




Speech by

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MEMBER FOR CURRUMBIN

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QUEENSLAND RECONSTRUCTION AUTHORITY BILL

 **Mrs STUCKEY** (Currumbin—LNP) (5.02 pm): In rising to join the debate on the Queensland Reconstruction Authority Bill 2011, I once again place on record my deep sympathy for all who were affected by the tragic natural disasters wrought upon Queensland during the summer of 2010-11. As honourable members have heard, the LNP will be offering our support for this bill as we want to progress the rebuilding of our great state as soon as possible. We are keen to help the people of Queensland affected by these floods and cyclones to move on with their lives, to regain some sort of normalcy and to have a sense of control and ownership. As honourable members have also heard, the LNP has a number of reservations about aspects of the Queensland Reconstruction Authority Bill 2011, especially with regard to priority items, accountability and the role the Premier will be playing. In other words, we are taking the government's word on this for the sake of getting on with the job of helping Queenslanders recover from the massive destruction caused by one natural disaster after another.

The floods of December 2010 and January 2011 affected more than 80 towns and cities and claimed 36 lives, with three more people missing. The Premier had already mentioned that legislation would be required to give power to the government or an established authority to allocate funds for the extensive recovery program before the fury of category 5 Cyclone Yasi was unleashed on the good folk of Hinchinbrook and surrounding areas.

The Queensland Reconstruction Authority Bill 2011 amends the Building Act 1975, the Disaster Management Act 2003, the Integrity Act 2009, the Land Valuation Act 2010, the Public Service Act 2008 and the State Development and Public Works Organisation Act 1971. Provisions in this bill will allow for the establishment of a single entity, a new independent statutory authority, to oversee and intervene in the reconstruction of flood affected zones, including implementation of flood mitigation recommendations, infrastructure reconstruction and social, economic and environmental recovery in the communities.

The chair of the Queensland Reconstruction Authority Board will be Major General Mick Slater. The chief executive officer will be former Coordinator-General Mr Graeme Newton. The other six positions will be held by persons with relevant and extensive experience. In essence, the authority will primarily be responsible for coordinating, implementing and monitoring the rebuilding and recovery, working across all levels of government in planning and facilitating the recovery program. These responsibilities include flood mitigation, community protection and rebuilding, expedition of regulatory approvals and setting the priorities for community infrastructure and services. As a result of the damage caused by category 5 Cyclone Yasi and Anthony before it, a dedicated North Queensland office will be set up to deal with the reconstruction in the Cassowary Coast region.

The authority will be separate from the commission of inquiry and not be responsible for hindsight issues. 'Nor should it,' I can hear many government members say. It is little wonder that this government does not want to include hindsight issues, as it reneged on its promise to the North Queensland region five years ago after the devastation of Cyclone Larry and failed to build the shelters and protection that then Premier Beattie pledged. How foolish people were to believe him. But then, these were vulnerable people—or should I say that these were resilient people caught in a vulnerable moment. They were honest, trusting people who must be feeling so much anger mixed in with their pain and despair.

All in this House heard the honourable member for Rockhampton duck for cover in question time on Wednesday and again today when asked by the honourable member for Hinchinbrook to commit to release the timetable for cyclone shelters promised within 100 days of the 2006 state election. In his usual blustery, evasive manner the minister told parliament that government policy was being reviewed—an admission that the Bligh government has failed to honour its commitment to the people of Queensland. Worse still, the minister and his Labor government had left vulnerable communities exposed to the serious dangers of cyclones.

I note that Minister Schwarten addressed the parliament prior to lunch, whilst I was in a stakeholder meeting, to announce his retirement and resignation from the Bligh ministry. This must have been a difficult decision for him and his family and I wish to acknowledge his service to this parliament over many years.

The explanatory notes inform us that the authority, which will have considerable powers, will be able to enter into contracts, to acquire, hold, deal with and dispose of property and to appoint agents and attorneys. It will advise on the possible implementation of the commission's recommendations, including future flood mitigation, land use and regulation of planning. This is worrying. Already we are seeing escape mechanisms for the government to weasel out of fixing this mess. Surely the findings of the commission and its recommendations should be taken seriously and not risk being treated with contempt by the government if it does not like what it hears.

