

## COMMITTEE OF THE LEGISLATIVE ASSEMBLY

### Portfolio Committees, Reporting Dates

 **Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Leader of the House) (5.48 pm): I seek to advise the House of determinations made by the Committee of the Legislative Assembly at its meeting today. The committee has resolved, pursuant to standing order 136, that the Health and Ambulance Services Committee report on the Tobacco and Other Smoking Products (Smoke-free Places) Amendment Bill 2015 by 15 February 2016 and the Infrastructure, Planning and Natural Resources Committee report on the Water Legislation Amendment Bill by 1 March 2016.

## SUSTAINABLE PORTS DEVELOPMENT BILL

Resumed from 3 June (see p. 1034).

### Second Reading

 **Hon. AJ LYNHAM** (Stafford—ALP) (Minister for State Development and Minister for Natural Resources and Mines) (5.49 pm): I move—

That the bill be now read a second time.

I would like to thank the Infrastructure, Planning and Natural Resources Committee for its report tabled on 1 September 2015 and its detailed and robust consideration of the Sustainable Ports Development Bill 2015. I would also like to take this opportunity to thank those who made submissions to the committee and those who participated in the public hearings held during the committee's inquiry. I have considered the committee's report and the 13 recommendations outlined therein and I am pleased to advise that the government accepts all recommendations of the committee either in full or in principle. I will move amendments during the consideration in detail of the bill to give effect to the committee's recommendations as required. I am pleased to table the proposed amendments and explanatory notes.

*Tabled paper:* Sustainable Ports Development Bill 2015: amendments to be moved in consideration in detail by the Minister for State Development and Minister for Natural Resources and Mines, Hon. Dr Lynham [1603].

*Tabled paper:* Sustainable Ports Development Bill 2015: explanatory notes to Hon. Dr Lynham's amendments [1604].

I reaffirm the Queensland government's commitment to protect the Great Barrier Reef World Heritage area through the sustainable management of port development adjacent to the area. Since I introduced the bill on 3 June 2015 the United Nations Educational, Scientific and Cultural Organization World Heritage Committee, on 1 July 2015, made a unanimous decision not to place the Great Barrier Reef on its World Heritage endangered list. In response to committee recommendations 2, 3, 5 and 6, I will move amendments to further strengthen stakeholder consultation and participation in the port master planning process. The consultation process provided by the bill as introduced was comprehensive, and during the committee's inquiry stakeholders acknowledged their satisfaction with the level of consultation in relation to port master planning. However, we have accepted the committee's recommendations to provide more opportunities for the public to have a say and gain information about port master planning for priority ports. The amendments to the bill will provide enhanced opportunities for engaging and consulting stakeholders and the community throughout the master planning process.

As part of a consultative government that listens and responds, I will move an amendment to the bill to include a port of Cairns specific exemption to permit limited capital dredging within the port's inner harbour. This is in response to the committee's recommendation that I consider declaring the port of Cairns a priority port. In accordance with the recommendation, I have considered the potential environmental impacts on the Great Barrier Reef, the economic benefits to the Cairns region and our commitments made to the World Heritage Committee and under the Reef 2050 Long-Term Sustainability Plan. The amendment will limit capital dredging to less than 50,000 cubic metres per approval with a total volumetric limit of 150,000 cubic metres in a four-year period. Any future development at the port of Cairns must be consistent with our commitment to protect the Great Barrier Reef World Heritage area and our ban on sea based disposal of port related capital dredge material. After four years, the government will review these limits to ensure that the balance between economic development and protection of the Great Barrier Reef World Heritage area at the port of Cairns is being achieved.

This limited exemption will ensure Queensland can still meet its port related commitments in the Reef 2050 Plan. This government will not divert from those elements of the bill which form part of our Reef 2050 Plan. The Australian and Queensland governments committed to the World Heritage Committee to limit priority status to within the regulated port limits of the ports of Gladstone, Abbot Point, Townsville and Hay Point/Mackay and that commitment must stand. Any move to designate the port of Cairns as a priority port under the bill would be a breach of commitment. Accordingly, the government will not declare the port of Cairns a priority port.

The proposed amendment also addresses the concerns raised in statements of reservation about the bill by the member for Gladstone on behalf of the government members of the committee and by the member for Dalrymple. This government is committed to supporting the growth and sustainability of Far North Queensland and the Cairns region and ensuring these communities are supported by a port that is in a strong position to take up viable opportunities for growth that do not adversely impact the Great Barrier Reef. The proposed amendments will provide the port of Cairns with opportunities to undertake small-scale development of its inner harbour to enable future growth and economic prosperity without compromising the Great Barrier Reef World Heritage area. A good example of these opportunities for the port of Cairns and the region's military marine industry is the Pacific patrol boat replacement project currently out for tender by the Department of Defence. This project is worth \$594 million and potentially \$1.38 billion over 30 years and fits well with Queensland's niche capacity to build and sustain Navy vessels up to 2,000 tonnes.

The member for Dalrymple expressed concerns about limitations imposed by the bill on the ports of Cairns and Mourilyan. I note the committee found that there was no overwhelming evidence to support granting priority port status to the port of Mourilyan. Consequently, the government does not propose to make any amendments to the bill in this regard.

I will also move an amendment to the bill to address the committee's recommendations to clarify this government's policy in relation to prohibiting sea based disposal of material generated by port related capital dredging in the Great Barrier Reef World Heritage area. The amendment will ensure that after the commencement of this bill any port related capital dredge material resulting from dredging must be beneficially reused or otherwise disposed on land regardless of when an approval was granted. The amendments I will move provide examples of beneficial reuse. This includes land reclamation, beach nourishment and environmental restoration purposes such as creating or restoring wetlands or nesting islands. I now table the government's response to the committee's report.

*Tabled paper:* Infrastructure, Planning and Natural Resources Committee: Report No. 6—Sustainable Ports Development Bill 2015, government response [1605].

We have addressed the committee's recommendation 7 in response to the Queensland Environmental Law Association's query about the operation of clauses 38 and 39 of the bill, which relate to the impact of a port overlay on development approvals and applications. We have reviewed the operation of those clauses and no amendments are required as the bill does not affect approval processes under existing legislation.

The government response addresses the committee's recommendation 10, which sought clarification of the application of the bill in relation to the temporary placement of dredge material for rehandling. Allowing the temporary placement of dredge material would be contrary to our election commitment to ban sea based dumping of capital dredge spoil material within the Great Barrier Reef World Heritage area.

I note that the member for Burleigh, on behalf of the opposition members of the committee, made a statement of reservation about the bill requesting further explanation and clarity regarding certain aspects of the bill. The proposed amendments, the explanatory notes to these amendments, the government's response to the committee's report and the matters I have just discussed have strengthened and clarified the policy intent of the bill and responded to the member for Burleigh's request.

I am pleased to stand in this House and be overseeing a bill which will implement this government's commitment to the World Heritage Committee to ensure high standards of environmental protection of the Great Barrier Reef while also driving economic development and job creation. I commend this bill to the House.

 **Mr CRIPPS** (Hinchinbrook—LNP) (5.58 pm): I rise to speak to the Sustainable Ports Development Bill 2015. The primary purpose of this bill is to provide for the protection of the Great Barrier Reef World Heritage area through managing port related development in and adjacent to that area. In my opinion this is a narrow purpose and does not have sufficient regard for the critical

economic, social and strategic role that our network of ports in Queensland, whether or not they are adjacent to the Great Barrier Reef World Heritage area, plays for the communities in this state. There is no doubt that over the last 30 years increasing local, national and international attention has been paid to the challenges of appropriately balancing the need for economic development, including the development of ports, and the appropriate protection of the Great Barrier Reef World Heritage area.

It is right and proper that governments at all levels take steps to protect the Great Barrier Reef World Heritage area. It is World Heritage Listed for a very good reason: it is a spectacular natural wonder; it is beautiful and has tremendous environmental significance that has been recognised around the world. I have lived in communities adjacent to the Great Barrier Reef World Heritage area for almost my entire life. I know it, I value it, I respect it and I want to protect it for future generations of Queenslanders and visitors to Queensland who come to enjoy it.

Debate, on motion of Mr Cripps, adjourned.

## MOTION

### Select Committee on Rural Debt and Drought



**Mr SPRINGBORG** (Southern Downs—LNP) (Leader of the Opposition) (6.00 pm): I move—

1. That this House establishes the Select Committee on Rural Debt and Drought to examine Queensland farm businesses' rural debt issues which have been exacerbated by drought and propose policy responses.
2. The committee is to consider:
  - (a) the nature and extent of financial problems faced by agriculture associated enterprises, local government and supporting communities;
  - (b) identify causes of problems and contribution of established policy;
  - (c) the extent of such problems and effect on regional stability;
  - (d) what strategies might be adopted and initiatives undertaken to rectify such problems;
  - (e) the impacts that such strategies and initiatives might have;
  - (f) policy options available to coordinate effective remediation;
  - (g) the nature and desirability of select actions; and
  - (h) adequacy of existing financial systems to fund policy solutions.
3. The committee is to comprise:
  - i) the member for Mount Isa (Chair)
  - ii) one member appointed by the Leader of the House
  - iii) one member appointed by the Leader of the Opposition.
4. Notwithstanding standing orders, the appointment of members by the Leader of the House and the Leader of the Opposition shall be by writing to the Clerk, who shall table immediately the letters of nomination.
5. Every member of the committee has a vote in every question before the committee and the chair of the committee has a vote and a casting vote.
6. The committee is an authorised committee and has the power to call for persons, papers and things.
7. The committee shall report within 60 days of this order.

We are at one with the government on this issue. Something needs to be done to address areas of deficiency in the system with regard to rural debt and drought, but we do have a bit of a difference in how we believe this needs to be addressed. A couple of weeks or so ago the Treasurer and the member for Mount Isa made a joint announcement regarding the establishment of a Rural Debt and Drought Task Force to be comprised of three members of parliament and others from an external basis who have an interest in this particular issue.

When I spoke with the Treasurer and the member for Mount Isa at the time, I made it abundantly clear that the opposition had some concerns regarding the powers and ability of the committee to address this issue because it was established as a task force under the authority of the Treasurer in Queensland and it was to report to the Treasurer. If we are going to get to the bottom of this issue we do need to have a committee of this parliament established within the broad authority, aims and objectives outlined by the Treasurer when he announced the establishment of the task force. It does need to be able to identify causes of problems and the contribution of established policy. It also needs to look at the issue of regional stability and strategies which might be adopted and initiatives undertaken to rectify such problems. It also needs to look at some of the financial issues and failings and all of those things that were contained in the government's announcement of the task force which was made with the honourable member for Mount Isa.

**Mrs SMITH:** Mr Speaker, I rise to a point of order. I had asked the Premier a question. She directed or guided that we do this. If I could just finish my matter of privilege suddenly arising—it arose out of question time.

**Mr HINCHLIFFE:** Mr Speaker, I rise to a point of order. The member for Mount Ommaney should be taking her guidance from you, which you just provided to her.

**Mr SPEAKER:** Thank you, Leader of the House. There is no point of order.

**Mrs SMITH:** Mr Speaker, I believe that this arose out of question time.

**Mr SPEAKER:** You can write to me—

**Mrs SMITH:** If I can finish—

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

**Mr SPEAKER:** Thank you.

**Mrs SMITH:** Mr Speaker, I intend to write to you—

**Mr SPEAKER:** Member for Ommaney, one moment. Leader of the House, what is your point of order, and I hope it is relevant?

**Mr HINCHLIFFE:** Mr Speaker, you have invited and instructed the member for Mount Ommaney to write to you. I suggest that is what she should be doing rather than allowing further opportunities for abuse of points of order to make arguments.

**Mr SPEAKER:** Thank you, Leader of the House.

**Mrs SMITH:** Mr Speaker, I intend to write to you requesting you investigate this matter and refer the member for Bundamba to the Ethics Committee for a contempt of the parliament; namely, breaching standing order 266(9), and give consideration to whether this matter should further be dealt with under section 60(1)(b) of the Criminal Code.

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

**Mr SPEAKER:** Thank you, member for Mount Ommaney. I will look forward to your letter. Leader of the House, what is your point of order?

**Mr HINCHLIFFE:** My point of order is that we have just seen an abuse of the House.

**Honourable members** interjected.

**Mr SPEAKER:** Members, I have made my ruling. The member for Mount Ommaney will write to me about this matter.

## SUSTAINABLE PORTS DEVELOPMENT BILL

### Second Reading

Resumed from 10 November (see p. 2731), on motion of Dr Lynham—

That the bill be now read a second time.

**Mr CRIPPS** (Hinchinbrook—LNP) (4.12 pm), continuing: As I was saying prior to the adjournment of debate on this bill yesterday afternoon, I have lived in communities adjacent to the Great Barrier Reef World Heritage area for almost all of my life and I know that country very well. I do value that country and I respect it. As I was saying yesterday, I certainly want to protect it for future generations of Queenslanders and visitors to Queensland who come to enjoy it.

I might also say that in my opinion some of the information put into the public domain regarding the health of the Great Barrier Reef and the potential threats to its future have often been, at best, significantly exaggerated and, at worst, deliberately dishonest. It has been very well documented that I have not appreciated or been particularly complimentary to those efforts to purposefully mislead and unnecessarily alarm the general public. Having said that, the LNP, while not getting caught up in the hysteria and the rumour-mongering, have always taken a responsible and practical approach to managing the Great Barrier Reef World Heritage area adjacent to Queensland—Queensland's mainland I should say because it is certainly part of Queensland.

The LNP welcomed the decision earlier this year by UNESCO's World Heritage Committee not to place Queensland's Great Barrier Reef on the in-danger list. This was an uncommon win for common sense. Despite the inflammatory scaremongering and doomsday rhetoric of some irresponsible groups in the conservation sector, which had tried to demonise farmers and other job-creating industries in

Queensland, hard science prevailed earlier this year. Very clearly, the former LNP government did more than any previous administration in Queensland to protect the Great Barrier Reef through practical initiatives and proper planning across a range of portfolios.

The fact is that the reef was put on the watch list under state and federal Labor governments in 2011 and since then the hard work of Queensland and Commonwealth LNP governments saw the Great Barrier Reef avoid an in-danger listing. It was the LNP that drafted and developed the reef 2050 plan. It was the LNP that was investing \$35 million per year to improve water quality and stumped up \$1 million to help control excessive numbers of crown-of-thorns starfish. It was the LNP that introduced the toughest laws ever to protect the Great Barrier Reef by significantly increasing penalties for causing serious environmental harm and developed the Queensland ports strategy, which I will talk more about later.

In contrast, Labor left office in Queensland in early 2012 having approved a massive 38 million cubic metre at-sea dredge spoil disposal plan at Abbot Point and imposing mountains of meaningless paperwork on primary producers. For the Palaszczuk Labor government to claim credit for the Great Barrier Reef not being listed as in danger is a complete joke. The LNP's responsible and practical approach to managing the Great Barrier Reef was ultimately accepted by UNESCO's World Heritage Committee as the platform for the long-term management of this World Heritage area. This fact is no more evident than the legislation that we are currently debating.

While the Sustainable Ports Development Bill was introduced by the Minister for State Development and Minister for Natural Resources and Mines on 22 July 2015, in reality there is a significant number of similarities between this bill and the Ports Bill 2014, introduced by the former LNP government on 25 November 2014. For this reason, the LNP does not intend to oppose this bill. However, there are some key differences which I intend to discuss further, and this is also the reason why the LNP is not completely satisfied with this bill in its entirety and for which I will make some alternative proposals.

The Palaszczuk government has stated its commitment to the Reef 2050 Long-Term Sustainability Plan, also known as the Reef 2050 Plan, and to the implementation of a package of measures which it asserts will contribute to the protection of the Great Barrier Reef World Heritage area. The bill before the House proposes to give effect to the government's commitments made under the Reef 2050 Plan to better manage the impacts of port development on the environment, particularly on the Great Barrier Reef World Heritage area. It claims to be able to do so while allowing Queensland's economy, jobs and regions to grow.

The bill claims to protect greenfield areas by restricting new port development in and adjoining the Great Barrier Reef World Heritage area to within current port limits; restrict capital dredging for the development of new or expansion of existing port facilities to within the regulated port limits of Gladstone, Hay Point-Mackay, Abbot Point and Townsville ports to optimise the use of infrastructure at these long-established, major bulk commodity ports; prohibit the sea based disposal of material into the Great Barrier Reef World Heritage area generated by port related capital dredging; mandate the beneficial reuse of port related capital dredge material such as for land reclamation or disposal on land where it is environmentally safe to do so; and require master plans at the long-established major bulk commodity ports of Gladstone, Hay Point-Mackay, Abbot Point and Townsville to optimise the use of existing port infrastructure and address operational, economic, environmental and social relationships as well as supply chains and surrounding land uses.

The explanatory notes accompanying this bill claim that long-term master planning at the four priority ports of Gladstone, Hay Point-Mackay, Abbot Point and Townsville supports the Council of Australian Government's national port strategy, which was endorsed in July 2012. Of course, that means that the strategy was agreed to by the former LNP government, which is further evidence of the responsible and practical approach to managing the Great Barrier Reef consistently adopted by the LNP.

Some of the key policy similarities and differences between the Sustainable Ports Development Bill 2015, the 2015 bill, and the Ports Bill 2014, the 2014 bill, include the following: both the 2014 and 2015 bills concentrate port development in the long-established major industrial and bulk commodity ports of Abbot Point, Gladstone, Hay Point-Mackay and Townsville. In terms of the extent of the planning instruments required under each bill, the House may be very interested to know that the 2014 bill would have required long-term planning for all ports, whereas the 2015 bill only proposes to regulate planning for the four industrial and bulk commodity ports of Gladstone, Hay Point-Mackay, Abbot Point and Townsville. The protection of the Great Barrier Reef World Heritage Area is the stated primary

purpose of the 2015 bill, whereas the stated primary purpose of the 2014 bill was to stimulate Queensland's economic growth while protecting and managing Queensland's outstanding environmental assets, including the Great Barrier Reef.

The 2014 bill sought, and the 2015 bill seeks, to provide for port development that is consistent with the principles of ecologically sustainable development. Indeed, both bills intend for there to be long-term planning for ports; aim to recognise the diverse functions of the port network including trade, tourism and defence operations; aim to identify and protect land and infrastructure critical to the effective operation of the port network; aim to efficiently use existing port and supply chain infrastructure; and aim to expand port and supply chain capacity in a staged and incremental way to meet emergent demand for imports and exports. Furthermore, both the 2014 and 2015 bills involve a master planning concept and associated instruments to facilitate this planning. In the 2014 bill these instruments were priority port development areas and port land use plans, whereas the 2015 bill utilises the development of port overlays. Both the 2014 and the 2015 bills have special protections relating to the Great Barrier Reef World Heritage area, including the prohibition of dredging for certain purposes in certain areas while permitting dredging for certain other purposes such as ensuring the safe and effective operation of a port.

Another point which may be of particular interest to the House is that, unlike the 2014 bill, the 2015 bill does not set a time within which the responsible minister must have prepared a master plan for priority ports identified by the bill. Under the 2014 bill the minister may ask a supporting entity such as a chief executive, the Coordinator-General, a port entity or a local government for assistance in making or amending an instrument by preparing all or part of it. The 2015 bill does not have similar provisions regarding assistance being provided to the minister by supporting entities. The 2015 bill restricts future port development in the Great Barrier Reef World Heritage area to within existing port limits, whereas in the 2014 bill port development outside existing port limits was subject to ministerial discretion. Finally, the 2015 bill not only concentrates future port development to within the four priority ports, it further restricts the extent to which these ports can expand by excluding marine parks within those port limits. While the 2014 bill nominated the same four priority ports as priority port development areas, it do not exclude expansion into a marine park if that marine park was within port limits.

It is fair to say that there was a degree of disconcertion about the Cairns port not being listed as a priority port under the Ports Bill 2014. This disconcertion has become much more acute under the Sustainable Ports Development Bill 2015. The reason for that is as follows: while the former LNP government did not include the port of Cairns as a priority port in the 2014 legislation, the transitional arrangements in the 2014 bill did recognise the standing of the current EIS process, which is examining the potential for the expansion of the port of Cairns. I recognise that the 2015 bill also recognises the existing EIS process in terms of its transitional arrangements contained in the bill before the House.

