

Hon. AP CRIPPS (Hinchinbrook—LNP) (Minister for Natural Resources and Mines) (12.02 pm), by leave, without notice: I move—

That under the provisions of standing order 136 the Agriculture, Resources and Environment Committee report to the House on the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill by 14 November 2013.

Question put—That the motion be agreed to.

Motion agreed to.

~~INDUSTRIAL RELATIONS (FAIR WORK ACT HARMONISATION NO. 2) AND OTHER LEGISLATION AMENDMENT BILL~~

~~Introduction~~

~~**Hon. JP BLEIJIE** (Kawana—LNP) (Attorney General and Minister for Justice) (12.02 pm): I present a bill for an act to amend the Industrial Relations Act 1999, the Hospital and Health Boards Act 2011, the Superannuation (State Public Sector) Act 1990, the Superannuation (State Public Sector) Regulation 2006 and the Trading (Allowable Hours) Act 1990, and to make minor and consequential amendments to the acts listed in schedule 1, for particular purposes. I table the bill and the explanatory notes. I nominate the Legal Affairs and Community Safety Committee to consider the bill.~~

~~*Tabled paper:* Industrial Relations (Fair Work Act Harmonisation No. 2) And Other Legislation Amendment Bill 2013.~~

~~*Tabled paper:* Industrial Relations (Fair Work Act Harmonisation No. 2) And Other Legislation Amendment Bill 2013, explanatory notes.~~

~~The purpose of the Industrial Relations (Fair Work Act Harmonisation No. 2) and Other Legislation Amendment Bill is to amend the Industrial Relations Act 1999 to create a reformed industrial relations framework for the Queensland jurisdiction.~~

~~The Industrial Relations Act 1999 is within my portfolio and, to the extent that it relates to public sector industrial relations, the portfolio of the Minister for Aboriginal and Torres Strait Islander and Multicultural Affairs and Minister Assisting the Premier. The bill also includes amendments to the Health and Hospital Boards Act 2011, which falls within the portfolio of the health minister. The bill also includes amendments to the Superannuation (State Public Sector) Act 1990 and the Superannuation (State Public Sector) Regulation 2006.~~

~~The bill reforms the industrial relations framework for Queensland. The Queensland industrial relations jurisdiction consists almost entirely of the state and local government sectors. The bill responds to the recommendations of the Queensland Commission of Audit and the Blueprint for Better Healthcare in Queensland. In particular, recommendation 130 of the Commission of Audit notes the importance of updating the Industrial Relations Act 1999 to ensure that it is modern, flexible and relevant to the public sector environment.~~

~~Other recommendations of the Commission of Audit that are reflected in this bill include:~~

- ~~• that awards continue to provide the basis for public sector wages and conditions, however only matters not covered by legislation or Public Service directives should be included; and the number of awards that apply in the public sector should be significantly reduced; and~~