Included in this bill is a two-year sunset clause, with transitional provisions to transfer relevant powers and responsibilities to the Coordinator-General following cessation of the authority's operations. This bill does include a number of breaches of fundamental legislative principles, such as compulsory acquisition of land and powers to enter land. However, it is considered to be in the broader public interest for the authority to be provided with these powers in order for it to progress its undertakings.

Poor direction from the minister of the day—that is, the Premier—who, together with the Treasurer, was responsible for selling Queensland's assets in a fire sale, could spell further disaster for traumatised communities as decisions about their future float in the Premier's hands. The authority will have a suite of powers that it would appear can be overruled by the Premier, who has decided to appoint herself as the minister for reconstruction. I guess we should have seen that coming, such is her addiction to hard hats and media opportunities. The LNP believe that it is important to have a stand-alone minister charged with such a great responsibility. The last time a Premier took charge of this was under Beattie's rule, and I have spoken of his and his government's trail of broken promises to North Queenslanders after Cyclone Larry.

It concerned me greatly, as the new shadow minister for small business, to see that small business have been pretty much ignored and left to fend for themselves until recently. Here we see a big party policy difference. The LNP is unashamedly pro small- and medium-sized businesses. We recognise the important role they play. This role was magnified for me in the aftermath of these terrible floods and cyclones. I note the recent announcement of a package under category D to assist small businesses and primary producers, and this is a move in the right direction.

The Chamber of Commerce and Industry Queensland undertook a survey of Queensland businesses for the week commencing 18 January and ending on the 25th of that month 2011 and reported on the demographics of 555 survey respondents. It has publicly stated that at this point there is no clear indication that any of the Premier's flood appeal money will be used to assist business. CCIQ's view is that it is better to assist the employers of flood affected victims in order to be able to offer secure, ongoing employment and, as a result, provide a livelihood rather than a one-off payment to the victim and have their employer fold. I mentioned the key findings of CCIQ's survey during my contribution to the condolence motion for flood and cyclone victims. I will just touch on the main points again here.

One in five businesses in Queensland has had to close and the average number of days that businesses were forced to close was eight. It was 31 days on average before they could return to normal operations. Like many inundated residents, most businesses are unsure if their insurance will cover them for this type of damage, with many reporting difficulty in getting clear positions on where they stand. Many businesses have suffered an indirect impact through the floods with affected customers, affected suppliers, employee inability to attend work or due to the loss of appeal of Queensland as a tourism destination. Unsurprisingly, 22 per cent of all businesses within Queensland have indicated that the floods have had a major to critical impact on their business's viability with the very real threat of job losses.

CCIQ's recommendation is for the Premier's flood appeal to be extended to business including those experiencing a loss of income. In addition, it believes there are many revenue neutral things that government can be doing to assist business through these difficult times. When asked what assistance is needed for impacted businesses, a very clear picture emerges. This includes financial assistance with cash flow and concessional loans from government to help businesses meet their immediate debtor obligations and a marketing campaign highlighting that Queensland is open for business and as a tourism destination is unscathed. I understand this particular initiative is underway. Deferral of tax and bank debt, flood proof infrastructure, more effort to buy and holiday locally, higher priority for business in power

restoration and reduced red tape for businesses to get back up and running were further things on the list from CCIQ.

It believes the financial assistance currently provided by government must change in three key ways. Firstly, in relation to the \$25,000 special disaster flood assistance grant, many businesses have not been inundated with floodwater and, as such, are not eligible for this payment, yet they have experienced power outage that has prevented them from trading. The resultant loss of income is currently not a criteria for this special grant payment, yet they are experiencing significant financial hardship at present. Equally, many businesses have had their customer base decimated as a result of the floods. CCIQ believes the \$25,000 should be extended to those small businesses who have been adversely affected by loss of income or are able to demonstrate significant financial hardship. Secondly, the \$250,000 concessional loan via the Queensland Rural Adjustment Authority is currently only available for small businesses which have sustained damage to property, plant and equipment or stock. Many medium-sized businesses have also been impacted by the floods and suffered loss of income. They, too, should be eligible for this concessional loan. CCIQ believes the \$250,000 loan should be extended and possibly increased to medium-sized businesses for those who are able to demonstrate serious loss of income or business hardship. Thirdly, the CCIQ says these amended measures should be immediately extended to cyclone affected businesses.

The Property Council put out a media release today stating that we had been too slow to restore confidence as images beamed across the world of a flooded South-East Queensland. These images have embedded a perception interstate that damage was so widespread that we could not possibly be back to business yet. They are calling for a bigger push by the government for a 'back to business' message. Just by coincidence the Treasurer put out a release mirroring this message a few hours later.