The 2014 bill also had a review date for the legislation of 31 December 2022, and there was a level of comfort around the scenario that an EIS with wide terms of reference was in place and there was a commitment that the legislation itself would be reviewed after a suitable period of time. Unfortunately, since the election of the Palaszczuk government these circumstances have become much more uncertain and concerning for those who wish to see a reasonable and practical future for the port of Cairns. Firstly, in April this year we saw several ministers from the Palaszczuk government launch a premeditated attack to undermine the current EIS process, which is supposed to be examining the future development options for the port of Cairns. Labor's response to the draft EIS released in April this year was to try and pour cold water over a range of future development opportunities for the port of Cairns. Labor wanted to consign a number of those development opportunities for the port of Cairns to the dustbin and that, in my opinion, showed a blatant disregard for the local community in Cairns and Far North Queensland.

The draft EIS was supported by the former LNP government to comprehensively examine all options for the future development of the port of Cairns. This is more than Labor ever did during its 20 years in office for the port of Cairns. So when a number of ministers in the Palaszczuk government attacked the draft EIS as a waste of time, it was very clear to many people in Cairns and Far North Queensland that Labor wanted to limit the future options of the port of Cairns. The proposed development to be allowed under the EIS was intended to increase the port's capacity to accommodate cruise ships, expand cargo-handling opportunities and enhance its strategic role as a base for naval assets.

More recently we have seen the Palaszczuk government look to again interfere in what should be an independent and transparent process through its proposal to recalibrate the scope of the EIS. Unfortunately, we are yet to see much detail about what is meant by Labor in terms of this recalibration.

This was the first—but unfortunately, not the last—example of the Palaszczuk government's ever-changing position on the port of Cairns. Nevertheless, it was rather ironic that Labor tried to use the EIS—a document and process that it had mocked and decried in April—to manufacture a solution to their problem in August this year. Unfortunately once again, this government's interference with the EIS process before it was complete and its proposal to recalibrate the scope of works means that we may never know what all the future options for the port of Cairns are in terms of tourism, defence purposes and cargo and freight or what role it might have played in the current push by the Commonwealth government to develop Northern Queensland and Northern Australia.

The LNP acknowledges that there is a difficulty in balancing the current and future growth needs and expectations with respect to the port network on Queensland's east coast with the objectives and targets agreed to by the Commonwealth and Queensland governments with UNESCO in relation to the World Heritage Listing of the Great Barrier Reef World Heritage area. A very significant amount of work was done, primarily by former ministers—now the member for Glass House and the member for Callide—as well as others to ensure that the Great Barrier Reef World Heritage area was not listed as being in danger. It is generally accepted that such an outcome would be detrimental to Queensland's tourism industry and our international reputation. Nevertheless, on the other side of the equation the value of Queensland's east coast port network in terms of economic development, trade, tourism and defence purposes is very important to the local community in Cairns and the Far North Queensland region. This was made very clear during the Infrastructure, Planning and Natural Resources Committee's inquiry into the Sustainable Ports Development Bill 2015.

The Infrastructure, Planning and Natural Resources Committee of the Queensland parliament has tabled its report on the bill. Very interestingly, it contains a recommendation that the port of Cairns be considered by the minister for listing as a priority port. From the committee report it is very clear that the members of that committee—government, opposition and crossbench members of that committee—must have been profoundly influenced by the weight of arguments put forward by witnesses who appeared before that committee who argued that the port of Cairns needed to have opportunities for it to expand into the future, notwithstanding the EIS process that is currently underway.

Last week, in recognition, I would put to you, Mr Deputy Speaker, of the ongoing political pressure in Cairns and Far North Queensland, the Palaszczuk government announced what they described as compromise amendments on the future of the port of Cairns. These announcements come despite several ministers vowing and declaring that they would not compromise on the substance of the Reef 2050 Plan in terms of allowing capital works in non-priority ports in the future.

The Palaszczuk government has foreshadowed that it will move amendments during the consideration in detail of this bill to allow for limited and incremental capital works at the port of Cairns, over and above any capital works yet to be approved under the current EIS process, of a maximum of 50,000 cubic metres for a single project and a cumulative total of up to 150,000 cubic metres in any four-year period. Labor has also announced that it will review these volumes and cumulative volumes for the port of Cairns after four years. The reality is that these volumes are relatively small and will only allow for a limited and incremental increase in the capacity of the port of Cairns in the future, other than works that may be approved under the current EIS process.

I note that, although these so-called compromise amendments are not the preferred outcome, the announcement has been welcomed as a compromise by Advance Cairns and the Cairns Chamber of Commerce. At the same time, the announcement of the compromise amendments has been criticised by the mayor of Cairns as inadequate and effectively placing an economic cap on the development potential of the port of Cairns. The community based group Cairns Port Development Inc. has described the so-called compromise amendments as pathetic and condemning the port of Cairns to a future as a 'boutique port'.

While the announcement by the Palaszczuk government has been spun as a bit of a compromise as a result of consultation with local stakeholders, it is nevertheless a departure from the previously ironclad commitment by Labor not to allow any capital works at non-priority ports adjacent to the Great Barrier Reef World Heritage area, and this departure is very significant in terms of Labor's policy. It has effectively been drilled into everyone that any departure from the principles of the Reef 2050 Plan will imperil the decision by UNESCO to remove the Great Barrier Reef from the in-danger list. We have been told that there can be only four priority ports, as per the provisions of this bill, and that is it. The rest are to be designated as non-priority ports, and no capital works can occur in these ports going forward. That proposition went flying out the door last week with the announcement of these compromise amendments for the port of Cairns only. Now we will have three categories of ports on Queensland's east coast adjacent to the Great Barrier Reef World Heritage area. We will have priority

ports—and there will be four of those; we will have non-priority ports; and then we will have the port of Cairns, which is not a priority port but will be allowed to make application for capital works, albeit small and incremental capital works.

Yes, the local community in Cairns and Far North Queensland spoke very strongly in favour of a sensible and pragmatic accommodation of the future needs of the port of Cairns. And yes, the Palaszczuk government, in announcing these compromise amendments last week, have sought to claim that they have gone some way towards addressing these concerns. However, that does not explain how these amendments and the unique position of the port of Cairns are reconciled with the commitment of the Commonwealth and Queensland governments to UNESCO under the Reef 2050 Plan that there will be no capital works undertaken at any port adjacent to the Great Barrier Reef World Heritage area other than those four priority ports nominated in this particular bill before the House.

This was reiterated in the ministerial media statement issued by the Palaszczuk government last week, when its members were in Cairns. A very interesting definition was put forward by the Premier of Queensland in the ministerial statement. We saw a redefining of that commitment in terms of priority ports in Queensland and what it meant in terms of the agreement with UNESCO. The Premier said in her ministerial statement—

We will stand by our commitment under Reef 2050 Long Term Sustainability Plan to declare only the major industrial ports of Gladstone, Abbot Point, Townsville and Hay Point/Mackay as priority ports.

It is the four priority ports that are the cornerstone of the commitment to UNESCO in terms of managing the future health of the Great Barrier Reef. That is a very important point for all members to keep in mind. But that position is a clear inconsistency. The question then obviously follows: if the small, incremental capital expansion at the port of Cairns is acceptable under the Reef 2050 Plan, why is small, incremental capital expansion not acceptable at other non-priority ports on the east coast of Queensland adjacent to the Great Barrier Reef World Heritage area? That obvious question needs to be answered by this minister.

In that same ministerial press release, issued on 4 November, Minister Bailey, the ports minister, said when referring to those compromise amendments put forward by the Palaszczuk government last week that the dredging plan meant future development at the port could continue and not negatively impact the reef, with port material not to be disposed of at sea. Once again we see a redefinition of what is important—of the cornerstones of the commitment to UNESCO for the management of the health of the Great Barrier Reef. Minister Bailey is saying that the compromise amendments put forward by the Palaszczuk government—50,000 for any one project and a cap of 150,000 over four years—mean that future development could continue and not negatively impact the Great Barrier Reef as long as that port material is not disposed of at sea. That is also a very important point for all members to remember in their consideration of this bill.

In summary, it is not clear from the bill or the advice provided by the minister to this point in time that there is any justification for these compromise amendments, scientifically or otherwise. There is no justification for the volumes nominated by the minister and the government. There is no science behind it, apart from the fact that 50,000 cubic metres or less is consistent with the National Assessment Guidelines for Dredging for small projects. But those National Assessment Guidelines for Dredging for small projects are not relevant or associated with the management of the health of the Great Barrier Reef adjacent to the port network off the east coast of Queensland. They are national guidelines for dredging for small projects at a national level. They are not Queensland specific and they are not specific guidelines associated with managing port networks off the east coast of Queensland.

Certainly there is no equivalent justification, not even any national guidelines, for dredging for small projects to justify the 150,000 cubic metre cumulative cap over four years for the port of Cairns. We do not know where these volumes came from and we do not know how the government knows or can assert that they are appropriate. It does not know if these small caps for capital works at the port of Cairns are going to be adequate or appropriate for that particular port in the future. In any case, stakeholders in Cairns and the community in Far North Queensland are being asked to take on face value that the volumes are going to be adequate to accommodate the necessary capital expansion of the port of Cairns in the future, apart from that which will be apparently permitted by the current EIS process which is underway. So this leads us to the big question: what will be permitted under the current EIS that is underway? We do not know the answer to that question. A draft EIS was released earlier this year and now we know that the proponent, Ports North, is preparing additional information for the Coordinator-General, and this process is due to expire on 31 March 2016. Once again, this House is being asked to take on trust that the scope of works permissible under the EIS will be sufficient to meet the needs of the port of Cairns.

The House will have to forgive me if I am not prepared to extend that level of trust to the minister and the Palaszczuk government. That is why I will now foreshadow that I will move an amendment under standing order 141 which is an amendment to the second reading debate question that will have the effect of deferring this House's consideration of this bill until after the current period provided for the consideration of the EIS for the port of Cairns. I want to make it very clear to all members of this House that supporting this amendment will not result in the bill being defeated or rejected by the parliament. This amendment would only defer consideration of the bill until after the EIS has been finalised and we are better informed about its content and thus the adequacy of this bill and the amendments proposed by the minister and the government. This parliament should not be asked to consider this bill in full until we know the outcome of the EIS that is currently underway for the port of Cairns. The outcome of that EIS and the allowable scope of works permissible as a result of it being finalised has very significant implications for determining the adequacy of the compromised amendments that have been foreshadowed by the minister and the government.

With all of the assurances that we have heard from the minister and the government about how these compromised amendments will provide for the needs of the port of Cairns into the future, they should not be concerned about this proposal to subject that process to a bid of transparency and accountability. It will be more transparent because we will see the results of the EIS before we vote on the bill and it will be more accountable because we will be able to measure the claims of these ministers against the results of the EIS and what scope of works will be possible at the port of Cairns under that instrument. We should do this to keep faith with the more than 6,000 residents of Cairns and Far North Queensland who have expressed their concern about the future of the port of Cairns by signing the petition organised by the community based Cairns Port Development Inc. This petition was tabled by the Clerk on 15 September this year. The petition raised concerns about the role of the port of Cairns in terms of trade and logistics, tourism and defence purposes. I have here the petition that was tabled in this House in September of this year by the Clerk on behalf of 6,000 people from Cairns and Far North Queensland. This petition makes it very clear that those people of Far North Queensland are concerned about the potential for this legislation to have a negative impact on the local economy, business confidence and employment opportunities.

The Minister for State Development and Minister for Natural Resources and Mines responded to the petition on 16 October 2015, stating that the government would not divert from the elements of the bill that form part of the Reef 2050 Plan consistent with the commitment to UNESCO by the Queensland and Australian governments. We know how much the minister meant what he said in that response to the petition, because only two months later the minister announced that he would move compromised amendments in consideration in detail of this bill to move away from those principles of not allowing any capital works at a non-priority port off the east coast of Queensland adjacent to the Great Barrier Reef World Heritage area. Now we will have capital works confined to the four priority ports as per the agreement with UNESCO plus we will have just a little bit on the side in Cairns, and perhaps the minister and the government have all of their collective fingers and toes crossed that UNESCO will not mind.

My question of course to that proposition, as I mentioned earlier, is, if Labor believes that UNESCO will not mind just a little bit on the side for one priority port, why would it mind just a little bit on the side for other non-priority ports in Queensland adjacent to the Great Barrier Reef World Heritage area? So members can see that we have this walking, talking contradiction of a government policy tripping over their own political shoelaces about the arrangements they will make for the port of Cairns under this legislation. The members of this House from Far North Queensland who should have an interest in the port of Cairns—members like the member for Cairns, members like the member for Barron River, members like the member for Cook and the member for Dalrymple—should be more than comfortable in supporting this amendment to the second reading debate which will simply defer consideration of this bill.

I reiterate to all members of the House that this amendment does not propose to change anything in terms of the form or the substance of the bill before the House. It will merely defer its consideration until we have a clear picture of the impact that it will have on the port of Cairns, even with the compromise amendments, until the EIS is finalised. In fact, I put it to you, Mr Deputy Speaker Elmes, that those MPs from Far North Queensland should be very keen indeed to make sure that they have the full picture before they vote, in view of the very strong views expressed by their constituents during the course of the committee's inquiry and the 6,000 signatures submitted through the petition to this parliament. This is not an unreasonable proposal.

This is in fact a sensible and responsible course of action to ensure that members of this House are fully informed and that the decision of this House is made knowing all the material and relevant facts about the issue that we are being asked to vote on. In fact, I put it to you, Mr Deputy Speaker

Elmes, that it would be irresponsible and set a very poor example in terms of public policy to make legislative arrangements for the port of Cairns before we know what the outcome of the current EIS process is. That process is potentially live until 31 March 2016 and we should certainly defer the consideration of this bill until after that date. It is the only prudent and responsible course of action.

Pursuant to standing order 141, I move—

That the question be amended by omitting all words after 'be' and inserting the following words—

'read a second time after 1 April 2016, by which time the current environmental impact assessment of the port of Cairns is scheduled to be completed.'

 **Mr NICHOLLS** (Clayfield—LNP) (4.49 pm): I rise to speak in support of the amendment moved by the member for Hinchinbrook. In doing so, I am very cognisant of the importance of this bill to many people in North Queensland and to many people more broadly who are concerned about the welfare and protection of the Great Barrier Reef. Indeed, having spent considerable time on the reef in many and varied recreational activities, enjoying the benefits of the reef, I am one of those people. But I am also very cognisant of the importance of the development of the port of Cairns to the people of Cairns and Far North Queensland. I have been cognisant of that since before 2012, since before the commitment of the then opposition to the cruise ship terminal and the development and further enhancement of the port of Cairns. I have been cognisant of it most recently when I visited Cairns two or three months ago and spoke to concerned residents, concerned business owners and representatives of various interest groups about what impact this bill will have.

It is true that, previously, the ports bill introduced by the member for Callide as Deputy Premier provided that the port of Cairns would not be a priority port. But it is also the case that at that time there was a live EIS process, supported by the government, that was looking at protecting the economic development of the port of Cairns and ensuring that the people of Queensland and Far North Queensland had some economic hope for the future, that their port would not be completely sterilised from future development, that the port would, through that EIS process supported by the then government, be able to be developed in a way that was mindful of the environmental heritage and the environmental prospects of the Great Barrier Reef whilst also, if you like, trying to take advantage of those prospects by making Cairns a more attractive destination for tourists and, in particular, cruise ships.

Cruise ships already visit the port of Cairns. They already travel the channel, but the reality that we have to face is that cruise ships are getting larger, that they require more room, particularly more swing basin room, and that there is a very strong desire among the people in Cairns to see those cruise ships able to enter through the inlet—not to moor off Yorkeys Knob and not to at this stage engage in mooring off a floating platform and transshipping but coming into the harbour.

Earlier this year, that EIS process was in many respects cruelly cut short when the member for Mulgrave, the Treasurer, announced that the EIS did not have the support of the government. He took \$40 million that had been put in the budget to meet the initial costs of developing the port of Cairns and providing funding to Ports North and signalled very strongly to the community up there that the government did not support the EIS process. We know subsequently that there has been local furore about it, that there has been concern about what has been going on in terms of the government's commitment to the development of the port of Cairns. There is now something that we know euphemistically as a recalibrated process, but we do not know the detail of that recalibrated process. We do not know what is intended. We do not know what the government's intention is. It has not been clear, certainly publicly, what is intended to occur there. There is no clarity about how far the EIS will go and there is certainly no clarity about how much support the government will be providing in relation to that EIS, no matter what might come of it.

The amendment that has been moved simply defers the passage of this bill until after the outcome of the EIS is known. I acknowledge that the passage of the bill does not stop the EIS process. That has been the clear case—it was the case under the previous legislation introduced by the previous government—but, under the previous government, there was a clear and certain policy process in place. The people of Cairns understood what was being put forward, the people in the broader community knew what was going forward, the people in business circles knew what was going forward and people were able to plan around it. Currently, that level of certainty is not in place.

At the moment, what we seem to have in place is horsetrading. The member for Hinchinbrook has outlined the internal inconsistencies in the government's position. Having said that there will be no capital dredging in any port that is not a priority port, it now proposes to allow up to 50,000 cubic metres in any single project to a cumulative total of 150,000 cubic metres over four years within the inner harbour area of the port of Cairns.

**Mr Rickuss:** It would be a bit like being half pregnant.

**Mr NICHOLLS:** I take the interjection from the member for Lockyer. There certainly seems to be no science around it. The minister prides himself on working on an evidence based process. I would think that, by allowing an EIS process—which involves science, evidence and consultation to occur in the broadest possible way—we would have a situation where that would be the underlying rationale behind the amendments that are being proposed. Who knows what it might be?

Because I am concerned about this bill, I have spoken to representatives of the WWF. I want to thank them for their presentations and the information that they have provided, because I think we in this House all have an important, shared goal and that is to preserve the majestic beauty of the Great Barrier Reef. But it is equally important for the people of Cairns and Far North Queensland that they have economic hope for the future, that their port is not sterilised and that they can have a clear pathway for the next period of time.

But the scientific evidence has not been provided to say that this decision made by the government to allow a limited amount of dredging is the right amount. Fifty thousand cubic metres and 150,000 cubic metres sounds like a lot, but when we consider what happens in the port already under maintenance dredging it is not a great deal in toto. But it sounds like a lot. Whether it is the right amount and the impact that it will have are unknown. Should it be over five years that the cumulative amount is totalled? Or should it be over three years that the cumulative amount is totalled? We have no evidence about this. We have no science behind it. What we seem to have is some horsetrading going on—what might be acceptable to parts of the environmental movement, which legitimately has a concern in this; what might be acceptable to the business community of Cairns, who have a legitimate interest in it; what might be acceptable to the council, which has a legitimate interest in it; and, obviously, the government's policy prescription.

When considering this issue—and the member for Hinchinbrook has put this forward very clearly—this is not defeating the bill. This is not objecting to the philosophy behind the bill, because indeed it was a philosophy that started with the LNP. It is a philosophy that started back in 2012 when we were elected with the concern to protect the Great Barrier Reef. Members will recall that the port of Abbot Point had an approval in place that was going to see something in the order of 38 million cubic metres of spoil removed and dumped at sea. In 2011, the 'Battlestar Galactica' of coal ports was being created by the Labor government. That was what Labor in 2011 bequeathed the people of Queensland.

**Mr Rickuss:** That's 30 million cubic metres—38.

**Mr NICHOLLS:** Thirty-eight million cubic metres. The other thing that happened is that UNESCO then decided that it was going to take an increased level of interest in the protection of the reef. So the first thing that we had to do was stop that development. Then it became evident, as the member for Hinchinbrook has no doubt highlighted to the House, that more action needed to be taken. So it was the LNP government and the member for Callide, together with the member for Glass House, who put in place a strategy to restrict development to the four priority ports and to limit those works. They then did a year's worth of consultation to come up with legislation and that then led to the introduction, after a further three months of discussions after the strategy, of the ports bill, which was introduced in November 2014 to preserve and protect the environmental values and heritage of the Great Barrier Reef whilst still allowing a review in 2022 of the port of Cairns.

The reasons for deferring the passage of the bill until after the EIS on 31 March, some 4½ months away, are simply to give the people and the business community of Cairns greater certainty about the outcome. They will know what the EIS is, they will have an appreciation of what the government's position is, it will give the government time to come to a settled and reasoned conclusion, they will know where the money is coming from for whatever might be decided—all or nothing; we do not know what the outcome of the EIS will be—and it will be backed up by scientific and technical evidence, something that we do not know about the current decision in relation to the dredging limits. There is no evidence behind the proposals that have been put forward—at least none that has been made publicly available.

