

~~At its heart, this bill empowers approved education and care services with the ability to make decisions about who they allow into their care. The bill will only apply to education and care services approved under the Education and Care Services National Law (Queensland) Act 2011 and the Education and Care Services Act 2013. This includes family day care services, kindergarten services, long day care services, limited hours care services and outside school hours care services. As unregulated or unapproved education and care services are often short term, ad hoc arrangements for example, nannies and babysitters the proposed legislation will not extend to unregulated or unapproved services. I also wish to indicate that the government is committing to a review of the operation of the legislation after two years to monitor how it has performed against its objectives and whether any further changes are necessary.~~

~~The bill also contains an unrelated health legislation amendment, to the Health Ombudsman Act 2013, to clarify the Queensland Health Ombudsman's information gathering powers. Presently, this act gives the Health Ombudsman power to require a person to give information in the course of an investigation. However, the Supreme Court recently ruled that this did not extend to compelling a person to attend and answer questions. Without such full powers, the Health Ombudsman may be unable to effectively undertake investigations into serious healthcare complaints.~~

~~The amendments will expressly empower an authorised person to require a person to attend before them, at a stated reasonable time and place, to answer questions or produce documents. The amendments retain existing safeguards, being that a person may refuse to answer a question or produce a document on the ground of self incrimination. These amendments will ensure the Health Ombudsman's powers are consistent with the information gathering powers of the former Health Quality and Complaints Commission and the provisions in the Health Practitioner Regulation National Law Act 2009, which regulates less serious disciplinary proceedings for registered health practitioners in Queensland.~~

~~The amendments will apply retrospectively to validate notices already issued under the existing provisions. Applying the amendments retrospectively will ensure that information obtained and decisions made since the act commenced in 2014 are not invalidated because of defects relating to the issuing of notices. The amendments will give certainty to those persons who have been involved in matters before the Health Ombudsman, being matters involving serious healthcare complaints.~~

~~Persons who have not complied with notices requiring them to attend and answer questions during this time will not be unfairly impacted. The bill makes clear that a person will not have committed an offence for failing to comply with such a notice prior to these amendments commencing. I commend the bill to the House.~~

First Reading

~~**Hon. CR DICK** (Woodridge—ALP) (Minister for Health and Minister for Ambulance Services) (4.53 pm): I move—~~

~~That the bill be now read a first time.~~

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

~~Motion agreed to.~~


~~Bill read a first time.~~

Referral to the Health and Ambulance Services Committee

~~**Mr DEPUTY SPEAKER** (Mr Furner): Order! In accordance with standing order 131, the bill is now referred to the Health and Ambulance Services Committee.→~~

<GUIDE, HEARING AND ASSISTANCE DOGS AMENDMENT BILL

Introduction

 **Hon. CJ O'ROURKE** (Mundingburra—ALP) (Minister for Disability Services, Minister for Seniors and Minister Assisting the Premier on North Queensland) (4.53 pm): <I present a bill for an act to amend the Guide, Hearing and Assistance Dogs Act 2009 for particular purposes>. I table the bill and the explanatory notes. I nominate the Communities, Disability Services and Domestic and Family Violence Prevention Committee to consider the bill.

Tabled paper: Guide, Hearing and Assistance Dogs Amendment Bill 2015.

Tabled paper: Guide, Hearing and Assistance Dogs Amendment Bill 2015, explanatory notes.

Guide, hearing and assistance dogs are special working dogs trained to allow people with a disability to participate in all aspects of society. They perform tasks and functions that alleviate some of the effects of a person's disability and enhance the person's independence. The impact of these working dogs cannot be underestimated, and I am continually amazed at how much they can change a person's life.

In April this year we joined the rest of the world in celebrating these dogs and the talented people who train them by participating in International Guide Dogs Day. In doing so, we showed our appreciation for the important roles guide, hearing and assistance dogs play in the community. The theme this year centred on the idea that guide, hearing and assistance dogs can go anywhere. I am very proud to say that Queensland is at the forefront of this agenda and a big part of our success is our very own Guide, Hearing and Assistance Dogs Act 2009. This act is all about promoting access rights for people with a disability who rely on guide, hearing and assistance dogs, as well as setting a standard of quality and accountability of training services for these dogs.

In late 2013 a stakeholder panel, consisting of a broad cross-section of key government and non-government organisations, was convened to review the act. I am very happy to say that the panel concluded that the act was working well and only proposed modest administrative and legislative recommendations to make the act even better.

For completeness, the administrative recommendations include developing a joint communication strategy between government and the industry to increase awareness of the act as well as improving the public access test, which confirms the dog is effective and safe in public places, public passenger vehicles or places of accommodation and is able to be controlled by the handler. The legislative recommendations focus on two main objectives: firstly, improving the access rights of guide, hearing and assistance dog users; and, secondly, simplifying and streamlining processes for both people with a disability and the industry.