Amendments to the Building Act 1975 will provide—

... a six month exemption period from 8 January 2011 for pool safety certificate ... for leasing of houses and units with non shared pools; to extend ... standard ... for tourist resort complexes; and to restore the capacity of building surveying technicians employed by local governments ...

In order to comment on these new laws I looked back over my contribution to the Building and Other Legislation Amendment Bill (No. 2) from September last year, which implemented the new pool safety laws. In that speech I said—

My colleagues and I fear that we will be back here within a year debating another change to this legislation to rectify the mistakes made by this incompetent Labor government.

It only took five months, but here we are. The LNP voiced a number of concerns with the implementation of this rushed legislation during debate in September last year. However, we supported the government's pool safety laws in good faith because we believed in the premise that every life is valuable. After all, according to the explanatory notes, the objective of the government's pool safety reform is 'to help reduce the incidence of pool related immersion injuries and death, particularly for children under five.' Unlike the Bligh Labor government, our position has not changed. Labor is compromising children's safety by postponing its own pool safety laws. Evidence shows that most drownings occur in the first 90 days of people moving to a new residence, yet properties that do not meet the new standard will be able to be rented.

This government cannot have it both ways. Postponing new laws for some pool owners will add to the confusion that is already widespread in communities. Premier Bligh's excuse that we need to use common sense in the aftermath of these disasters is flawed as is her comment that delaying the decision was practical. Since when has it been right to place practicality above a child's safety? It was practical to allow bananas that had fallen to the ground during the cyclone to be harvested and sold, but it is an entirely different case when we are talking about a child's safety.

Unreasonable time frames for the implementation of these pool laws have been further impacted by flood damage, but that is no excuse to put safety, particularly that of children, on the back foot. The new laws were poorly planned in the extreme and the start date of 1 December was unachievable as there simply were not adequate numbers of qualified pool inspectors. Now we have a situation where the Premier has decided to relax the new laws to allow pool owners to lease their properties without a valid certificate. All they have to do is give the tenant a notice to say the pool may not comply with pool safety laws and may pose a risk to young children. What is this nonsense? Either it does or it does not pose a risk. It is disgraceful to play roulette with children's lives in this manner.

Safety in and around pools is vital. Virtually every member of this House agreed on that premise. We need to ensure that we have a workable system that best meets that aim, not a bureaucratic headache which puts pool owners in a jam and is discriminatory to boot. Postponing these fencing laws has also affected inspectors who have invested thousands of dollars in training and gear-up only to have their small businesses put on hold, at this stage, for six months. I had a call from one fellow who has been a pool fence builder on the Gold Coast for 34 years and trained in the first pool inspector group since the new legislation. He said that all inspectors who are properly trained need to carry public indemnity insurance,

which costs between \$2,000 and \$5,000 and only offers cover for \$1 million. This man is very angry as pool safety inspectors had received no consultation or notification regarding this legislation. As the Gold Coast and the Sunshine Coast were spared flooding and contain a high number of swimming pools, there is a strong argument. Why is the Premier exempting them for six months while homeowners have to comply? This inspector claims postponements will have a significant impact on him and other people in his industry. He says it will be devastating to his new business.

I am led to understand that almost 600 people have completed the course and with the passing of this legislation they will have trouble finding work. The Bligh government rushed through these pool laws and a rush of people trained to become qualified pool inspectors. I imagine a number have rushed to cash in on these laws using unscrupulous methods, too, passing themselves off as qualified inspectors when they are not, but that is an issue for another day.

Qualified inspectors on the Gold and Sunshine coasts have had their business opportunities crushed for the next six months by Labor's actions. So much for jobs, jobs, jobs. Laws aside, the best defence against drowning accidents is constant supervision and teaching young children to swim. Parents and carers will need to be doubly vigilant in keeping a watchful eye on youngsters near pools.

In closing, the people of Queensland are pinning their hopes on the new Reconstruction Authority to enable the process of rebuilding to advance in a timely and orderly manner. The authority has broad-ranging powers, some of these yet to be defined. There is much trust being placed in it. Likewise, it is to be hoped that the Premier will use her intervention powers wisely and that recommendations from the commission of inquiry will be adopted where possible. The LNP is wholly committed to seeing Queensland, our great state, rebuilt and powering again soon.