I acknowledge that the minister is in a difficult position. He is in a bit of a cleft stick at the moment. He has to consider the legitimate interests of people who want economic advancement and the legitimate interests of those who want to preserve the reef. This deferral simply allows for the better consideration and better reconciliation of those legitimate interests with science based evidence on board and with a clear policy prescription from the government. It is their right to put that policy in place, whatever it might be, in relation to the EIS around the port of Cairns. But all we have at the moment in relation to the port of Cairns is a government that did not support the previous proposals, that took \$40 million away and that does not yet know what the recalibrated ports strategy is for the port of Cairns

but is, without science or evidence, proposing an arbitrary limit of 50,000 cubic metres per incident to a cumulative total of 150,000 cubic metres over four years. I would simply say that waiting for the conclusion of the EIS process on 31 March is a prudent, sensible and cautious way to go to reconcile those different interests.

It may be that Ports North will seek an extension of time to the Coordinator-General's determination of the EIS. That is something that the Coordinator-General, as an independent statutory office holder, will have to make an assessment about in all the circumstances, including, no doubt, government policy and the debate in this House and the evidence that is presented to him about the activities that have been going on. It is not unreasonable. The process can continue on. Ports North has the capacity to do it. They have done the preliminary work on it. They can recalibrate. They just need some guidance from the government about what it is they want to do.

This is a simple and prudent process, an amendment that should be supported, to give the people of Cairns and Far North Queensland some economic hope, to provide some clear guidance as to what the future of the port of Cairns is, to provide some clear guidance about the funding that will be made available to it and that will, in any event, protect the Great Barrier Reef which is something that I think we all value and prize highly and certainly led to the consultation and the introduction of these bills in the first place by the former government.

 **Hon. AJ LYNHAM** (Stafford—ALP) (Minister for State Development and Minister for Natural Resources and Mines) (5.03 pm): I rise to oppose the deferral motion moved by the member for Hinchinbrook. To defer this bill until after the Cairns Shipping Development Project environmental impact statement process is completed is, quite simply, reckless and opportunistic. I will not speak at length about the content of the bill but instead will be addressing my speech to the deferral motion moved by the member, but I will say that the bill does achieve what those opposite could not achieve and that is a balance. I refer to the member for Hinchinbrook and also the member for Clayfield talking about the disparity between protecting the Great Barrier Reef and the development of Cairns port. It was like it could not be done. How would the minister achieve this? Well, we have done it. **Advance Cairns, the Cairns Chamber of Commerce and the World Wildlife Fund support the balance we have achieved in allowing the port of Cairns to grow, as Cairns will naturally grow into the future, while also protecting the valuable asset of the Great Barrier Reef.** Do not forget that the Great Barrier Reef brings over \$6 billion per year to the Queensland economy. Cairns is the gateway to the reef. Jeopardising the reef in Cairns jeopardises the future of Cairns. In this way Cairns grows, the port grows and more and more people will get to enjoy the pristine wonder of the Great Barrier Reef.

The deferral motion moved by the member for Hinchinbrook is reckless because it puts at risk the agreement that the Queensland government made in Bonn to the United Nations Educational, Scientific and Cultural Organization's World Heritage Committee in June 2015. More than that, it puts in jeopardy the Australian government's commitment to this as well. Do not forget the joint Queensland and Australian government commitment to UNESCO to protect the Great Barrier Reef. We committed to pass this bill before the end of 2015. I stand here to oppose this deferral motion because we promised the world that we would act before December 2015 and here I am acting to protect the Great Barrier Reef.

The contents of and policy behind the bill were integral to the committee's unanimous decision not to place the Great Barrier Reef on its World Heritage in-danger list. In regard to the previous government's legislation as referenced by the member for Hinchinbrook, which I will address later in speaking to the bill itself, who knows where we would have been today? Would the Great Barrier Reef be on the in-danger list as we stand here today? Passing the bill with all ports in the Great Barrier Reef World Heritage area is essential to meeting our commitment to UNESCO and sends a strong message to the community of Queensland, Australia and the world that ports development can be managed in the Great Barrier Reef.

Secondly, the member for Hinchinbrook's deferral is opportunistic because the opposition know that the Cairns Shipping Development Project is outside the purview of this bill and therefore it is not appropriate to delay these important protections for the reef and the certainty that this bill brings to our ports and the industries that rely on our ports by playing politics. It will bring certainty not only to industries in our four priority ports but also to industries up and down the coast of Queensland.

The opposition are seeking to override the independence of the Coordinator-General by forcing his hand through amendments to this bill. It was interesting to hear the member for Clayfield talk about the independence of the Coordinator-General and yet here they are overriding the Coordinator-General and disrespecting the independence of the Coordinator-General. It is a clear attack on the

independence of the Coordinator-General. Labor values the independence of the Coordinator-General. We respect the Coordinator-General's decision. The Coordinator-General must consider government policy in his consideration of the EIS. An EIS is an EIS. It is a due and transparent process. To place a date—1 April 2016—on an EIS without any consideration that Ports North may want an extension on this EIS is beyond reproach. Those opposite are putting conditions on the independence of the Coordinator-General. They have not learnt from the past. They have not learnt about consultation, balance and the independence of the Coordinator-General.

We recognise that the port of Cairns is critical economic infrastructure to the city and the region, its people and its businesses. That is why we have made it clear that this government supports the Cairns Shipping Development Project and we have allowed it to continue under the transitional arrangements under this bill.

Further, the government has recognised that the port of Cairns requires the ability to develop in a way that does not impact negatively on the Great Barrier Reef, hence the amendments to this bill, which we need to have passed as soon as practicable to provide certainty to the people of Cairns as well. It is also important that we pass this bill to enable the four priority ports to commence their master planning process. It is important that those ports go through a defined master planning process with due public consultation as outlined under the bill. The bill is enabling legislation that coordinates decision-making to ensure state interests are consistent in a master planned area. No approvals are given under this bill.

Work is already underway on the program of port master planning, commencing at the Gladstone port, and it requires this bill being passed as soon as practicable. This is to ensure that those processes may continue in order to optimise the use of existing infrastructure and address operational, economic, environmental and community relationships, as well as supply chains and surrounding land uses at the critical priority port, as well as that of other priority ports: Townsville, Hay Point-Mackay and Abbot Point. In 2013-14, those four priority ports, which need the master planning project to progress, represented to this state trade worth \$32 billion and 77 per cent of the total throughput of all Queensland ports. That is why those four ports were nominated as priority ports. Accordingly, I argue strongly that this bill should proceed today and not be deferred to a later date yet to be determined. I do not support this deferral motion. I look forward to addressing this bill for a second time and my colleagues look forward to speaking to this bill after this deferral motion is defeated.

 **Hon. SJ MILES** (Mount Coot-tha—ALP) (Minister for Environment and Heritage Protection and Minister for National Parks and the Great Barrier Reef) (5.11 pm): I rise to also oppose the motion of the member for Hinchinbrook, which seeks to defer consideration of this very important bill. I rise to oppose it because we on this side of the House and I as minister for the Great Barrier Reef will do what needs to be done to protect the reef. We will stand in support of the 69,000 Queenslanders who rely on the reef for their livelihoods. We will stand and defend the very substantial economic contribution that the reef makes to our state.

As it stands, this bill is a very sensible outcome and I commend the minister for his efforts. It is a sensible outcome that should be dealt with today. I commend the Cairns business community and the conservation organisations that have worked with the minister to get this bill to a state where we can consider it tonight. This bill demonstrates our commitment to UNESCO to protect the Great Barrier Reef and it demonstrates to the people of Queensland that we on this side of the House will implement our commitments. We will do what we said we would do at the election, and that is introduce a sustainable ports bill. The bill should be passed today, because it has been through the appropriate process: it has been to the committee, the public has been consulted, the initiatives in the bill were in the long-term sustainability plan and, as the minister said, we committed to passing the bill by the end of 2015.

The member for Hinchinbrook and the member for Clayfield have given no good reason why Queensland should say to the international community that our word is worthless. They have given no good reason why we should not implement our commitments. I stood at the World Heritage Committee meeting with the Deputy Premier and the Commonwealth environment minister, Minister Hunt. I stood there when we repeated those commitments to the member countries. They took us at our word and they agreed not to list the Great Barrier Reef as in danger. I will never forget when the Deputy Premier said that Queenslanders love the reef; they love the reef so much they elected a government to protect it. And there was applause—the first applause of the World Heritage Committee meeting.

Let us not forget that just a few months ago we learnt the extent that those opposite went to in an attempt to hoodwink the Queensland community into believing that they actually cared about the reef. We learnt about their \$2.5 million Reef Facts campaign and the hundreds of thousands of dollars they spent on polling and research. We now know that that polling told them that the people of

Queensland did not trust them when it came to the reef. The people of Queensland are pretty smart; they should not have trusted them and they were right not to trust them. They were right not to trust them because, on the one hand, the member for Hinchinbrook and the member for Clayfield walk in here and say, 'This was our bill.' Let us not forget that the member for Callide interjected when the minister introduced this bill to say that it was his. So on the one hand this is their bill, but on the other hand they oppose it. On the one hand they introduced it last year, but on the other hand they do not want to debate it until next year. On the one hand you have the Leader of the Opposition tweeting that the UNESCO decision was recognition of all of his good work, but on the other hand they do not want to do what the long-term sustainability plan—the plan that they claim was theirs—committed them and us to doing. It was right of the people of Queensland to not trust the LNP. Their research and polling on that point was good.

I nearly fell off my chair a little while ago when the member for Clayfield stood and talked about evidence based policy. That is a notion that was foreign to them for three years, but now they are all interested in evidence based policy. The member for Hinchinbrook wanted to see the science, which is something that he was never interested in as the minister for natural resources. Here is the evidence: dredge spoil, especially capital dredge spoil, can travel great distances. Dredge spoil clouds the water, blocking light that is important to creatures that need light to survive. In addition, the sediment itself settles on coral and seagrass, literally suffocating them. The turbidity caused by the dumping of capital dredge spoil directly affects tourism operators. One only needs to talk to a dive operator and hear what turbidity means for their business to know how important it is that we debate and pass this bill. The dredging itself re-enlivens sediments and nutrients that had otherwise settled, doubling their impact. Once that sediment settles, storms can whip it up again, increasing all of those impacts.

The people of Queensland were right not to trust the LNP on the reef. Their behaviour today only serves to reinforce why the people were right not to trust them. As the Minister for the Great Barrier Reef and as a member of a government elected on a platform to protect the reef, I am opposing this amendment. When we are successful, we will support the passing of this bill today.

**Mr DEPUTY SPEAKER** (Mr Furner): Order! Before I put the motion, I welcome to the chamber today the young leaders from the Ahmadiyya Muslim community in Stockleigh, in the electorate of Logan.

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, Krause, Langbroek, Last, Leahy, Mander, McArdle, McEachan, McVeigh, Millar, Minnikin, Molhoek, Nicholls, Perrett, Powell, Rickuss, Robinson, Rowan, Seeney, Simpson, Smith, Sorensen, Springborg, Stevens, Stuckey, Walker, Weir.

**KAP, 2**—Katter, Knuth.

**NOES, 43:**

**ALP, 42**—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, Power, Pyne, Russo, Ryan, Saunders, Stewart, Trad, Whiting, Williams.

**INDEPENDENT, 1**—Gordon.

Pairs: Pitt, Watts.

The numbers being equal, Mr Speaker cast his vote with the noes.

Resolved in the negative.



**Mr PEARCE** (Mirani—ALP) (5.24 pm): I am pleased to rise in this place today as chair of the Infrastructure, Planning and Natural Resources Committee to make a contribution to the Sustainable Ports Development Bill 2015, which was referred to the committee by the parliament on 3 June. The policy objective of the bill is to effect the government's commitments made in the *Reef 2050 long-term sustainability plan*. The intent of the bill is to protect greenfield areas by restricting new port developments in areas adjoining the Great Barrier Reef World Heritage area to within current port limits and by restricting capital dredging for the development of new ports or the expansion of existing port facilities to within the regulated port limits of Gladstone, Hay Point in the Mirani electorate, Abbot Point and Townsville.

This bill will prohibit the disposal of material into the Great Barrier Reef World Heritage area. The bill allows for the mandating for the beneficial re-use of port related capital dredge materials such as land for reclamation or for disposal on land where it is environmentally safe to do so. There is also a

requirement for master plans at the long-established major bulk commodity ports of Gladstone, Hay Point-Mackay, Abbot Point and Townsville. It is clear that the bill is about optimising the use of existing port infrastructure and addressing operational, economic, environmental and social relationships as well as the supply chains and surrounding land uses.

After receiving extensive feedback from the community and industry groups through submissions, including from the Australian Marine Conservation Society, the Environmental Defenders Office of Queensland, Ports Australia, the Queensland Ports Association, the Queensland Resources Council and the World Wildlife Fund, the committee submitted 13 recommendations to the minister for consideration. Recommendation No. 12 has probably caused some heartache for the minister and departmental officers. After hearing evidence in Cairns from a number of submitters it was clear to the committee that there was a high level of support for the port of Cairns to be designated as a priority port. There was also a suggestion that the port of Mourilyan be given the same consideration.

There was concern that a ban on capital dredging for those ports would prevent future growth to accommodate the government's strategy of developing the north of Australia. While there was no way I or other committee members would support development that would require the dumping of dredge material in close proximity to the reef, we were strong in our belief that it would also be morally unacceptable for recommendation 12 to stand as written without some reservations as to the future development of Cairns. There was a realisation that, given the attraction of Cairns to tourists and the number of cruise ships visiting the area, it would be improper to absolutely remove any opportunity for the port of Cairns to continue catering for cruise ship facilities.

I am certain that the minister, in his summing-up, will explain to the House what the Palaszczuk government has done to continue to support the cruise ship industry in Cairns, which, as we all know, is about job security and the future development of the area. As a government we must, where possible, continue to listen to people, to hear what they are saying and to be prepared to make adjustments in the interests of the people.

That is what the committee did. We went there with an open mind. The committee maintains its independence and does what it was set up to do, and that is to get out and talk to the community and talk to stakeholders and make decisions based on what we think is fair and reasonable. I personally believe that we had to do a bit more to help Cairns rather than completely shut the gate on any development opportunities.

We have heard some interesting debate in the last half an hour or so. What came through to me immediately I heard the amendment was that there is something wrong here. Somebody has forgotten just how close Cairns is to the reef itself. I have a bit of an understanding of what happens when we put dredge spoil into the ocean or into river systems. The sediment drifts. Given that Cairns is only about 20 kilometres away from the reef, I believe, I can understand why people are concerned that sediment might drift out to those areas where important marine life lives and flourishes.

I believe without any doubt that the committee has done the right thing in raising those issues and being prepared to say that we do not want to shut the gate on the people of Cairns. We just want to leave it open a little bit so if there are opportunities to do things that are within the guidelines to enhance the growth of the city and ensure that people have jobs—which is what Labor is about—then those opportunities can be taken by using land based dumping, which is the big step forward. I think we have made the right decision.

In terms of the independence of the committee, it is very important that we make those decisions based on the feedback that we get from the community. I go back to the point again: I believe we have done the right thing. I did not want to leave that place with the knowledge that I was going to sit with the committee and make a decision that would completely—and I go back to this point—shut the gate on Cairns for its future development. I feel quite comfortable with the position that the committee took. The minister responded by taking on board what the committee has said and has given some recognition to that and will make some amendments to the legislation as it goes through this place today. I congratulate the minister for understanding where the committee was coming from but, most importantly, for understanding the people of Cairns and their concerns about their future development.

As I said, there is no doubt that the port of Cairns makes an important contribution to the economy of Far North Queensland. It supports a variety of industries including defence, fishing and tourism. It is also a gateway for bulk and general cargo including petroleum, sugar and fertiliser. It would be just outrageous if we were to shut the gate on that community to the extent that they are not allowed to make decisions about future development.

Amendments to the bill to allow limited capital dredging within the inner harbour of the port of Cairns will give this region the flexibility to respond to commercially viable development opportunities in the future. What is wrong with that? That is what we should be about. That is a good thing for Cairns and a creditable thing for the minister to do in making a common-sense decision.

The port of Cairns will be subject to the prohibition of the sea based disposal, and complying project applications would be subject to assessment under relevant legislation and, if approved, subject to appropriate conditions. There will be constraints around dredging at the port, including volumetric limits, confirming the general agreement that the port of Cairns will not become a major bulk port—and that is just not going to happen. Some tough conditions will be put in place, but the important outcome here is that the port of Cairns is not completely locked out, as I have said on several occasions.

Under the bill, the port of Rockhampton—which includes Port Alma in the Fitzroy River delta in the Mirani electorate—and Keppel Bay in the Keppel electorate have been excluded from the proposed master planned boundary for the port of Gladstone which was released for public consultation in June 2015 and amended following consultation in October. This approach ensures that any increase in port capacity is confined within the existing port of Gladstone.

This bill is about the protection of the Great Barrier Reef, and we should never forget that. The Great Barrier Reef World Heritage area is one of the most important—not landmarks, as it is not a landmark, is it? It is an icon.

**Miss Boyd:** A natural wonder.

**Mr PEARCE:** It is a natural wonder of the world. It is one of the great wonders of the world and we must as a nation, as a country, as a people, do everything we can to protect it not just for ourselves but for future generations. It is a beautiful place. I have been there on a couple of occasions. I even felt like diving.

**Miss Boyd:** Did you go?

**Mr PEARCE:** No. I do not like the water that much. Somebody said to me that I would not need a snorkel. I was deeply offended by that and decided that I would not go swimming.

In summary, the bill proposes the following: master plans and port overlays for the four priority ports; restricting capital dredging for the development of new ports or expansions of existing port facilities to within the regulated port limits of the priority ports—that is common sense; prohibiting sea based disposal of port related capital dredged material; and mandating the beneficial re-use of port related dredged material, such as land based reclamation or disposal on land where it is environmentally safe to do so.

In closing, I want to make reference to an issue of importance to the people—that being the proposal for a future transshipping project out of Hay Point. Transshipping refers to the transfer of a commodity from one vessel to another while at sea. Coal or other bulk commodities are loaded onto a barge and then moved out to sea where the commodity is transferred to a much larger vessel or ship before it is transported to the country that has purchased the material.

It is an issue for the people living at Hay Point. I took a stand before the election that I would support that community in not agreeing to transshipping in the area. I am very thankful that it is not going to be accepted as part of this legislation with regard to protecting the reef. I understand that there may be some reference made to it in other legislation which is yet to come before the House. But I want to make it very clear that I will be supporting the argument of the people of Hay Point that there be no transshipping arrangements put in place for that area. The government has been made aware of how everybody feels about transshipping. I know there is a long way to go and there is a lot of work to be done. I have made my position clear.

I thank everybody for their involvement—from the committee to the support staff we have. We cannot talk about them all the time; we know how good they are. But I think it is great that we have such wonderful people working for us. We have a very good committee that gets along really well. We do not always agree but we can talk through it, and this is what the government have done in the case of Cairns. They have gone to the community, talked and been prepared to make some adjustments which suits, to some extent, the thinking of the people of Cairns.

 **Mr BUTCHER** (Gladstone—ALP) (5.38 pm): I rise to speak in support of the Sustainable Ports Development Bill 2015. I would also like to take the opportunity to thank my fellow committee members on their efforts in reporting on this bill, and I thank our secretariat and Hansard who travelled with us on our journey particularly to Cairns to have a look at what was happening up there. It was time away from their families to come and support our committee.

**Mr Rickuss:** It would have been a tough trip.

**Mr BUTCHER:** It was a tough trip; it sure was. I take that interjection. We were only there for a couple hours but it was great to go to Cairns and see what a wonderful part of the world it is and why they need to protect it.

**A government member:** There's a good local member in Cairns.

**Mr BUTCHER:** I take that interjection: there is a good local member in Cairns. The recommendations of our committee were very fair and were a good representation of the many public hearings and concerns that were raised with us in regard to this bill. I thank the minister for taking on the responsibility of implementing most of the recommendations that we have made. As the previous speaker, the member for Mirani, said, I believe it is a fair balance between the recommendations that we made and what is actually being delivered. It is good to see that the port of Cairns can be worked on and still progress with the way that they run business in Cairns.

I would like to concentrate on a particular part of the bill, and that is master planning. This bill will implement the government's commitment made in the Reef 2050 Long-Term Sustainability Plan to require master plans at the long-established major bulk commodity ports of Gladstone, Hay Point, Mackay, Abbot Point and Townsville to optimise the use of existing port infrastructure and address operational, economic, environmental and social relationships as well as supply chains and surrounding land uses. Port master planning will be guided by the National Ports Strategy 2012 and the 2013 independent review of the port of Gladstone, which is in my electorate. This review, undertaken on behalf of the Australian government, recommended the development of comprehensive port master plans incorporating environmental considerations and aligning with planning for port areas beyond the port boundaries.

Port master planning will consider boat marine and land based impacts including port and supply chain capacity and connectivity, and environmental and community values. The regulation of port planning in Queensland has historically been limited to land use planning for land owned, or regulated by, a ports corporation. Planning for the priority ports will extend beyond traditional port boundaries, with master planned areas to include local government areas regulated by a local government authority, state development areas regulated by the Coordinator-General, and priority development areas regulated by the Minister for Economic Development Queensland.

These regulatory authorities will be the key participants in an open and transparent government led master-planning process including the preparation of port overlays. Adopting a coordinated approach to port planning will increase transparency and rigour in planning for priority ports, of which Gladstone is one; integrate planning instruments across a master planned area; maintain the autonomy of existing regulatory authorities while ensuring the state retains control of key aspects of port planning to safeguard state interests; and provide potential benefits to proponents including greater planning certainty.

Extending the boundary of a master planned area will require the impacts of port development to be considered in all planning decisions in a master planned area and provide more strategic consideration of the best use of a priority port. This will bring all the existing planning jurisdictions in a master planned area together to ensure there are no inadvertent land use conflicts and that future development decisions reflect a coordinated approach to land use planning. Through master planning we will better manage areas needed for the effective operations and development of the port including, road, rail, electricity and gas pipeline corridors now and for the long term while protecting community and environmentally sensitive areas.

The bill, as a facilitating piece of legislation, will rely on existing planning jurisdictions and processes under current legislation. While planning instruments must, in time, reflect the requirements of a port overlay, it is essential to note that regulatory authorities will retain their autonomous decision-making power and will continue to be responsible for the preparation and approval of their existing planning instruments including port authorities for land use plans; local government authorities for planning schemes in a local government area; the Coordinator-General for development schemes in a state development area; and the minister for economic development for development schemes in a priority development area.

Master planning will set a clear pathway for growth in and around Queensland's priority ports to deliver sustainable regional development and protect our reef. In my electorate of Gladstone, we are uniquely placed to attract large-scale projects and investments in the state of Queensland with 30,000 hectares of serviced and unencumbered State Development land. Port master planning will help better manage the impacts of port operations and port development on adjacent land and marine areas.

With this bill, Gladstone will be designated one of the four priority ports in Queensland, and for that I am glad. The Gladstone port will benefit from a master plan which will optimise infrastructure and address operational, economic, environmental and social relationships as well as supply chains and surrounding land uses. This is particularly relevant in my electorate given the size of State Development land that sits with direct access to this wonderful port facility.

The port of Gladstone handles over 30 different products which are exported to 30 different countries. The 2014-15 financial year saw a record throughput of over 100 million tonnes across the three ports of Bundaberg, Gladstone and Rockhampton, a two per cent increase from the previous year and a record-breaking achievement in our port's 101-year history. I am proud to say that I stand here as the member for Gladstone who helped save that port from being sold. A total of 99.3 million tonnes is transported through the Gladstone port alone.

The past year has also seen the completion of a \$30 million tug base in the port of Gladstone and the first shipments of liquefied natural gas, as I spoke about earlier today. Despite the downturn in the coal market, the Gladstone port—

**An opposition member** interjected.

**Mr BUTCHER:** I will take that interjection. It is not sold, yet you keep saying that it is being leased. I find that ridiculous. It was to be sold. The Gladstone port maintained record level exports thanks, in part, to QCLNG commencing exports of LNG in December 2014 following the completion of its first train facility. LNG exports totalled 1.6 million tonnes in 2014-15. The LNG trade is forecast to grow significantly in the 2015-16 financial year, with all LNG proponents—QCLNG, GLNG and APLNG—either commencing operation and/or bringing their second trains into production.

The Gladstone Ports Corporation forecast tonnage for LNG exports for 2015-16 is approximately 12 million tonnes. The community benefit delivered by the Gladstone Ports Corporation cannot be undersold. This has been, and remains, a port corporation with a vision for the community—one I am pleased to say will now be captured in this new master plan. This past year has seen the opening of the East Shores stage 1A community development and the announcement that cruise ships will dock in the port of Gladstone from March 2016. In May this year, the Gladstone Ports Corporation marina was awarded the prestigious title of Best Public Boat Harbour in Australia in the Marina Industries Association's Marina of the Year Awards. This government is committed to the sustainability of the Gladstone port, investing \$62 million in the RG Tanna Coal Terminal. Not only did this government stop this profitable government owned corporation's assets from being sold; we are now investing in infrastructure and upgrades which will generate jobs and prosperity in our region and our state now and into the future.

As I said, this government is committed to the sustainability of not just the Gladstone port but all major bulk commodity ports in Queensland. Committing to master plans that incorporate environmental considerations and align with planning for port areas beyond the port boundaries will see effective and efficient investment in the future of these assets. I commend the bill to the House.

 **Mr CRAWFORD** (Barron River—ALP) (5.49 pm): I rise tonight to speak in support of the Sustainable Ports Development Bill 2015. The port of Cairns makes an important contribution to the economy of Far North Queensland, supporting a variety of industries including defence, tourism and fishing, and it is an important gateway for bulk and general cargo, including petroleum, sugar and fertiliser. Some sectors of the Far North Queensland region have called for Cairns to be designated a priority port. The government has considered this and correctly decided that we will not divert from the elements of the bill which form part of our Reef 2050 Plan.

Amendments to the bill to allow capital dredging within the inner harbour of the port of Cairns will give it flexibility to respond to commercially viable development opportunities in the future as they arise, without posing a risk to the Great Barrier Reef. The government consulted with stakeholders on the proposal to amend the bill, which has the general support of stakeholders including Ports North and environmental groups. I have spoken with a number of those environmental groups, Ports North as well as the business community in Cairns a number of times over recent months. These amendments will mean that the Cairns military marine industry can compete for contracts like the multimillion dollar Pacific Patrol Boat Replacement Project currently up for tender by the Department of Defence. The port of Cairns will be subject to the prohibition on sea based disposal, and each complying project application would be subject to assessment under relevant legislation and, if approved, subject to the appropriate conditions.

Constraints placed around dredging at the port, including volumetric limits, confirm the general agreement that the port of Cairns will not become a major bulk port. It is vital that the port of Cairns be recognised for the significance that it has. Visit there and you will see a unique and diverse port, with a

heavy emphasis placed on tourism related reef boats and ferries, but behind the reef fleet terminal and the cafes and boardwalks are a myriad of small, medium and large port businesses which operate without fanfare and often out of sight of the general public. These businesses include HMAS *Cairns*, a thriving Navy base, a thriving commercial fishing precinct and, importantly, a very busy commercial precinct whereby small to medium ships are constructed, maintained and overhauled. To be absolutely clear, the government is supportive of the Cairns Shipping Development Project and therefore has allowed it to continue under the transitional arrangements under the bill.

The key to the port of Cairns is achieving the balance of meeting our needs towards the Great Barrier Reef on the one hand—our lifeline of tourism injection in Cairns—and the need to maintain a port that services Far North Queensland, Papua New Guinea and the Pacific Islands, with the barge services, the defence and the maintenance weighed up on the other hand. The government's proposal to review these provisions after four years demonstrates this government's commitment to ensuring those provisions are achieving a balance between economic development and the protection of the Great Barrier Reef World Heritage area.

These amendments will not impact on the ability of the port of Cairns to proceed with its environmental impact statement for the proposed Cairns Shipping Development Project. However, consistent with the government's commitment to ban the sea based disposal of port related capital dredge spoil in the Great Barrier Reef World Heritage area, dredged material from the project must be disposed of on land or beneficially reused. This is a discussion that we need to have but not today, not as part of this bill. The Cairns Shipping Development Project needs to be analysed separate to the Sustainable Ports Development Bill. It is an important discussion, a sensitive and divided conversation that Cairns will need to have.

I want to thank the minister and his staff for the work that has gone on behind the scenes over many months. There has been extensive consultation in Cairns throughout the business community as well as the environmental protection community. The amendments meet the needs for Cairns and provide for a vibrant and successful future at an important port in Far North Queensland. I commend the bill.

**Mr DEPUTY SPEAKER** (Mr Furner): I call the member for Burleigh and remind you that at six o'clock we will be moving to the next order of business.

 **Mr HART** (Burleigh—LNP) (5.53 pm): I had written quite a comprehensive speech to give tonight on the Sustainable Ports Development Bill, but I have decided to ditch that and I am just going to talk about some of the issues that were raised in the committee's report and some of the things I have heard here tonight from the government because we have heard some interesting things. I thought the member for Hinchinbrook moved a great motion to help Cairns along, and that was one of the major issues we did hear on our trip around when we were looking at the ports in Queensland that are affected by this particular bill. I will come back to that after dinner, Mr Deputy Speaker.

It is important for members here to recognise that an original version of this bill was introduced by the LNP in late 2014. The bill that is before the House tonight is not much different to what the LNP proposed in 2014. There are only a couple of differences—one is that there is no review period in 2022, and the other is that there is to be no sea dredge disposal, which is something that we were looking at anyway. In hindsight, I guess you could say that the bills are not that different really. I was quite surprised when I heard the minister start his speech in this second reading debate by saying that he had read through the recommendations of the committee—and there are 13 of those—and he was accepting every recommendation, because one of those recommendations states—

The committee unanimously recommends the Minister considers declaring the Port of Cairns as a priority port following a considered assessment of:

- the environmental impacts on the Great Barrier Reef
- the economic benefits to the Cairns region, and
- the government's commitments made to UNESCO and under the Reef 2050 Long-Term Sustainability Plan.

I thought for a second we were going to see Cairns as a priority port, and that would have been as all members of the committee had agreed and recommended very strongly. We got to that decision after listening to various members of the Cairns community on our visit there. But the Labor members on the committee actually put in a statement of reservation about our own report. They said—

Government Members of the Committee in support of recommendation 12—

which is to make Cairns a priority port—

wish to make it clear that we do not want the future economic development of Cairns to be shut down.

They are the words that the Labor members on the committee used—that they did not want to see the port of Cairns shut down. They came away from our discussion in Cairns thinking that this particular bill, apart from the Cairns Shipping Development Project, may well shut down the port of Cairns, and I will talk briefly about that later in the night.

In the few minutes I have left before we go to the next item of business, I want to cover some of the things that were said by the minister in his response to the motion. The member for Hinchinbrook, in moving that motion, put forward a date of 1 April for deferring that bill. That date was used because that is what is on the government's website for the finalisation date of the EIS for the Cairns Shipping Development Project. Through you, Mr Deputy Speaker, to the minister, that is where that date came from, so that is not a very constructive argument at all. The argument about having to delay the port master planning is just rubbish really. At the end of the day, there is nothing to stop any of these ports from moving forward with their master planning. Nothing stops them at all. They could have got on quite well with that.

The argument from the Minister for National Parks and the Great Barrier Reef is that we are protecting the Great Barrier Reef with all of this legislation, but just yesterday we had the minister for ports in here telling us about the massive expansion in Townsville. So on one hand members of the Labor Party are very concerned about the reef, but in certain circumstances that all goes completely out the window because it is okay to massively expand one port that is right in the middle of all of that. I really think it is a little bit hypocritical to put those particular arguments up.

Debate, on motion of Mr Hart, adjourned.

## MINISTERIAL STATEMENT

### Ethanol Industry

 **Hon. MC BAILEY** (Yeerongpilly—ALP) (Minister for Main Roads, Road Safety and Ports and Minister for Energy and Water Supply) (6.00 pm): Today in question time there was some consternation that I may have been contravening standing orders when it came to talking about the pathways options paper that the government is proposing. It certainly was not my intention in any way to contravene the standing orders. I offer my apologies to the chair if in any way I may have contravened the standing orders in question.

## MOTION

### Organised Crime Commission of Inquiry

 **Mr WALKER** (Mansfield—LNP) (6.00 pm): I move—

That this House:

1. notes that the Queensland Organised Crime Commission of Inquiry held no public hearings during its investigations and deliberations, despite assurances to the contrary;
2. notes that the commission received 75 submissions, issued 105 requests for written information, issued 43 requests for the provision of documents, issued nine summonses for attendance at a hearing, held six in camera hearings and issued 25 requests for attendance to be interviewed;
3. notes that none of the information is publicly available; and
4. requests the Premier as the commissioning minister to provide submissions and testimony from the Queensland Organised Crime Commission of Inquiry to the parliament, for the information of members of the parliament and the Queensland public, except for that information that is deemed by the commission or Crown Law to be either confidential or information that could compromise the operational abilities of state and federal law enforcement agencies.

We have just seen the conclusion of a commission of inquiry into one of the most significant issues that faces this state: the issue of organised crime. The Queensland community is not unfamiliar with commissions of this kind nor of their relative rates of failure or success. Obviously, in recent history the Fitzgerald inquiry was one of the most significant and successful. During that inquiry Mr Fitzgerald held 238 days of public hearings as to matters that went to corruption in relation to the police force and politics in this state. It was an uncomfortable report, but it was an important one. The very holding of public hearings and the throwing of light onto the activities of police and politicians led to Mr Fitzgerald's conclusions being accepted by the public of Queensland because they had seen for themselves the hearings; they had listened in, they had followed what happened, they had seen the testing of evidence and they knew that there was a ring of truth about Mr Fitzgerald's conclusions.

**ALP, 43**—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, Pyne, Russo, Ryan, Saunders, Stewart, Trad, Whiting, Williams.

Resolved in the affirmative.

## SUSTAINABLE PORTS DEVELOPMENT BILL

### Second Reading

Resumed from 11 November (see p. 2789), on motion of Dr Lynham—

That the bill be now read a second time.

 **Mr HART** (Burleigh—LNP) (11.52 am), continuing: It is a pleasure to recommence my speech from last night. I was talking about the hypocrisy of the Labor Party for voting down the deferral motion moved by the member for Hinchinbrook. It was interesting last night that during his contribution on the motion the minister said it was very important that we continue with the debate to finalise the bill last night. In fact, he said—

... I argue strongly that this bill should proceed today and not be deferred to a later date ...

Immediately after that the bill was deferred because the minister or somebody had something more important to do. One minute the reef is very important to the Labor Party and the next minute it is tossed in the long grass and we are back debating it again today.

As I said last night, this government is very hypocritical. It talks about how important the reef is. It has introduced this bill, which is basically a copy of the 2014 LNP bill with a couple of things deleted, but it stood in here a couple of days ago and talked about the massive expansion it wants to see happen at the Port of Townsville. You would tend to think, if all those stories are true, that expansion will do some sort damage to the reef, but the government does not seem to worry about that so we will just get on with it, apparently.

The committee found on its travels around Queensland that the port of Cairns is a real concern to the people of Cairns. They really want to see the port expanded up there and for it to be a priority port. That is why it flowed through to the recommendations made by the committee. Why do the people of Cairns want to see the Cairns port expanded? Because it is the lifeblood of Cairns. The people who spoke to our committee talked about the shipping activity that happens there.

**Mr Pitt** interjected.

**Mr HART:** I hear the member for Mulgrave interjecting under his breath. I want to go back to something that the member for Barron River said last night. In his contribution to the motion he said that the Cairns development project was very important to the Labor Party and had the full backing of the Labor Party. How surprising is that when we see that the member for Mulgrave, who is next door, removed the funding for that project. You would tend to think that, if the government really supported the Cairns development project, it would have kept the funding there instead of taking it out of the budget, but that is what the member for Mulgrave did. He took the money away. The member for Barron River should be aware that his government really does not support the Cairns redevelopment project, but the people of Cairns do. The people of Cairns want to see the port expanded. This notion that an allowance of 50,000 cubic metres per project is going to help or 150,000 cubic metres over four years is going to help is absolute nonsense.

I was interested to hear the member for Mirani talking about Port Alma. I think it would be really good for Port Alma to have an allowance of 50,000 per project for capital dredging or 150,000 over four years, because I think Port Alma could really benefit from it. It is really important that the minister answer the question posed by the member for Hinchinbrook. Why is it okay for the port of Cairns to have an extra allowance of 50,000 cubic metres or 150,000 over four years? Why is it not possible for every other port in Queensland that is very close to the World Heritage area to have exactly the same?

While I am on the subject of 50,000, it is important to put that into the context of what was going to happen with the Cairns Shipping Development Project. The Cairns Shipping Development Project is looking at widening the shipping channel into Cairns. Its proposal is to widen, deepen and lengthen the existing outer shipping channel. The current width of 90 metres is proposed to be widened to 130 metres. The declared depth would go from 8.3 metres to 9.4 metres. That requires 4.4 million in situ cubic metres of capital dredging. 150,000 is just not going to cut it. It is nowhere near enough to keep this port active.

The people of Cairns want to see the port active because the port is used for a lot of things. When we were in Cairns we heard that all of the fuel for Cairns comes into the port, and at the moment those ships cannot make it in except on high tide. They are bringing in fuel for the airport. Imagine if those tankers could no longer get in because of the problems with the port. There could be issues with the fuel supply at the airport. There could also be problems with the fuel supply for our navy. They are just a couple of things that the people of Cairns are really concerned about. During our hearing up there we had numerous people talk to us about those issues.

We heard that Cairns has been progressively expanded over the years. Mr Vico, the general manager of planning and infrastructure from Ports North, told us that typically the history of Cairns channel has been one of expansion. The Cairns channel was expanded in the sixties from a width of 25 metres to 40 metres; in the early seventies, from 45 to 60 metres; in the early nineties, from 60 to 75 metres; to where it is now. It has been progressively expanded over the years.

If we do not allow for the Cairns Shipping Development Project to go ahead, which is what I am really concerned about, we are going to see Cairns eventually stifled when ships are no longer able to go in there. Cairns is represented by three Labor members at this time in this chamber and you would think they would be looking after the best interests of Cairns and they would be putting forward what is best for Cairns, but they are in fact not. We heard from three members of the Maritime Union of Australia while we were there—Mr Gallen, Mr O’Shane and Mr Rainbow.

**Mr Crandon** interjected.

**Mr HART:** Yes. They fully support the ongoing capital dredging of the port—

**Mr Pitt** interjected.

**Mr HART:** I will just read what they said, member for Mulgrave, so you are across what the union up there thinks about your activities in this particular bill. I asked Mr Gallen—

Have you consulted with your local members of parliament? Have you given some feedback ...

His response to me was—

Exactly like you are saying, we do have an entry permit to a few of them.

That is, they have an entry permit to a few of the Labor members. He continued—

Curtis Pitt and his dad live up here and Pyne is just around the corner. We have not until now because this committee will be making the recommendations, but we will also be making recommendations to them plus the member for Cook plus the member for Barron River, Craig Crawford. We will be making strong recommendations.

I would have thought those union members would have been in since that date we were in Cairns and maybe they would have spoken to their local members and their local members would then be trying to do what is best for Cairns. But we saw the local members actually vote against what could have been very good for Cairns in this House last night. They are not standing up for the residents of Cairns, and that is why we need a member from Burleigh to stand up for the people of Cairns—because their members are not standing up for them. In fact, some of their members are even sponsoring petitions that call for the port of Cairns to not be dredged at all. That is the lengths they are going to because they are captured by their radical green mates. They are completely captured by them and they are not doing what is good for the people of Cairns.

We will be supporting this bill, as the member for Hinchinbrook said, because it is basically a copy of the 2014 bill that the member for Callide put forward. There are a few things I would have preferred to have seen in it. I would have preferred to have seen a review date that we had in our bill but it was removed by the Labor Party. Apart from that, I am supportive of the issues that this bill covers. I am interested to hear the contributions from the other Labor members who will stand up here and talk on this bill, but I am more interested to hear what those three local members have to say about it. If they were doing the right thing, they would have been standing up for the people of Cairns last night but they clearly were not.

 **Hon. SJ MILES** (Mount Coot-tha—ALP) (Minister for Environment and Heritage Protection and Minister for National Parks and the Great Barrier Reef) (12.02 pm): The Sustainable Ports Development Bill is an important milestone in our campaign to save the Great Barrier Reef. It delivers on commitments we made to the people of Queensland and commitments we made to the world at large through the Reef 2050 Long-Term Sustainability Plan. The bill is a substantial achievement. I congratulate the minister and all those who have worked tirelessly to bring it about. The bill protects the Great Barrier Reef primarily by banning the dumping of port related capital dredge spoil in the reef World Heritage area, greatly limiting the number of ports that can be built along the reef coast and concentrating

development in four major existing ports in the best locations with the best channels. I spoke about some of the impact of dredging and dumping yesterday when I spoke against the opposition's irresponsible motion to defer consideration of this bill. As irresponsible as the motion was, I do thank the opposition for providing me with two opportunities to speak about this important matter.

Earlier this year, we learnt that the previous LNP government spent millions of taxpayer funds on polling and advertising to downplay the threats facing the Great Barrier Reef and to try to shore up their reputation on reef protection and management. Budget figures show the previous government earmarked \$2.4 million for its so-called 'Reef Facts' advertising campaign. Part of this strategy was explicitly to counter the campaign by conservation groups drawing attention to the impact of ports and dredging on the reef and to downplay these impacts in the LNP's public messaging about the state of the reef.

But the ALP came to government with a suite of election commitments designed to protect the Great Barrier Reef from the impact of dredging and dumping because, unlike the LNP, we accept the evidence about the damage this causes to the sensitive reef ecosystems. On coming to government, we acted quickly to have those commitments embedded in the Reef 2050 Long-Term Sustainability Plan. The House has already heard what those commitments are, and I remind members opposite that, as much as they might try to claim this as their own, our first action on coming to government was to rewrite the LTSP and the commitments singled out by the World Heritage Committee were the commitments made by the Palaszczuk Labor team at the state election.

While welcoming the port measures and the ban on dumping of capital dredge spoil, the World Heritage Centre and IUCN and indeed many delegates specifically noted these measures were still to be translated into legislation. That is why the World Heritage Committee requires Australia and Queensland to report back next year on the steps we have taken to implement the long-term sustainability plan. We are being watched closely to see if we live up to our promises, if we will turn our words into action. Here we are—it is action time and where is the LNP? Squibbing and squirming, desperately trying to block these important reef protections. No wonder Queenslanders did not trust them to protect the reef. They were right not to trust them.

I recently had the opportunity to meet with Germany's Minister of State, Professor Dr Maria Bohmer. In her role as chair of the World Heritage Committee, she played an invaluable role in the negotiations around the Great Barrier Reef in the lead-up to the Bonn meeting. I am grateful for the leadership and passion she brought to the cause, and it was a pleasure to have her here on our side of the globe. Minister Bohmer came to Queensland late last month to see the Great Barrier Reef in all of its glory for herself. After fighting for conservation of the reef's outstanding universal values, she has now seen some of them firsthand, including the pristine white beaches and sparkling aqua blue waters of Whitehaven Beach. I was proud to update her on the progress we are making to implement the long-term sustainability plan, including the next milestone—putting our words into action on ports and dredging in the Great Barrier Reef World Heritage area.

Make no mistake: the international community is watching and Queenslanders are watching, waiting to see us deliver on our promises. I am proud to be part of a government that delivers on our promises and is serious about protecting the reef. That is demonstrated in this bill before the House. I commend the minister and I commend the bill to the House.

 **Hon. JA TRAD** (South Brisbane—ALP) (Deputy Premier, Minister for Transport, Minister for Infrastructure, Local Government and Planning and Minister for Trade) (12.08 pm): It is with a great sense of pride that I get up to make a contribution on the bill before the House—the Sustainable Ports Development Bill. I put on record my gratitude and thanks particularly to Minister Lynham for bringing this bill to the House, for his work with the Minister for Environment and Minister for the Great Barrier Reef, and for his work across government, with civil society and with the conservation groups to get this bill to a position where it has such a significant amount of support both inside and outside government.

Considering a lot of the information and misinformation that has been conveyed in this House in relation to this bill, I think it is important that we put paid to some of the suggestions that we hear from those opposite such as a substantive amount of this bill being the work of the LNP. Quite frankly, the issues that UNESCO considered when it made its determination not to put the Great Barrier Reef on the in danger list were significant and the industrialisation of the Great Barrier Reef coastline was one of them. The differences between the bill that we are currently debating and the bill that was presented to the previous parliament, the 54th Parliament, under the former Deputy Premier, the member for Callide, are significant. Firstly, there was no legislative prohibition on the dumping of capital dredge

spoil in the Great Barrier Reef World Heritage area. There was no legislative prohibition on capital dredge spoil dumping; let's make that clear. Additionally, there was a restriction of further development to the port limits unless the minister responsible, the member for Callide at the time, gave a ministerial direction. So yes, there was a limit in terms of port development to a limit until the member for Callide, in his role as the former Deputy Premier, decided that he would like to extend that.

Additionally, the World Heritage Committee was incredibly impressed by the fact that the Palaszczuk Labor opposition made a commitment to legislatively protect the Fitzroy delta to say that this incredibly important part of the World Heritage coastline, of the Great Barrier Reef coastline, would be saved from any future industrialisation, and that was incredibly important. It is very important that we crystallise the differences because those opposite like to talk about all the work they did in this space, but all the work they did in this space was repudiated last year at UNESCO. This year the Queensland and Australian governments got a completely different reception. The reason there was a completely different reception at UNESCO is that there was a completely different government in Queensland. My ministerial colleague the Minister for the Great Barrier Reef has already outlined some of the elements that Labor committed to at the election that went into the long-term sustainability plan that made that plan the tipping point for UNESCO deciding not to put the Great Barrier Reef on the endangered list. They were things like obviously the legislated prohibition on dumping of dredge spoil, the \$100 million commitment by this government to work towards water quality improvements that would see an 80 per cent reduction in nutrients and a 50 per cent reduction in sediment run-off into the Great Barrier Reef. They were critical elements to the long-term sustainability plan and critical considerations for UNESCO. Additionally, our commitment to bring back world-class vegetation management laws was a consideration and strengthened the hand of the Australian and Queensland governments at UNESCO. Let us not forget that. Additionally, our commitment to be led by the scientists and the experts in relation to this and not the politics which we are seeing played out here today made UNESCO confident about our capacity and our commitment to work towards protecting the Great Barrier Reef.

I am immensely proud that I was given the honour by the Premier of going to UNESCO to argue Queensland's case alongside my colleague the Minister for the Great Barrier Reef. At the UNESCO hearing it was incredibly unusual to hear every single ambassador to UNESCO make a contribution to this debate. All of them made a contribution to this debate, which was unheard of. It was led by the ambassador for Portugal, who is a very influential individual on the UNESCO committee. In his statement at UNESCO, alongside other ambassadors, he said the delegation 'stated that the election of a new government in Queensland had positive outcomes in that the challenges faced by the reef were addressed'. It would not have been done under those opposite, but UNESCO came back with a positive scorecard in terms of our ability to manage the challenges facing the reef because of the election of the Palaszczuk Labor government.

**Mr Powell** interjected.

**Ms TRAD:** I will take that interjection from the member for Glass House. It is my understanding that when he fronted up to UNESCO, the member for Glass House tried to get a motion up in UNESCO that supported the Queensland government but no single ambassador would support it. He was incredibly impotent when it came to UNESCO and putting the Newman government's case around the management of the reef.

Let me just say this. The Great Barrier Reef is a natural asset that belongs to the world and it is going to take more than politicians to save it. It is going to take civil society. The contribution by civil society in the campaign to address the challenges faced by the Great Barrier Reef is critical and it was acknowledged by every single ambassador at UNESCO. We need to acknowledge their efforts in this respect. I do want to pay tribute to the World Wildlife Fund and Greenpeace because we need everyone working together. I will not do what those opposite did, which was to come into this place and vilify civil society for deciding to stand up and fight for what is right. We need to be working together. Every single ambassador to UNESCO said they liked the way the Queensland and Australian governments were working together and they wanted us to work with civil society in order to address the challenges faced by the Great Barrier Reef, not be thugs, not to come into this place and call them extremists, not to come into this place and say they did not have a role in terms of addressing the future of the Great Barrier Reef.

We have a big challenge ahead of us in terms of the Great Barrier Reef. We have an incredibly big responsibility in terms of managing this incredible natural estate for future generations, for the Queensland economy and for the 70,000 jobs that depend on the Great Barrier Reef. We need this asset not only because of its intrinsic environmental value, but because it is what defines Queensland as different from every other state and territory in Australia. People come to Queensland for the Great

Barrier Reef and we want the world to keep visiting Queensland because of the Great Barrier Reef. It is only Labor governments that will put their shoulder to the wheel, that will work with the scientists and work with civil society—

**Opposition members** interjected.

**Madam DEPUTY SPEAKER** (Ms Grace): Order, members!

**Ms TRAD:** It is only Labor governments that will be directed by science, will work with civil society and will meet the challenges that face us together.

 **Mr SEENEY** (Callide—LNP) (12.19 pm): Listening to the member for South Brisbane reminds me of that famous quote from Margaret Thatcher, ‘The only problem with socialism is that sooner or later you run out of other people’s money.’ The only problem with the socialist left running this Labor government is that sooner or later they will run out of other people’s achievements to take credit for. Sooner or later they will have to do something for themselves. For the member for South Brisbane to speak the way she did about this particular issue and the work that has been done around the Great Barrier Reef is fundamentally absurd, and she knows it. We all know it. The media know it, which is why they never carry the absurd comments that they make. Those comments are tailor-made for the philosophical zealots in West End who are blind to anything but their own fantasies. I know that what we see in this parliament is not going to stop. These people are going to stand up here day after day, as they have done for months, and try and claim credit for things that they could not achieve when Labor was previously in government—and which I confidently expect they will not achieve in the years to come—but they take credit for the achievements and the work that we did in the time that we were in government.

When we came to government the Labor government’s proposal for Abbot Point, for example, was to dredge and dump 35 million cubic metres of sediment to build an artificial island and connect it to the mainland. One of my favourite memories is when I went down to Canberra to meet with Labor environment minister Tony Burke. I unrolled the map of Abbot Point on his desk and I said, ‘This is what is proposed: 35 million cubic metres and nine new coal terminals. We are going to wipe the lot. It is off the table. We are not going to do that. We are going to proceed in a more measured, incremental way.’ That was the start of a new approach to the Great Barrier Reef and to the challenge of ensuring that we protect what every Queenslanders loves while bringing about the development that every Queenslanders needs. That is the fundamental issue that the socialist left and the member for Brisbane never address. Everybody loves the Great Barrier Reef. Every Queenslanders loves the Great Barrier Reef. You do not have to be part of the socialist collective and have spent your life in Young Labor to understand how wonderful it is and to care about the Great Barrier Reef. We all care about that. The difference is that the rest of us also care about the Queensland economy. The rest of us also care about providing jobs and economic growth for our kids.

For the sake of the record, the draft Queensland Ports Strategy was released by me on 24 October 2013. It was part of a public consultation process around a strategic assessment which I always thought did not do justice to the body of work that was involved. In consultation with UNESCO and the federal government, we agreed to undertake the strategic assessment that the former federal government would not do. As my ministerial colleagues will recall, I often said that it was so long, complex and complicated that we would never get to the end of it. But we did, and the strategic assessment was signed off by the federal and state governments on 11 August 2014. The Ports Bill arose out of that. I do not put my hand up and say that I take credit for many things, but I stood firm on the point that we had to have a stand-alone piece of legislation for ports for two reasons (1) because the nature of Queensland’s geography meant that there were always going to be ports needed adjacent to the Great Barrier Reef; and (2) the economic future of Queensland depended on those ports being able to be developed and operated properly. The ports legislation that we proposed was about ensuring that we found the balance between protecting the reef that every Queenslanders wants and providing the jobs and the economic growth that every Queenslanders needs.

For the member for South Brisbane and the member for Stafford and all these other nameless Labor members to come in here and read speeches that are written by someone who does not understand what has happened to get to this point is patently absurd. You cannot get to this point in the nine months that the Labor government have been in power; it is not possible. It took us three years to get through the strategic assessment process. It took three years to get through the consultation process. It took three years to get to the point where we could introduce the bill into parliament on 25 November 2014. Just as it is impossible to get to that point in nine months, so it is impossible to address the concerns that UNESCO had in six months—

**Mr Powell:** Concerns that came from their mismanagement of the reef!

**Mr SEENEY:** Exactly! I was coming to that, member for Glass House, but thank you for pre-empting me. That too needs to be remembered in terms of history. Why did UNESCO become concerned? Why was UNESCO involved at all? Because the former Labor government launched into the construction of three LNG plants on Curtis Island in the port of Gladstone without any consideration of World Heritage values, without any consideration of marine park values and without telling anybody. We all know that the undue haste that was involved in establishing the LNG plants was repeated across the establishment of that whole coal seam gas industry. That is when UNESCO became involved and they started to express justifiable concern. What was the Labor government's response? Leo Zussino, the chair of the Gladstone Ports Corporation, wanted to shift the boundary of the Great Barrier Reef World Heritage Area so that Gladstone was not in it. That was his suggestion; that is what he wanted to do. 'That will save us worrying about it.'

**Opposition members** interjected.

**Mr SEENEY:** Yes, he is the unofficial member for Gladstone. This guy here who sits in the House is a wooden puppet with a rubber stamp. Leo Zussino is the member for Gladstone. He was the one who wanted to address UNESCO's concern by shifting the boundary. When we came to power we said, 'No, we are not going to do that. We are going to work through this process with the federal government. We are going to do the hard yards.' And by gee, there were some hard yards! There were some long meetings involved and there was enormous effort put in by not just my ministerial colleagues, but by some departmental staff. I would love to give them the recognition they deserve, but the vindictive people who sit over there would only use that as an opportunity. Some of those individuals put their heart and soul into the strategic assessment and the public consultation process which were necessary to bring together all of the stakeholders through the ports strategy and the drawing up of the Ports Bill. Ours was a little different, and the member for Hinchinbrook has gone through those differences.

I believe that our planning processes were much stronger. The priority ports development areas that we prosed are much better planning instruments than the overlays currently proposed in this bill. There are a whole range of those sorts of details that will be lost in this debate, but it does not matter. What matters most is that we have in place the framework that is necessary to demonstrate to the world that every Queenslander is protecting the Great Barrier Reef and that we have in place a legislative provision to ensure we can have the development that every Queenslander needs at the same time as we protect the reef.

 **Mr MILLAR** (Gregory—LNP) (12.29 pm): I rise to make a brief contribution to the debate of this bill. There are no ports in the electorate of Gregory; nevertheless, ports play a pivotal economic role in our region. The main ports servicing Gregory are Gladstone for the north and Brisbane for the south.

This bill covers the priority ports of Townsville, Abbot Point, Gladstone and Hay Point-Mackay, which represent trade worth about \$30 billion and shifted 77 per cent of the total throughput of all Queensland ports in 2013-14. It is easy to see how important these ports are to our economy. Gregory uses our ports for coal, one of the major exports out of the Bowen Basin to customers in South-East Asia; cotton, grain and pulses to our valuable Indian market; and the ever-expanding horticultural industry.

This bill needs to provide the flexibility to expand. That does not mean to the detriment of the Great Barrier Reef. I think everybody in this House—certainly those on this side of the House—believes that we need to protect the Great Barrier Reef, but regional Queensland certainly does have a growing economy. I believe that we are on the verge of enormous growth in our food and fibre exports to South-East Asia, so we need the flexibility to ensure our ports can cope with a potential increase in port activity.

Yesterday I listened to the member for Hinchinbrook articulate very well his argument and demonstrate his understanding of the issue. I thought the amendments he proposed were worthwhile. I also listened to the member for Callide, who has been very involved in this and is very passionate about getting this right. I certainly will not repeat what those members said, but I believe that they absolutely had the right intentions—to make sure we get right this piece of legislation relating to an important piece of infrastructure in the Queensland economy. We need to do that because Queensland is on the doorstep of South-East Asia, and our key access point to that area is our ports.

I have heard the views of the people of Cairns who believe that they need the opportunity to expand their economy. Their economy does rely on the tourism industry. When people think of Cairns they do think of the tourism industry, but the sugar industry there is also very valuable. The federal government is looking at northern Australia for potential export opportunities in the ever-growing South-

East Asian market. Cairns is in the area to take advantage of that. We needed to give Cairns some opportunities and some flexibility to increase their economy.

Finally, I thank the committee—chairman Jim Pearce, deputy chair Michael Hart and the members for Keppel, Gladstone and Dalrymple.

 **Hon. MC BAILEY** (Yeerongpilly—ALP) (Minister for Main Roads, Road Safety and Ports and Minister for Energy and Water Supply) (12.32 pm): I rise to speak in support of the historic Sustainable Ports Development Bill 2015. In doing so, I acknowledge the very hard and excellent work of the Minister for Natural Resources and Mines, Dr Lynham, and the Minister for the Great Barrier Reef, Dr Miles. I also pay tribute to the support over a long period of time, in the last term of parliament, of the Deputy Premier, who was at the forefront of the campaign to maintain the balance between protecting our reef and the environment and ensuring our economic future.

This bill will strike an important balance in that regard in terms of sustainable port development that also meets our national and international commitments to protect the Great Barrier Reef World Heritage area. The Queensland and Australian governments jointly released the *Reef 2050 long-term sustainability plan* in March this year, in response to UNESCO's requirements about coastal development threatening the values of the Great Barrier Reef. Parts of the reef are undeniably under pressure. The Reef 2050 Plan is Australia's overarching framework for protecting and managing our great national and international icon over the next 50 years.

The bill represents a significant step in implementing our port related election commitments as set out in the Reef 2050 Plan. The bill will facilitate a number of important port activities, subject to appropriate environmental restrictions, and will maximise environmental outcomes in terms of protecting the reef. Importantly, it will ban the sea based disposal of port related capital dredge material into the Great Barrier Reef World Heritage area and restrict major capital dredging to four priority ports, being Abbot Point, Gladstone, Hay Point-Mackay and Townsville.

I can assure the member for Gregory that this bill means that development within Gladstone harbour can be undertaken, subject to relevant environmental approvals being obtained—for example, the further deepening of the existing Clinton Bypass Channel, which is required to ensure the continued safe passage of vessels including larger, cape size vessels. As it is a capital dredging project, dredge material will be disposed of on land, most likely at the existing Western Basin bund area at Fisherman's Landing. I note what a terrific job the new chair of the Gladstone Ports Corporation, Leo Zussino, is doing. I think it is a sad day when the member for Callide just cannot help himself and vilifies somebody who has contributed an enormous amount to the Gladstone area's economic development over 20 years. Development and maintenance of export facilities—

**Mrs Frecklington** interjected.

**Mr BAILEY:** I hear a bit of a buzz-saw. I am not sure where it is coming from. Development and maintenance of export facilities at the ports of Hay Point and Abbot Point will also continue under the bill, subject to relevant environmental approvals being obtained.

In late October 2015 the North Queensland Bulk Ports Corporation, which is responsible for these ports, released its *Sustainability plan 2015+*. The plan outlines North Queensland Bulk Ports' approach to sustainability. The plan will also form a key platform for future business activities of the port. I welcome its release.

Development will also be allowed to proceed at the port of Townsville, which is a vital and strategic trading port of North Queensland. As I announced earlier this week, the tender for supply and construction of Townsville's Berth 4 redevelopment project is currently open for submissions. The upgrade of Berth 4 is of significant economic importance for the port of Townsville as well as the region and will facilitate access for larger, Panamax size vessels. Work will kick off in early 2016, involving a substantial number of local new jobs for the Townsville economy, with the new upgraded facility expected to commence operations late in 2017.

Another important project for Townsville is the proposed port expansion project, which involves construction of a number of additional berths and construction of a new outer harbour necessary to accommodate the port's forecast long-term trade increases. The port's CEO, Raneé Crosby, pitched this project at last week's very successful Northern Queensland Economic Summit in Cairns. There were about 280 attendees present.

As Minister Lynham has outlined, there has been significant consultation undertaken about the future regulation of development at the port of Cairns. I acknowledge his excellent work in that regard.

I am pleased that the port of Cairns will be provided with the flexibility it needs to develop within specified parameters, as set out in proposed amendments to the bill.

The bill also provides Ports North with the opportunity to continue working with state and federal government agencies to recalibrate its environmental impact statement for the Cairns Shipping Development Project to involve incremental channelled works that support the growth of the Cairns region. The Palaszczuk government recognises that the port of Cairns supports economic activity at a regional level and is a key component of the North Queensland tourism industry. I note the 70,000 jobs up and down the reef that are dependent upon environmental protection.

The Palaszczuk government is committed to protecting the Great Barrier Reef World Heritage area while allowing sustainable development, consistent with the Reef 2050 Plan and our commitments to UNESCO earlier this year. The balance struck by this bill is critical to the future of Queensland.

I welcome the constructive approach taken by both business and environmental groups in engaging with us on this bill. Last week in Cairns I had the great pleasure of standing up with Minister Lynham, the lead minister on this. We were joined there by WWF. Half an hour later I sat down with the CEO of the Cairns Chamber of Commerce. Both of them were very supportive of our approach of not only protecting the environment but also protecting our economy.

This is one of the great differences between this government and the opposition and one of the defining issues in terms of the recent election campaign. It is our view that protecting the environment is an essential part of economic development. You have to have both of them. This is the 21st century. It is old thinking—it is 20th century thinking—to be running around saying, ‘You should do over the environment and the economy is the only parameter.’ There is not an issue that is clearer than this and there is no clearer issue of policy failure than the opposition’s mishandling of this issue when it was in power. It thought economic development could come at the price of doing over the Caley Valley Wetlands. That is what it thought. That is why it paid the price. That is why it is in opposition, because it could not get the balance right. It is absolutely critical that in protecting the environment we also protect our economy and the 70,000 jobs that depend on the Great Barrier Reef, and let us hope, given our very progressive position on this, that there will be more tourists coming to Queensland. I note the work of the Minister for Tourism in that regard. We are positioning ourselves well for a revival of tourism in Queensland and the reef is going to be a very important part of that equation, especially with the Australian dollar back down around 70 cents. The attraction for us to get a new wave of tourism in Queensland, particularly environmental tourism, is very important. If we get that right, those tourists and their relatives and their friends will be coming back and coming back and coming back to Queensland for many years to come. So let us not trade-off the environment. Let us not get into the false dichotomy of trading off the environment for the economy. It is short-term thinking. It is 20th century thinking. It is a clear example of the failure of the previous government. That is why it is in opposition and that is why it is not on this side of the chamber. It does not understand that the community demands that of any modern government. They expect them to get that balance right.

In closing, I want to thank all of those ordinary Queenslanders who fought hard and who campaigned for the protection of the Great Barrier Reef. I want to thank those environment groups who led those campaigns but particularly those hundreds of thousands of ordinary Queenslanders who signed petitions, who lobbied local newspapers and lobbied local MPs, who were vocal about protecting their icon. I want to thank every single one of them. This is a great outcome. This is not only an outcome that is great for the reef but also a great outcome for their courage and their persistence in standing up for something they care deeply about. This is a win for the people of Queensland and it is the right policy position. We are getting the balance right between protecting the economy and protecting the environment. I commend the bill to the House.

**Madam DEPUTY SPEAKER** (Ms Grace): Order! Before calling the member for Clayfield, I welcome to the gallery students and teachers from John Paul College in the electorate of the member for Springwood.

 **Mr NICHOLLS** (Clayfield—LNP) (12.42 pm): Madam Deputy Speaker, I am happy to join with you in welcoming the students and their teachers here and I hope they leave better informed about the great work that the former LNP government did to protect the Great Barrier Reef during its term in government, setting up and doing all the hard yards. If there is one invaluable lesson for students, it is that you have to do the hard graft in the first place and after that you will get the credit for it. You cannot just waltz in having said nothing for three years and then claim credit, as the member for Yeerongpilly has just done. I do not remember the member for Yeerongpilly standing up a year ago and saying, ‘I need to do something about the Great Barrier Reef.’ I do not remember him turning up at the scientific

committees or doing the hard work or making any representation in relation to that. I do not remember the member for Mount Coot-tha doing it. What I do remember is coming to office in March 2012 and being presented with the very first significant infrastructure challenge that the government had to face at that time—that is, as I said yesterday, a proposal approved by the previous Labor government to develop the port of Abbot Point by taking 35 million cubic metres of dredge spoil out of the port of Abbot Point and disposing of it at sea.

That was the very first issue. Of such concern was it that the member for Callide, myself and the former premier sat down immediately and pulled out that map that he referred to that he took down to Tony Burke, together with the then chief executive of North Queensland Bulk Ports Corporation, and went through what a travesty it would be if that was allowed to go ahead. Not only was it environmentally a tragedy for the reef; it was economically a tragedy for the state of Queensland as well. It would have consigned Queenslanders to a dreadful environmental outcome, a challenge to the reef and a challenge to the finances of the state. In fact, it was so economically under thought that subsequent to being elected in 2012 one of the first things that also started happening was question marks about the planning that went into it in the first place by the people who were supposedly going to use it—companies like Rio and others who had signed up for the early stages of development of it.

When we think back to the history of it, it is important to put on record exactly what the government that was elected in 2012 faced at that time, and that is also endorsed by the Reef 2050 Long-Term Sustainability Plan itself. Page 31 at clause 3.4 of that document states—

After two years of analysis, comprehensive strategic environmental assessment reports for the Great Barrier Reef World Heritage Area and adjacent coastal zone ... were endorsed by the Australian Minister for the Environment under the EPBC Act in August 2014.

August 2014—not any time after February 2015 but August 2014, and it was two years worth of work before that going back to August 2012 when that work was commenced after UNESCO had placed the Great Barrier Reef on watch in 2011. Let us remember who was in government in 2011.

**Opposition members:** Labor!

**Mr NICHOLLS:** It was Labor at both the state and federal level. It is sort of reminiscent of the loss of the AAA credit rating. Who was in power at that stage?

**Opposition members:** Labor!

**Mr NICHOLLS:** Labor. It was in recognition of that challenge that the then LNP government undertook the work in order to lead to the endorsement by the Australian minister of the comprehensive plan—a comprehensive plan that also followed the North-East Shipping Management Plan released in late 2014 to provide an integrated approach to shipping management for the ships that traverse the Great Barrier Reef and use the channel to come into the state to provide the goods that we all enjoy such as the TVs on the wall here and probably the paper that this is being printed on. All of that comes in through ships through the Great Barrier Reef. It just does not materialise here. It has to come in via a ship.

**Mr Cripps:** *Shen Neng 1*. Remember the *Shen Neng*?

**Mr NICHOLLS:** We remember the *Shen Neng 1* that hit the shoal. We remember all of those things. So that was put in place by the LNP government. In September 2013 there were five capital dredging projects either planned or under assessment that the then newly elected coalition government in Canberra determined would not be allowed to dispose of their dredge material in the marine park—all done under the stewardship of the conservative coalition in Canberra as well as the LNP in Queensland. Why do I make those points? Why is it important to remember the history? Because it is important to acknowledge that no-one has a mortgage on concern on the Great Barrier Reef. No-one has a mortgage on a concern of the environment—not this side of the House, not that side of the House. We all jointly have a responsibility in relation to the Great Barrier Reef. I have never sailed a coal ship through the Great Barrier Reef, but I have done a fair bit of scuba diving on it. I love it! My kids love going fishing on it. Tourists like travelling the world to come here. We have taken friends and colleagues up and down that reef. Indeed, in November last year when the G20 leaders were in Cairns for what I think was one of the most successful finance leaders' meetings ever held they went out onto the Great Barrier Reef and marvelled at its great beauty. So we all have a responsibility in order to protect the Great Barrier Reef. I acknowledge that groups like WWF and others have the interests of the reef at heart, but we are all responsible for it and we have all taken respective care and, I would submit much more, that that work accelerated between 2012 and 2015 after the reef was put on the watch list by UNESCO.

This bill, which in many respects reflects the Ports Bill that was introduced by the member for Callide in November 2014, should be supported. Yesterday, we discussed a potential delay of just over 4½ months to allow the EIS process to proceed so that we could give the people of Cairns some indication of what the economic future might hold for them in Cairns. But today, that motion having been put and defeated, this bill should proceed, because it acts to protect the reef and it implements the commitments that were made and the policies that were put in place by the former government. There are changes and the member for Callide has outlined the changes in relation to the planning process, in relation to the overlay plans and some other changes in relation to strict prohibitions as opposed to ministerial decision-making that have been put in this bill. I acknowledge that those changes have been made and they have been through the committee process.

The concerns that have been expressed by this side of the House in relation to the challenges of this bill and particularly the challenges affecting the port of Cairns are reflected also in the committee report. I must say that that report is one of the most remarkable committee reports that I have ever seen released. I commend certainly the LNP members of that committee for their consistency in terms of the outcome of that report. Obviously, the report shows the challenges that exist in relation to the regulation of the port of Cairns and what is the going on. As I said yesterday, when it comes to the proposals around the 50,000 cubic metres of spoil that is allowed to be moved in any one project and the cumulative 150,000 cubic metres over four years, the science seems to be pretty thin on the ground. As I said yesterday, that seems to be a case of horsetrading. Nonetheless, it gives people in Cairns some hope for the future.

I would say also that the provision of the protection of the EIS gives them some hope, although, given the government's actions in withdrawing \$40 million worth of funding for the proposed cruise ship expansion that was being considered there, there is less hope than there was. But it should not be beyond the wit of us all, and in particular the government and Ports North, to come up with a solution that meets the environmental requirements under the reef plan and that meets the economic needs of the people of Cairns.

I particularly want to pay tribute to the member for Callide and the member for Glass House, who worked so diligently in getting us to the stage where the government is now currently able to bring this bill forward. I acknowledge—I think we all should—that the reef is a great possession of all of us. We all owe it to protect it and to do it in the most sensible way possible for the benefit of all Queenslanders.

 **Mr POWELL** (Glass House—LNP) (12.52 pm): I rise to make a brief contribution to the debate on the Sustainable Ports Development Bill 2015. I was not going to. I was not intending to speak to the bill today, because I thought that, finally, we might have a situation in Queensland where both sides of politics could take a bipartisan approach to managing and protecting what has to be the world's, the nation's, this state's most precious environmental asset, the Great Barrier Reef. That had been my hope—that we could have had true bipartisan support for something as precious as the Great Barrier Reef. But unfortunately, what I heard this morning compelled me to rise to make a short contribution, because what I heard again was those opposite choosing to politicise the Great Barrier Reef for no other benefit than their own political gain. Yet again, we heard another case of Labor revisionists trying to rewrite history, trying to take the credit for the hard yards, as the member for Clayfield said, that were done under the LNP government of the last three years.

I want to reflect on a couple of the things that the member for Callide said. It does require a bit of a history lesson. When we came into power in March 2012, I recall the member for Callide referring to the spaghetti of mines, railway lines and ports that were proposed to be developed across this state of Queensland. Basically, put a mine out in western Queensland, draw a line to the coast. Yet under the Labor government of Peter Beattie and Anna Bligh, you could pretty much be guaranteed that you could build a new port or you could expand an existing port. In terms of resource development, rail corridors and port development in this state, there was no planned approach to what was going on.

We also had this concept that we have heard the Deputy Premier speak of about not disposing dredge spoil in the World Heritage area. Why were we in this situation in the first place? The only ones who had been doing it were those opposite. They did it in Gladstone and that is what drew the attention of UNESCO in the first place. Not only that, they also failed to mention to UNESCO that they were going to be building three LNG plants on Curtis Island. But they intended to dispose of dredge spoil at Abbot Point. Anyone who wants to try to rewrite the history of the Great Barrier Reef and what we have done to protect it here in this state needs to be reminded that in March 2012 the existing plan for Abbot Point would have seen 35 million cubic metres of sediment disposed of adjacent to the Great Barrier Reef. The members opposite were going to create another island in the Great Barrier Reef.

It was not the Labor Party, it was not this government that took the necessary steps to address those very genuine concerns of UNESCO and it certainly did not happen in the nine months since January this year. As the member for Callide mentioned, there were two long years of developing a strategic assessment. Initially, that process started with the then federal minister, Tony Burke. I recall, like the member for Callide does, some rather robust but at the end very positive discussions around how we could progress this issue and get the best outcome for the Great Barrier Reef. Those discussions continued with the new federal environment minister, Greg Hunt. For two years we worked on the reef 2050 report that the member for Clayfield referred to. As the member for Callide mentioned, all of that culminated in November last year with the introduction of the Ports Bill.

When it comes to the reef, I think it is important that Queenslanders also hear the LNP's legacy. Faced with what we had in Gladstone, we established the Gladstone Healthy Harbour Partnership—a partnership of community, environmental and Indigenous groups and industry all sitting around the table restoring confidence for the people locally, across our state, across our nation and, indeed, across the world when it comes to our management of that crucial port. We expanded that process further and recently there was the release of the first report card for the Mackay-Whitsunday water area. That was an initiative created under the LNP government. The eReefs, which the Minister for Environment crows about, started under the LNP government. Perhaps one of my most pleasing achievements, in partnership with my then ministerial colleagues the member for Hinchinbrook and the member for Toowoomba South, was the establishment of best management practice programs with our grazing and cane industries—working with them not against them to together provide economic benefit for our farmers and environmental protection for the reef.

I want to pick up some comments that were made by the Minister for Environment. He talked about hosting European ministers. The process took far more than that. It took trips to Europe by Minister Hunt and me to meet with people like Irina Bokova, Kishore Rao and Fannie Dubois. It took the hard yards of each and every departmental staff member who worked in either State Development or EHP over those last two years. Like the member for Callide, I acknowledge those. I also want to acknowledge the hard work of Ambassador George Mina in Paris, who spent many long hours working with the UNESCO ambassadors.

Those opposite say that they protect the environment. They produce glossy brochures and glib one-liners, but at the end of the day they never did. If you look at their track record, they gave hollow platitudes to the conservation groups. To protect the environment, you need to get the balance right. You need to do the hard yards. You need to make sure that you are backed by rigorous scientific evidence. You need to make sure that your legislative protections have the rigour to stand up in a court of law, have the rigour to ensure that you can provide economic benefit to this state so that not only my kids and my grandkids can have jobs but also my kids and my grandkids can enjoy the Great Barrier Reef. Anyone who suggests that I or anyone else on this side of politics does not want to protect the Great Barrier Reef is just off their rocker. No-one—no-one—is interested in destroying the Great Barrier Reef in this state. We need to take the politics out of the Great Barrier Reef and start working together to ensure that the next generations can thoroughly appreciate it as much as we have.

Debate, on motion of Mr Powell, adjourned.

Sitting suspended from 1.00 pm to 2.30 pm.

**Madam DEPUTY SPEAKER** (Ms Farmer): I advise members that there is a photographer from the *Courier-Mail* who will be around the chamber over the next little while taking photographs. I call the Minister for Education and Minister for Tourism, Major Events, Small Business and the Commonwealth Games.

## MINISTERIAL STATEMENT

### TAFE Queensland, Department of Education and Training, Information Technology

 **Hon. KJ JONES** (Ashgrove—ALP) (Minister for Education and Minister for Tourism, Major Events, Small Business and the Commonwealth Games) (2.30 pm), by leave: Today I have been made aware that sensitive information regarding the ongoing criminal investigation into the hacking of TAFE and the Department of Education and Training data has been made public. The unauthorised release of this information is deeply concerning and has been provided publicly against the consistent advice of the Queensland Police Service and the Queensland Government Chief Information Officer.

around Yarraman. I also thank Terry Reid and Tom Clarke, both active members of the local Yarraman RSL, for the work that they do in our local communities.

### Medicinal Cannabis

 **Mr RYAN** (Morayfield—ALP) (3.01 pm): Whilst the Queensland government has announced its support for the commencement in 2016 of trials of pharmaceutical cannabis for children with drug-resistant epilepsy, many local people have met with me to discuss their desire to progress law reform in respect of medicinal cannabis. Those people have told me about their personal stories involving the medical conditions of family members and friends—people like Eamonn.

Eamonn has to be one of the happiest people I have ever met. He is a young man with a huge smile and an even bigger heart. I have known Eamonn's family for more than 20 years. Since before the last election, I have spoken with Eamonn's mum at length about the terrifying and sometimes daily epileptic seizures that Eamonn experiences. I cannot imagine the distress that Eamonn's mum must go through when she is holding her son in her arms and feeling helpless to prevent or control Eamonn's seizures. Surely we can do more to help Eamonn and his mum and people like them.

There are many other people with similar stories. It is hard not to be moved by the heartfelt stories from people who have debilitating conditions which may be relieved by medicinal cannabis use. I am pleased that the Premier is listening to these stories, and I commend the compassionate and courageous decision by the Queensland government to commit to supporting the trials of pharmaceutical cannabis for children with drug-resistant epilepsy. However, it is important for all members to also think about how other progress can be made. In that respect, I ask members of this House to turn their minds to how the Queensland government can progress the further trials of medicinal cannabis.

Thought should also be given to how the Queensland government can progress the recent announcement that the federal government intends to introduce a licensing scheme for the domestic supply of medicinal cannabis. As global supplies of medicinal cannabis are relatively scarce and expensive, the introduction of a national licensing scheme is essential. I encourage the Queensland government to consider how we can be a leader in relation to the rollout of this licensing scheme.

The stories about children experiencing life-threatening seizures, the stories about the nausea experienced by cancer sufferers undergoing chemotherapy, the stories about those people experiencing debilitating end-of-life pain should move us all and should call us all to act compassionately in respect of how we can act to assist them further.

## SUSTAINABLE PORTS DEVELOPMENT BILL

### Second Reading

Resumed from p. 2863, on motion of Dr Lynham—

That the bill be now read a second time.

 **Hon. AJ LYNHAM** (Stafford—ALP) (Minister for State Development and Minister for Natural Resources and Mines) (3.04 pm), in reply: I thank honourable members for their contributions to the debate on the Sustainable Ports Development Bill. The debate before the House reinforces the previous government's lack of recognition of the scale of the problem confronting the Great Barrier Reef and its unwillingness to take the necessary action to protect it. The members opposite were prepared to defer debate on this bill—they were happy to risk international confidence in the ability of this government to protect the reef. They were also happy to leave all stakeholders in a state of uncertainty.

This bill is the product of many people who have worked hard and given of their time and expertise in delivering a bill that will achieve the right balance between protection of the reef and economic development. I think all members on this side of the House can be very proud that they have contributed to the World Heritage Committee's unanimous decision not to place the Great Barrier Reef on its World Heritage in-danger list. The former government simply did not give the international community sufficient assurance that it would better manage the impacts of port development on the Great Barrier Reef. What is disappointing is that it is still not prepared to do so.

The Palaszczuk government is taking substantial action needed to secure the reef's long-term health, and this bill is part of that action. In my opening remarks I emphasised that we are a consultative government that listens and responds. That is exactly what we have done in accepting the

recommendations of the committee and taking on board the views of those who have made submissions during the committee's examination of this bill.

Through this bill, the Palaszczuk government is leading the way in setting a new national standard for port planning and sustainable port development. We have strengthened the opportunities for the public to have their say in and understand the way the priority ports of Gladstone, Abbot Point, Townsville, Hay Point and Mackay plan for future growth and development. This government is committed to supporting Cairns, its port, the industries that rely on the port and the community of Cairns. We have listened to all those concerned about the future of the Port of Cairns and, through the amendments to the bill, we have established a clear direction on how the Port of Cairns will be able to take up future development opportunities that will not impact on the reef. There is no better example of this government listening to stakeholders and sticking to its international commitments than this bill.

I would now like to address some of the points raised during the debate. I refer firstly to the points raised by the member for Hinchinbrook. The member referred to the LNP's bill and its requirements, particularly the time frame within which the minister had to make a master plan for a priority port. The previous bill had a three-year time frame. This government has already started work on master planning, and I can confirm today the time frames for proposed master planning for each priority port: Abbot Point and Townsville will start in 2016; Hay Point and Mackay will start in 2017; and it is anticipated that master planning for the Port of Gladstone will be completed by the end of 2016.

**Mr Cripps:** It is not in the bill though, is it?

**Dr LYNHAM:** So for the communities the timing for master planning of ports is not important? So the communities do not deserve to know when their ports are being master planned? The communities do not need to be informed as far as the member for Hinchinbrook is concerned. We take these communities much more seriously than those opposite.

The member for Hinchinbrook also claims the government is interfering in Ports North's recalibration of the Cairns Shipping Development Project. The member seems to think that the Cairns shipping development environmental impact statement could examine all options for the development of the Port of Cairns—this is simply not correct.

**Mr Cripps:** It could. It used to before you got involved.

**Dr LYNHAM:** The scope of the EIS must be limited to the channel and swing basins only—the EIS cannot extend to the inner harbour of Cairns. For the benefit of the member over there who interjects on the topic, the scope of the EIS was declared a coordinated project by the Coordinator-General in September 2012 and the scope has not changed since then. All we have done is to impose a requirement that the project must be commercially viable and will require land based disposal or beneficial re-use of dredge material. Surely no-one—not even those opposite—could support a dredging project that is not economically or environmentally responsible.

The member also asked how the government could justify allowing small-scale incremental capital dredging in the Port of Cairns and not in other non-priority ports. I refer to the findings of the Infrastructure, Planning and Natural Resources Committee on this matter. The committee ran a very thorough process and consulted widely and made a recommendation only about the Port of Cairns. We have listened and responded accordingly. The member for Burleigh seems to think his committee recommended that the Port of Cairns be declared a priority port. That is not correct. The committee recommended only that it be considered as a priority port, which we did. Amendments to the bill will allow small-scale capital dredging at the Port of Cairns confined to the inner harbour, outside any state or Commonwealth marine park and subject to both project and total volumetric limits.

The member for Clayfield asked about the evidence behind the limits that have been decided for the Cairns inner harbour capital dredging. These limits were developed following extensive consultation with stakeholders in Cairns. Apart from a small handful of people, this approach has widespread support. Critically, it is supported by Ports North. If anyone understands the future needs for capital dredging in the Port of Cairns, it is Ports North. Ports North has supplied a detailed estimate of future likely needs for capital dredging in the inner harbour. A range of small projects may be needed to upgrade port facilities for sugar, general cargo, shipyards, commercial fishing and other marine industries. As I mentioned in my opening remarks, a great example of a potential need to upgrade port facilities is the opportunity of the Pacific patrol boat replacement project currently out for tender by the Department of Defence. This project is worth \$594 million and potentially \$1.38 billion over 30 years, and fits well with Queensland's niche capacity to build and sustain navy vessels up to 2,000 tonnes.

Ports North has estimated that capital dredging of less than 50,000 cubic metres would be needed to support this expansion. This is fact. We have included a review of the inner harbour capital dredging limits within four years because no-one can perfectly predict future needs. The proposed limits are based on the best available information, but they may need to change after we have seen four years of the operation.

I would like to take the opportunity to correct the record about historical dredging proposals at Abbot Point. Even though I was not in parliament at that stage, we have reviewed the record and the members for Hinchinbrook and Callide made a claim that the previous ALP government proposed dredging of 38 million cubic metres of capital material. That is correct, but that material was intended to be used for land reclamation to create a multicargo facility. This was set out clearly in the project's initial advice statement in July 2009. The federal Environment Protection and Biodiversity Conservation Act referral used similar wording.

What about the MCF proposal? Yes, it was ambitious. However, it was a long-term expansion plan and no different in concept to port expansion projects still underway, and very successful, in our ports including Brisbane, Gladstone and Townsville. It was about more than coal. It was about multicargoes, as its name suggests. Along came the Newman government in 2012 which simply scrapped these plans. Instead, interestingly they proposed dumping three million cubic metres at sea in the Great Barrier Reef World Heritage area. This was the responsibility of the former LNP government and, in particular, the member for Callide. This was right at the time that Queensland and Australia were under the international spotlight about its management of ports in the Great Barrier Reef World Heritage area. In response to public pressure and international scrutiny, the Newman government did alter the plan and instead decided to dump the dredge spoil into the Caley Valley wetland. The Palaszczuk government has now restored sanity and has come up with a workable plan to pump the dredge material to land for beneficial reuse. The EIS process for the Abbot Point Growth Gateway Project is now coming to a close, and I am confident that we will receive Commonwealth approval shortly.

It saddened me to hear the appalling attack from the member for Callide on the chairman of Gladstone Ports Corporation, Mr Leo Zussino. This man has done so much to bring about the economic development of this state, the resources industry and Gladstone, and is someone who I know is very conscious of the environmental obligations the port has, given the special place it exists in. He has done more for the environment than most of those opposite. For example, when he was chair of the Australian Maritime Safety Authority it was Mr Zussino who recommended to the then prime minister of Australia, Mr Kevin Rudd, after the *Shen Neng 1* incident that AMSA apply to the International Maritime Organization to have the 'particularly sensitive seaway' declaration for the Great Barrier Reef extended all the way to the bottom of the reef. This declaration facilitated the introduction of a reef vessel tracking system for the southern Barrier Reef. That system is now operational, with a command centre in Gladstone which controls movements of all large shipping in the declared area. As chair of AMSA, he also initiated development of the north-west and north-east shipping management plans which have facilitated increased safety of bulk shipping through pristine parts of Australia's coastline.

Both the member for Hinchinbrook and the member for Burleigh raised the key differences between the LNP bill and the government bill before the House. The purpose of the government's bill is to balance protection of the Great Barrier Reef with managing port related development responsibly. By complete contrast, the prime purpose of the LNP's lapsed bill was economic growth. One has to ask whether the LNP's bill would have satisfied UNESCO and kept the Barrier Reef off the in-danger list. I also ask what would have happened if the LNP were re-elected. Would they have sold Townsville port and then the other ports one by one? What was their plan for the Port of Cairns? Would this have been sold along with the rest? This bill bans sea based disposal of port related capital dredged material in the Great Barrier Reef World Heritage area. The member for Burleigh suggested that the previous LNP government was considering banning sea based disposal. However, all we know is that it was not included in their bill introduced in November last year. An additional protection for the reef in the bill before the House is that there are no time restrictions on its prohibitions on capital dredging for new port facilities and greenfield ports outside existing port limits, unlike the LNP's previous bill.

Another notable contrast between this government's bill and the LNP's bill is that this bill has the support of the two largest economic voices in the Cairns community—the Cairns Chamber of Commerce and Advance Cairns. Unlike those opposite, this government has been able to work constructively with important stakeholder groups including the World Wildlife Fund, the Environmental Defenders Office and the Australian Marine Conservation Society. We have been able to find the correct solution through respectful dialogue and achieve the right balance in terms of protection of the reef and economic development.

The member for Burleigh also raised the question that, if the government has been able to come up with this solution for Cairns, why is a similar solution not available for Port Alma? The answer is quite simple. In the Reef 2050 Plan, action EHA22 states that the government will protect the Fitzroy delta including north Curtis Island and Keppel Bay. As members are aware, the Reef 2050 Plan is a joint Commonwealth-state document.

This bill will give communities a say in the future development of their ports. Master planning will facilitate coordinated planning of land and marine areas by identifying state interests through a cooperative approach. Existing planning authorities will retain their decision-making roles by ensuring state interests are managed consistently. This government respects the independence of statutory authorities and their ability to make decisions in the state's interests. Accordingly, both the Coordinator-General and the Minister for Economic Development Queensland will retain their roles and manage land uses in their respective areas of responsibility. This bill clearly requires all the planning entities to agree on stated objectives and management measures for development of economic opportunities and key environmental values.

The outcome will bring certainty to ports, associated industries and, most importantly, the community. The measures will enable preservation of areas for future essentials that a growing port will require, such as infrastructure corridors for road, rail, gas and water pipelines and powerlines. It will protect areas that support community needs as well as sensitive environmental areas. A statutory review of these objectives will involve public consultation, giving the public and stakeholders an opportunity to have their say in how the objectives are being met and balanced for the benefit of ports and the community and the protection of the reef. Master planning will also ensure the outstanding universal value of the Great Barrier Reef World Heritage area is an intrinsic consideration in future port development.

As well as being an Australian icon and a world renowned ecosystem of the utmost heritage value, the Great Barrier Reef contributes \$6 billion annually to the Queensland economy and supports over 70,000 jobs. I recognise here that the opposition have said that they will support this bill. We appreciate that but note, having heard the debate in this place over the past days, that it is grudging support. There has been an attempt to rewrite history on some issues, and I hope I have corrected that with my speech. The members opposite say that this bill is close to theirs. How close? We do not think it is, and if they thought that as well why did we have speaker after speaker attacking this government and aspects of the bill while saying they support this bill? It is politics—LNP politics, which is more important to them than Cairns, Gladstone, Mackay and Townsville and, most importantly, the Great Barrier Reef. They are putting politics over our communities and over our reef.

I thank the Infrastructure, Planning and Natural Resources Committee once again for their robust examination of the Sustainable Ports Development Bill 2015 and all those who participated in the committee's examination. Again, I thank all honourable members for their contributions to the debate today. I commend this bill to the House.

Division: Question put—That the bill be now read a second time.

Resolved in the affirmative under standing order 106.

Bill read a second time.

### Consideration in Detail

Clause 1, as read, agreed to.

Clause 2—



**Mr CRIPPS** (Hinchinbrook—LNP) (3.27 pm): I move the following amendment—

1

**Clause 2 (Purpose of Act)**

Page 6, lines 8 to 26 and page 7, lines 1 to 8—

*omit, insert—*

- (1) The purpose of this Act is to provide for the sustainable development of Queensland's ports to facilitate economic growth while protecting and managing Queensland's environmental assets.
- (2) The purpose is achieved through planning for the efficient use and development of major ports in a way that—
  - (a) increases their contribution to the State's economy; and
  - (b) protects and manages environmental assets, including the Great Barrier Reef; and
  - (c) is consistent with ecologically sustainable development.

- (3) Also, the purpose is to be achieved in a way that includes the following—
- (a) long-term planning for priority ports to provide a strategic and coordinated approach to managing economic, environmental, cultural and social values in the Great Barrier Reef World Heritage Area;
  - (b) concentrating port development in priority ports;
  - (c) recognising the diverse functions of the port network, including trade, tourism and defence operations;
  - (d) efficiently using port and supply chain infrastructure;
  - (e) expanding port and supply chain capacity in a staged and incremental way to meet emerging demand for imports and exports;
  - (f) identifying and protecting land and infrastructure critical to the effective operation of the port network;
  - (g) maximising the community and economic benefits of port development and minimising potential adverse impacts on social, environmental and cultural heritage values;
  - (h) avoiding unacceptable impacts on environmental values by having regard to the avoid, mitigate, offset hierarchy.
- (4) The **avoid, mitigate, offset hierarchy** is the following precepts, listed in the preferred order in which land use planning for ports should be considered—
- (a) avoid impacts on environmental values, including on any of the following—
    - (i) a matter of national environmental significance under the Commonwealth Environment Act, chapter 2;
    - (ii) an outstanding universal value within the meaning of the World Heritage Convention (Article 11);
    - (iii) a matter of State environmental significance that is prescribed as a prescribed environmental matter under the *Environmental Offsets Act 2014*;
  - (b) mitigate impacts on environmental values;
  - (c) offset any significant residual loss of environmental values that can not be avoided or mitigated.
- (5) In this section—
- World Heritage Convention** means the Convention for the Protection of the World Cultural and Natural Heritage that has been adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization, a copy of which is set out in the *Wet Tropics World Heritage and Protection Management Act 1993*, schedule 2.

Consistent with the comments I made during my contribution in the second reading debate on this bill, I indicate to the House that in my opinion the purpose of this bill is narrow and does not take into consideration the important economic and social role that the ports on the east coast of Queensland adjacent to the Great Barrier Reef World Heritage area play in the economic development and support of the communities in those regions of Queensland. As evidence of that, I indicate that subclause 2(1) of the bill before the House, under the heading ‘Purpose of Act’, states—

The purpose of this Act is to provide for the protection of the Great Barrier Reef World Heritage Area through managing port-related development in and adjacent to the area.

That is the only area that is described as part of the purpose of the act in subclause 2(1) of the bill. The amendment that I have moved acknowledges that the environment of Queensland is extremely important and should be recognised, but it also recognises in terms of the Sustainable Ports Development Bill that those pieces of infrastructure play a wider and broader role in Queensland. The purpose of the act that I have drafted and moved reads as follows—

The purpose of this Act is to provide for the sustainable development of Queensland’s ports to facilitate economic growth while protecting and managing Queensland’s environmental assets.

The alternative purpose of the act that I have moved goes on to nominate the Great Barrier Reef and the Great Barrier Reef World Heritage area on a number of occasions throughout the text. As I indicated earlier, I think this is a more broad and appropriate purpose for this particular piece of legislation. The other feature of the alternative purpose of the act that I have moved is the inclusion of the ‘avoid, mitigate, offset hierarchy’.

In my opinion this will give the legislation access to the ‘avoid, mitigate, offset’ hierarchy, which is not part of the purpose that is currently included in the 2015 bill before the House. It is desirable to give the sustainable ports development act framework access to the offsets hierarchy to achieve better environmental outcomes in the long term but with the maximum flexibility allowed to achieve those particular outcomes.

**Dr LYNHAM:** The proposed amendments to the purpose of the bill moved by the member for Hinchinbrook are based largely on the purpose of the 2014 bill. They are very familiar—they look familiar, they smell familiar. Honourable members will recall that the purpose of the 2014 bill was to ensure that the major ports adjacent to the reef were asset sale ready. The proposed amendments seek to fundamentally change the purpose of the bill. What we are trying to achieve is protection of the Great Barrier Reef while providing for sustainable port development.

**Mr Seeney** interjected.

**Mr Cripps:** That is a ridiculous red herring.

**Dr LYNHAM:** It is the same thing.

**Mr SPEAKER:** Members, this is not an opportunity for debate. Member for Hinchinbrook, you have spoken. The minister is speaking. Member for Callide, if you want to speak I invite you to speak at the appropriate time. I call the minister.

**Dr LYNHAM:** We are trying to protect the reef. Those on the other side are simply going back to their previous strategy and that is to package up the priority ports for asset sales. Their ports bill was designed to maximise control over port land and minimise future costs of dredging. Fundamentally, it was about getting the highest price for the ports in their assets sell-off. Why else would they want to remove from the purpose clause prohibitions on dredging and sea based disposal of capital dredging? The proposed amendments include the reintroduction of the 'avoid, mitigate, offset' hierarchy. We cannot support this as it is simply not consistent with the reef 2050 plan. The Queensland and Australian governments have agreed to move on from this. We have now committed to ensuring that all development provides a net benefit to the reef.

**Ms Trad** interjected.

**Mr Seeney** interjected.

**Dr LYNHAM:** The purpose clause as introduced reflects our commitment to achieving an effective balance between reef and economic development. Changing the purpose of the bill to focus on economic growth at the expense of the reef would be a disastrous outcome for the reef and for the people of Queensland. Changing the purpose clause to ratchet up the purchase price for eventual sale is a travesty. Clearly, those opposite have not abandoned their old ways. To support the proposed amendment would be to go back to the old ways of thinking, and this is simply not acceptable. The purpose clause of the member's amendment gives it away. We cannot support this amendment.

**Mr SPEAKER:** Deputy Premier, I urge you not to bait the member for Callide.

Division: Question put—That amendment be agreed to.

**AYES, 44:**

**LNP, 42**—Barton, Bates, Bennett, Bleijie, Boothman, Costigan, Cramp, Crandon, Cripps, Davis, Dickson, Elmes, Emerson, Frecklington, Hart, Krause, Langbroek, Last, Leahy, Mander, McArdle, McEachan, McVeigh, Millar, Minnikin, Molhoek, Nicholls, Perrett, Powell, Rickuss, Robinson, Rowan, Seeney, Simpson, Smith, Sorensen, Springborg, Stevens, Stuckey, Walker, Watts, Weir.

**KAP, 2**—Katter, Knuth.

**NOES, 44:**

**ALP, 43**—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, Pyne, Russo, Ryan, Saunders, Stewart, Trad, Whiting, Williams.

**INDEPENDENT, 1**—Gordon.

The numbers being equal, Mr Speaker cast his vote with the noes.

Non-government amendment (Mr Cripps) negated.

Clause 2, as read, agreed to.

Clauses 3 to 31—



**Dr LYNHAM** (3.40 pm): I seek leave to move the following amendments en bloc.

Leave granted.

**Dr LYNHAM:** I move the following amendments—

**1 Clause 6 (Master planned areas)**

Page 8, lines 16 and 17, 'under the Transport Infrastructure Act'—

*omit.*

**2 Clause 9 (Process for making or amending master plans)**

Page 10, lines 15 to 17—

*omit.*

**3 Clause 12 (Making proposed master plan or amendment)**

Page 13, line 6, 'notice'—

*omit, insert—*

public notice and the master plan or amendment

**4 Clause 12 (Making proposed master plan or amendment)**

Page 13, lines 11 to 13—

*omit, insert—*

- (4) Within 14 sitting days after the master plan or amendment is made, the Minister must table in the Legislative Assembly a copy of the master plan or amendment.
- (5) If the Minister decides not to make the proposed master plan or amendment, the Minister must—
  - (a) publish the decision in a public notice; and
  - (b) give each entity mentioned in section 11(3) a copy of the public notice.

**5 After clause 12**

Page 13, after line 13—

*insert—*

**12A Administrative amendments**

- (1) The Minister may make an administrative amendment of a master plan without complying with sections 10 to 12.
- (2) Instead, the Minister may make an administrative amendment of a master plan by publishing a public notice that states—
  - (a) the day the amendment was made; and
  - (b) where a copy of the amended master plan may be inspected and purchased.
- (3) The Minister must give each entity mentioned in section 11(3) a copy of the public notice and the amended master plan.

**6 Clause 15 (Notice of review)**

Page 14, lines 20 to 28—

*omit, insert—*

Minister must publish a public notice stating that—

- (a) the Minister proposes to review the master plan; and
- (b) an entity may make a written submission to the Minister about the proposal within a stated period of at least 20 business days.
- (2) The Minister must give a copy of the public notice to the following entities—
  - (a) the port authority for the priority port;
  - (b) each affected local government;
  - (c) if the master planned area is within, or includes, a priority development area—MEDQ;
  - (d) if the master planned area is within, or includes, a State development area—the Coordinator-General.

**7 Clause 17 (Action Minister must take after review)**

Page 15, line 15, after 'plan'—

*insert—*

for a priority port, including considering all submissions made in accordance with the public notice

**8 Clause 17 (Action Minister must take after review)**

Page 15, lines 22 and 23—

*omit, insert—*

must—

- (a) table in the Legislative Assembly a report stating the reasons for the decision; and
- (b) give notice of the decision to each entity mentioned in section 15(2).

**9 Before clause 22**

Page 18, after line 6—

*insert—*

**21A Preparing and notifying draft instrument**

- (1) If the Minister proposes to make or amend a port overlay for a priority port's master planned area, the Minister must prepare a draft of the proposed port overlay or amendment (the **draft instrument**).
- (2) After preparing the draft instrument, the Minister must publish a public notice stating—
  - (a) where copies of the instrument may be inspected and purchased; and
  - (b) a phone number or email address to contact for information about the instrument; and
  - (c) that an entity may make a written submission to the Minister about any aspect of the instrument; and
  - (d) the requirements for properly making a submission; and
  - (e) the period (the **consultation period**) within which a submission may be made, which must be at least 10 business days after the public notice is published in the gazette.
- (3) The Minister must give a copy of the public notice and the draft instrument to the following entities—
  - (a) the port authority for the priority port to which the draft instrument relates;
  - (b) each affected local government;
  - (c) if the master planned area is within, or includes, a State development area—the Coordinator-General;
  - (d) if the master planned area is within, or includes, a priority development area—MEDQ.
- (4) For all of the consultation period, the Minister must keep a copy of the draft instrument available for inspection and purchase by members of the public at the department's head office.

**10 Clause 22 (Making or amending port overlays)**

Page 18, lines 8 to 24—

*omit, insert—*

- (1) After the Minister considers all submissions made in accordance with the public notice, the Minister must decide—
  - (a) to make the proposed port overlay or amendment; or
  - (b) to make the proposed port overlay or amendment with the changes the Minister considers appropriate; or
  - (c) not to make the proposed port overlay or amendment.
- (2) If the Minister decides to make the proposed port overlay or amendment (with or without changes), the Minister must—
  - (a) publish the decision in a public notice stating—
    - (i) the day the port overlay, or amendment, (the **instrument**) was made; and
    - (ii) where a copy of the instrument is available for inspection and purchase; and
    - (iii) for an amendment of a port overlay—a brief description of the amendment; and
  - (b) give each entity mentioned in section 21A(3) a copy of the public notice and the instrument.

**11 Clause 22 (Making or amending port overlays)**

Page 18, line 27, '(1)'—

*omit, insert—*

(2)

**12 After clause 22**

Page 19, after line 8—

*insert—***22A Administrative amendments**

- (1) The Minister may make an administrative amendment of a port overlay without complying with sections 21A and 22.
- (2) Instead, the Minister may make an administrative amendment of a port overlay by publishing a public notice that states—
  - (a) the day the amendment was made; and
  - (b) where a copy of the amended port overlay may be inspected and purchased.
- (3) The Minister must give each entity mentioned in section 21A(3) a copy of the public notice and the amended port overlay.

**13 Clause 29 (Requirement to review approved development schemes under State Development Act)**

Page 22, lines 17 to 20, from 'scheme' to 'decision.'—

*omit, insert—*

scheme—

- (a) the Coordinator-General must give the State Development Minister a report about the reasons for the decision; and
- (b) the State Development Minister must, within 14 sitting days after the decision is made, table the report in the Legislative Assembly.

**14 Clause 30 (Requirements for making or amending approved development schemes under State Development Act)**

Page 22, line 27—

omit, insert—

- (2) Subsections (3) and (4) apply if—

**15 Clause 30 (Requirements for making or amending approved development schemes under State Development Act)**

Page 23, lines 4 to 7—

omit, insert—

- (3) The Coordinator-General must give the State Development Minister a report stating the reasons for making the instrument despite the inconsistency.
- (4) The State Development Minister must, within 14 sitting days after the instrument is made, table the report in the Legislative Assembly.

Amendments agreed to.

Clauses 3 to 31, as amended, agreed to.

Clause 32—



**Dr LYNHAM (3.40 pm):** I move the following amendments—

**16 Clause 32 (Particular applications for port facilities must be refused)**

Page 24, lines 13 to 15—

omit, insert—

- (b) the disposing, or depositing, of material generated from dredging activities.
- (3) Also, subsection (1) does not apply to development for, or relating to, a port facility for the Port of Gladstone if the development is carried out on an island—
  - (a) that, on 12 October 2015, was included in the special industry zone under the planning scheme made under the Planning Act for the Gladstone local government area; or
  - (b) that is completely or partly within the port's strategic port land, or a State development area, and the strategic port land or State development area is within, or adjacent to, the existing port limits of the Port of Gladstone.
- (4) This section applies despite the following—

**17 Clause 32 (Particular applications for port facilities must be refused)**

Page 24, line 20, '(4)'—

omit, insert—

- (5)



**Mr KNUTH:** I move the following amendment to the minister's amendment—

**1 Amendment to Minister's amendment no. 16**

Clause 32 (Particular applications for port facilities must be refused)—

Omit proposed subsection (2) (b) and insert—

- (b) the disposing, or depositing, of material generated from dredging activities;
- (c) development for, or relating to, a port facility for the Port of Cairns or the Port of Mourilyan.

**Mr KNUTH:** I table a copy of the amendment to the minister's amendment.

*Tabled paper:* Sustainable Ports Development Bill 2015, Mr Shane Knuth's amendment.

The amendments that I have circulated remove the ports of Mourilyan and Cairns from the Sustainable Ports Development Bill 2015 until the EIS has expired on 31 March 2016. Cairns interest groups have clearly stated that 50,000 cubic metres per project is insignificant and 150,000 capped over four years is completely insignificant. It will probably take 50 to 100 years for these projects, particularly when the Cairns is looking to get international cruise liners, cargo ships and sugar ships. There is also a 6,000-strong petition which indicates that the Cairns community is determined to see their port become a priority port or get a better deal than they have today.

I know that of course everyone has concerns about dredging in the Great Barrier Reef, but I think they are a little bit exaggerated. When I flew over Cairns after Cyclone Yasi, the devastation was such

that the amount of percolating water would be 100,000 times greater than one dredging in that port, so the effects of dredging on the Great Barrier Reef are minute compared to just one cyclone and one storm alone. Cairns has air, rail and road links but they do not have a port, and all that they are asking for is to dredge so that international cruise ships, fuel tankers, sugar ships and navy ships can enter. We are debating something that will have little impact on the Great Barrier Reef, yet it is stalling development in the fastest-growing region in this state. These amendments remove Cairns and Mourilyan from this bill so they can be debated separately to other ports like Townsville and Gladstone, and I know that I have the support of the Cairns community.

**Dr LYNHAM:** I rise to respectfully oppose the amendments moved by the member for Dalrymple. Amendment No. 1 would have very limited effect and is unnecessary. Clause 32 of the bill already allows development within the limits of all ports. The proposal, which specifically allows port related development outside the port limits of Cairns and Mourilyan, does not make sense and is contrary to the commitments made in the Reef 2050 plan.

Amendment No. 2 seeks to remove all restrictions on capital dredging in the ports of Cairns and Mourilyan. To amend the bill in this way for Cairns and Mourilyan, when both ports are clearly within the Great Barrier Reef World Heritage Area, completely defeats the purpose of the bill. I am afraid it would send a very poor message to Queensland, Australia and internationally as well as those who care for our environment and the economy of this state. It would allow the ports of Cairns and Mourilyan unfettered ability to develop without any of the safeguards of master planning, including a mechanism for measuring cumulative impacts on the Great Barrier Reef. This bill and the government's amendments are vital for managing the Great Barrier Reef, and their passage intact and in a timely fashion is critical. It fulfils our government's commitments made in bond to the United Nations Educational, Scientific and Cultural Organisation's World Heritage Committee in June 2015. Moreover, the contents of, and policy behind, the bill in that committee's unanimous decision were not to place the Great Barrier Reef on its in danger list.

We recognise that the port of Cairns is critical economic infrastructure to its city, its region, its people and its business. To make it clear, the proposed legislation does not limit the port of Cairns from undertaking the following dredging: capital dredging within the inner harbour to a maximum of 50,000 cubic metres for a single project; and up to 150,000 cubic metres over a four-year period. Additional capital dredging is allowed for the Cairns Shipping Development Project. This includes the widening and deepening of the existing shipping channel and expansion of the swing basins and berth pockets used for cruise ships and navy vessels. Do not forget that it does include dredging for small-scale marine facilities such as tourism or recreational purposes for which Cairns is a very important port. This includes things like boat ramps, boat harbours and marinas, which are excluded from the bill; they are allowed to continue. Also of vital importance is that it allows maintenance dredging to continue. Once the capital dredging has been done, either by the in-port 50,000 limit or by a successful EIS, the maintenance dredging will enable it to still function through its lifetime.

Of course all dredging works are subject to rigorous approval processes. Any capital dredging must be commercially viable, and we have stated time and time again that there must be land based disposal or beneficial reuse. The government supports the port of Cairns being able to develop in a way that does not harm the Great Barrier Reef. That is why we argue that the bill and the amendments to the bill which have been put forward must be passed. Any diversion from this road map to reef sustainability balanced with economic prosperity would be potentially disastrous for Australia and Queensland's reputations. There is no doubt that, under our proposal, as the great city of Cairns grows the port of Cairns can grow with it. Accordingly, I argue strongly that this bill should proceed without the amendments proposed by the member for Dalrymple.

**Mr CRIPPS:** In view of the concerns raised by the local community in Cairns and Far North Queensland, the concerns raised by organisations like Advance Cairns, the Cairns Chamber of Commerce, the mayor of Cairns and indeed the community organisation Cairns Port Development Inc., the LNP did investigate a range of options with respect to the provisions of this bill with a view to formulating amendments that addressed these concerns regarding the sustainable growth of non-priority ports in Queensland adjacent to the Great Barrier Reef World Heritage area. To that end, the LNP consulted with the Commonwealth Minister for the Environment to try to determine amendments for this purpose that would not offend the agreement entered into by the Queensland and Australian governments and UNESCO. The LNP has been advised by the Commonwealth Minister for the Environment and his office that no amendments to this legislation which provide for capital expansion in a non-priority port, including specifically the wording of this amendment, would not offend that particular agreement with UNESCO.

During my contribution to the second reading debate I advised the House that the LNP was concerned about Queensland's international reputation as a steward of the Great Barrier Reef World Heritage area and outlined our concern about industries such as the tourism industry being negatively impacted upon if UNESCO moved to remove the Great Barrier Reef World Heritage area from the World Heritage List. Without advice from the Commonwealth Minister for the Environment that this amendment will not do that, the LNP cannot support the amendment and the LNP has not received any such advice.

The only other source of advice that could clarify if this amendment in particular is consistent with that agreement with UNESCO is the other signatory to that agreement—that is, the government of Queensland. It has not done so. In fact, even with the amendment that the minister has foreshadowed, the government has not really provided any supporting evidence that his amendment is consistent with the agreement with UNESCO. Without that justification, the LNP certainly cannot support an amendment that goes beyond what one of the signatories to the agreement is prepared to put forward, which is the compromise amendments submitted by the government.

It is, however, in my opinion, very unfortunate that the government has failed to provide any robust justification for the compromise amendment volumes for small incremental capital works at the port of Cairns. If it had done so, the House could support the government's amendment with some more confidence that it does not contravene the agreement between the Queensland and Australian governments and UNESCO.

Question put—That the amendment to the amendment be agreed to.

Resolved in the negative under standing order 106.

Non-government amendment (Mr Knuth) negatived.

Amendments agreed to.

Clause 32, as amended, agreed to.

Insertion of new clause—



**Dr LYNHAM** (3.58 pm): I move the following amendment—

**18 Part 3, division 3 (Capital dredging and disposal of dredge material)**

Page 25, lines 4 and 5, 'and disposal of dredge material'—

*omit.*

Amendment agreed to.

Clause 33—



**Dr LYNHAM** (3.58 pm): I move the following amendment—

**19 Clause 33 (No approvals for particular capital dredging)**

Page 25, lines 7 to 13—

*omit, insert—*

- (1) An approving authority must not give an approval for development that is, or includes, capital dredging if the dredging will be carried out—
  - (a) within a restricted area; and
  - (b) for the purpose of establishing, constructing or improving a port facility.
- (2) However, subsection (1) does not apply to an approval for development that is, or includes, capital dredging carried out for the purpose of establishing, constructing or improving a port facility—
  - (a) in a priority port's master planned area; or
  - (b) for the Port of Cairns, if—
    - (i) the dredging will be carried out in the port's inner harbour; and
    - (ii) the approval does not permit the extraction or excavation of more than 50,000m<sup>3</sup> of material; and
    - (iii) the approval will not result in more than 150,000m<sup>3</sup> of material being extracted from, or excavated in, the port's inner harbour in a 4-year period.
- (3) In calculating whether an approval will result in more than 150,000m<sup>3</sup> of material being extracted or excavated in a 4-year period, only the following amounts are relevant—
  - (a) the amount of material to be extracted or excavated under the approval;
  - (b) the amount of material extracted or excavated, or to be extracted or excavated, under another approval for development that is, or includes, capital dredging unless the capital dredging was the subject of an EIS process started before the commencement.

**Mr CRIPPS:** Amendment 19, moved by the minister, amends section 33 to allow an approving authority to approve capital dredging for the purpose of establishing, constructing or improving a port facility at the port of Cairns, and it allows for the compromise amendments that have been put forward by the minister and the government in relation to an individual project in the port of Cairns being 50,000 cubic metres or a total of not more than 150,000 cubic metres of capital dredge material in a four-year period.

The reason I wanted to speak to this particular clause is that, notwithstanding the questions that I asked during the course of the second-reading debate, and notwithstanding the minister's opportunity to respond to those questions during his summing-up on the bill, the government still has not addressed this nagging question of where these volumes come from, how they are justified and why this diversion from the cardinal rule of not having any capital works in a non-priority port does not offend the agreement between the government of Queensland, the Australian government and UNESCO.

The explanatory notes accompanying these amendments state quite clearly that section 33 as amended will ensure the port of Cairns can expand without presenting a threat to the Great Barrier Reef. That sentence is contained within the explanatory notes accompanying this amendment, and I touched on this issue during the course of my contribution to the second reading debate where I quoted from the ministerial media release issued by the Premier, amongst other ministers, on 4 November. In that press release the Premier defined the commitment of the Palaszczuk government as follows—

We will stand by our commitment under Reef 2050 Long Term Sustainability Plan to declare only the major industrial ports of Gladstone, Abbot Point, Townsville and Hay Point/Mackay as priority ports.

As I mentioned yesterday, Minister Bailey said that the dredging plan—that is, the compromised amendments put forward by the government—meant that future development at the port could continue and not negatively impact the reef, with port material not to be disposed of at sea. Those comments relate to these compromised volumes of 50,000 in any one project and 150,000 over any four years, but what has consistently been ignored and not explained is why, if those arrangements are appropriate for the port of Cairns and will not impact on the Great Barrier Reef going forward and do not offend the agreement with UNESCO, will not those arrangements also suffice for other non-priority ports on the east coast of Queensland that are adjacent to the Great Barrier Reef World Heritage area and not be in place? What is the justification for this unique arrangement for the port of Cairns and not other non-priority ports?

**Dr LYNHAM:** I am happy to address the concerns to allay the fears of the member for Hinchinbrook and those opposite. It is quite simple. I did say in my second reading speech that the volumes were determined by Ports North. Ports North is the port authority. It obviously is the arbiter of what goes on in that port and it advised us quite simply that it could meet its obligations for port expansions to grow with the city of Cairns as Cairns grows by these limits of 50,000 per project, with a maximum of 150,000 over a four-year period. We have also been in consultation with the Department of the Environment in Canberra and also the Great Barrier Reef Marine Park Authority and there appears to be no inconsistency with UNESCO with this finding. I have also been in contact by phone with the federal Minister for the Environment—it was a brief phone call and I must admit that I would ask for him to confirm because he had to go away and find some more details himself—but on that brief phone call he could see no difficulty with that. The main issues are that the Department of the Environment in Canberra has ticked it off, the Great Barrier Reef Marine Park Authority has it ticked off, advice from Ports North—

**Mr Cripps:** But why are they unique—Cairns? That is my question.

**Dr LYNHAM:** To address that specific interjection as to why Cairns and not other ports, it is important that we identified four priority ports. These exemptions are taken with the utmost seriousness to protect the Barrier Reef. This exemption is a one-off because we listened to the people of Cairns. We heard how vital the Pacific patrol boats project was and those other little tiny projects that the people of Cairns wanted for their port. We listened carefully. It took us a long time to reach a decision by listening to the people of Cairns that this agreement was worthwhile. This agreement bedded down with environmental groups, the people of Cairns, Advance Cairns and Ports North to simply allow the simplest concept, and I will say it simply for you: as that rich and wonderful city of Cairns grows, its port can grow with it and keep the Great Barrier Reef in its pristine state.

Amendment agreed to.

Clause 33, as amended, agreed to.

Clauses 34 to 65—



**Dr LYNHAM** (4.02 pm): I seek leave to move amendments en bloc.

Leave granted.

**Dr LYNHAM:** I move the following amendments—

**20 Clause 34 (Restriction on granting approvals for disposal of prescribed dredge material)**

Page 25, lines 14 to 30—

*omit, insert—*

**34 Condition for approvals for particular capital dredging**

- (1) This section applies to an approval given by an approving authority for development that is, or relates to, capital dredging if the capital dredging is carried out—
  - (a) for the purpose of establishing, constructing or improving a port facility in a priority port's master planned area; or
  - (b) in the inner harbour of the Port of Cairns for the purpose of establishing, constructing or improving a port facility for the port.
- (2) The approval is taken to include a condition that material generated from the capital dredging must not be deposited, or disposed of, in a restricted area unless the material is beneficially reused.
 

*Examples of ways in which the material may be beneficially reused—*

  - for land reclamation
  - for beach nourishment
  - for environmental restoration purposes, such as creating or restoring wetlands or nesting islands
- (3) To remove any doubt, it is declared that this section applies to an approval whether it was given before or after the commencement.

**21 After clause 35**

Page 26, after line 8—

*insert—*

**35A Review of s 33 in relation to capital dredging for Port of Cairns**

- (1) The Minister must review the operation of section 33(2) (b) and (3) within 4 years after its commencement.
- (2) The object of the review is to decide whether section 33(2) (b) and (3) is effectively achieving a balance between economic development and the protection of the Great Barrier Reef World Heritage Area.
- (3) Before carrying out the review, the Minister must publish a public notice stating—
  - (a) that the Minister proposes to review the operation of section 33(2) (b) and (3); and
  - (b) a phone number or email address to contact for information about the review; and
  - (c) that an entity may make a written submission to the Minister about the review; and
  - (d) the requirements for properly making a submission; and
  - (e) the period within which a submission may be made, which must be at least 20 business days after the public notice is published in the gazette.
- (4) In carrying out the review, the Minister must consider all submissions made in accordance with the public notice.
- (5) The Minister must, as soon as practicable after finishing the review, table a report about the outcome of the review in the Legislative Assembly.

**22 Part 4, division 2 (Compensation for port overlays)**

Page 27, line 23 to page 32, line 26—

*omit.*

**23 Clause 56 (Registers)**

Page 34, line 10, 'division 3.'—

*omit, insert—*

- division 3;
- (d) proposed port overlays, or proposed amendments of port overlays, notified under section 21A;
  - (e) the matters raised in any submissions made to the Minister about—
    - (i) a proposed master plan, or proposed amendment of a master plan, notified under section 11; or
    - (ii) a proposed port overlay, or proposed amendment of a port overlay, notified under section 21A; or
    - (iii) a review notified under section 35A.

**24 Clause 60 (Particular development exempted)**

Page 35, line 22, 'Section 33'—

*omit, insert—*

Section 33(1)

**25 Clause 60 (Particular development exempted)**

Page 35, lines 25 to 26 and page 36, lines 1 to 13—

*omit.*

Amendments agreed to.

Clauses 34 to 65, as amended, agreed to.

Schedules 1 and 2—



**Dr LYNHAM** (4.05 pm): I seek leave to move amendments en bloc.

Leave granted.

**Dr LYNHAM:** I move the following amendments—

**26 Schedule 1 (Dictionary)**

Page 39, after line 2—

*insert—*

**administrative amendment**, of a master plan or port overlay, means an amendment correcting or changing—

- (a) an explanatory matter about the instrument; or
- (b) the format or presentation of the instrument; or
- (c) a spelling, grammatical or mapping error in the instrument; or
- (d) a factual matter incorrectly stated in the instrument; or
- (e) a redundant or outdated term in the instrument; or
- (f) inconsistent numbering of provisions in the instrument; or
- (g) a cross-reference in the instrument.

**27 Schedule 1 (Dictionary)**

Page 39, line 8—

*omit.*

**28 Schedule 1 (Dictionary)**

Page 40, lines 13 and 14—

*omit, insert—*

- (b) does not include dredging carried out for the purpose of—
  - (i) maintaining a channel, basin, port, berth or other similar thing for its intended use; or
  - (ii) protecting human life or property.

**29 Schedule 1 (Dictionary)**

Page 40, line 24—

*omit.*

**30 Schedule 1 (Dictionary)**

Page 40, line 27—

*omit.*

**31 Schedule 1 (Dictionary)**

Page 41, after line 2—

*insert—*

**EIS process** means any of the following processes—

- (a) an EIS process for development within the meaning of the Planning Act;
- (b) an EIS process for a project within the meaning of the Environmental Protection Act;
- (c) the process under the State Development Act, part 4, division 3, subdivision 1 for an environmental impact statement for a coordinated project under that Act;
- (d) the process under the Commonwealth Environment Act, chapter 4, part 8, division 6 for an environmental impact statement for an action under that Act;
- (e) the process under another Commonwealth Act for preparing an environmental impact statement for a project.

**32 Schedule 1 (Dictionary)**

Page 41, after line 14—

*insert—*

**inner harbour**, for the Port of Cairns, means the area that is—

- (a) south of latitude 16°55'0.7" south and within the port's port limits under the Transport Infrastructure Act; but
- (b) outside the State marine park.

**33 Schedule 1 (Dictionary)**

Page 41, lines 19 and 20—

*omit.*

**34 Schedule 1 (Dictionary)**

Page 41, lines 23 and 24—

*omit.*

**35 Schedule 1 (Dictionary)**

Page 42, lines 23 to 26—

*omit, insert—*

- (ii) for a notice about another instrument or the repeal of a master plan or port overlay—circulating in the master planned area to which the instrument, or repealed master plan or port overlay, relates;
- (iii) for a notice about a proposed review under section 35A—circulating in the Cairns local government area; and

**36 Schedule 1 (Dictionary)**

Page 43, after line 2—

*insert—*

**State Development Minister** means the Minister responsible for administering the State Development Act.

**37 Schedule 1 (Dictionary)**

Page 43, after line 4—

*insert—*

**strategic port land** see the Transport Infrastructure Act, section 286(5).

**38 Schedule 2 (Other amendments)**

Page 44, after line 22—

*insert—*

**Sustainable Planning Act 2009**

**1 Section 255E(13), after 'part 2'—**

*insert—*

or the *Sustainable Ports Development Act 2015*

Amendments agreed to.

Schedules 1 and 2, as amended, agreed to.

### Third Reading

 **Hon. AJ LYNHAM** (Stafford—ALP) (Minister for State Development and Minister for Natural Resources and Mines) (4.06 pm): 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. AJ LYNHAM** (Stafford—ALP) (Minister for State Development and Minister for Natural Resources and Mines) (4.06 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.