The most significant legislative change is transferring the issuing of handlers' identity cards from government to the sector. Presently, there is duplication happening as some training institutions are also issuing identity cards. Only government issued cards are recognised under the act. Amendments will authorise approved trainers and training institutions to issue these cards, as opposed to the government. This will reduce red tape for the handlers as they will be able to apply for a card directly from the person or institution that trained their dog.

Government will maintain an oversight role by setting minimum requirements around the issuing of the cards themselves and having the ability to suspend or cancel a trainer's approval status under the act if there is evidence that cards are being misused. There have been calls from the community about a gap in the act that it does not recognise alternative handlers who support the primary handler to control the dog. An example of this is a child with autism, whereby the child's parent needs to help the child to control the dog.

I am very proud to say that another key reform of the bill will address this issue by extending access rights under the act to a handler team. This team will include the person with a disability, their dog and an alternative handler who supports the person to control the dog.

To round off the review recommendations, other minor amendments are being made which will have very positive impacts. This includes removing the need for dog users to prove their disability every time they renew their handler identity card—a small but important change. Proof of disability will only need to be shown when the dog is initially certified. This simple change will make what can be an overly bureaucratic and onerous task easier.

Another minor amendment will provide flexibility for the chief executive of the department to call upon expert advice in the approval and standard setting processes. Currently, the act provides for the convening of an advisory committee. However, since the commencement of this act, this body has never been established. As a result, the bill repeals a number of unnecessary and unused provisions and recognises the power of the chief executive to consult with any entity they consider appropriate.

Lastly, approved training institutions will be able to certify a dog of a shareholder, director or employee of that institution. This removes unnecessary restrictions in the certification process and promotes access rights for people with a disability.

Separate from the review, my department also took this opportunity to improve the monitoring, investigative and enforcement provisions in the act. Changes are being made which will provide authorised officers with the necessary powers to handle any future complaints.

Amendments to part 8 of the act will equip authorised officers with a greater continuum of powers to investigate, monitor and enforce compliance with the act. These will cover cases where my department is dealing with the most cooperative of business to instances where a business is refusing to cooperate with our investigation.

So, all in all, the review has been a meaningful exercise, and I would like to acknowledge and thank the review panel members for their passion and commitment, as well as my departmental officers for the work undertaken to get this act to where it is. The review has generated great outcomes for people with disability and the sector. The introduction of this bill is the next step in making these outcomes a reality. I commend the bill to the House.

First Reading

Hon. CJ O'ROURKE (Mundingburra—ALP) (Minister for Disability Services, Minister for Seniors and Minister Assisting the Premier on North Queensland) (5.00 pm): I move—

That the bill be now read a first time.

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

Motion agreed to.


Bill read a first time.

Referral to the Communities, Disability Services and Domestic and Family Violence Prevention Committee

Mr DEPUTY SPEAKER (Mr Furner): Order! In accordance with standing order 131, the bill is now referred to the Communities, Disability Services and Domestic and Family Violence Prevention Committee. >

~~<STATE DEVELOPMENT AND PUBLIC WORKS ORGANISATION AND OTHER LEGISLATION AMENDMENT BILL~~

Introduction

 **Hon. AJ LYNHAM** (Stafford—ALP) (Minister for State Development and Minister for Natural Resources and Mines) (5.00 pm): ~~I present a bill for an act to amend the Land Court Act 2000, the Mineral Energy and Resources (Common Provisions) Act 2014 and the State Development and Public Works Organisation Act 1971 for particular purposes. I table the bill and the explanatory notes.~~

~~Tabled paper: State Development and Public Works Organisation and Other Legislation Amendment Bill 2015.~~

~~Tabled paper: State Development and Public Works Organisation and Other Legislation Amendment Bill 2015, explanatory notes.~~

~~I am pleased to introduce the State Development and Public Works Organisation and Other Legislation Amendment Bill 2015. The primary amendments in the bill deliver a key Queensland government election commitment to restore community objection rights in relation to mining projects. These rights were removed by the former government in the Mineral and Energy Resources (Common Provisions) Act 2014, which inserted a new section 47D into the State Development and Public Works Organisation Act 1971.~~

~~Section 47D of the State Development and Public Works Organisation Act commenced on 24 October 2014 and applies to all existing and newly declared coordinated projects. It has the effect of preventing any objections to the Land Court being made about an environmental authority application for a proposed mining activity that has been subject to the Coordinator General's assessment.~~

~~This government made an election commitment to restore community objection rights relating to mining developments as soon as possible not only to the local landholders and the community but also more widely to Indigenous groups and those concerned about environmental issues such as water pollution and land degradation. The proposed amendments will support sustainable and appropriate developments importantly along with the jobs and infrastructure they bring while also ensuring the community is aware of and has appropriate input to them. The changes will set the scene for a productive relationship with resource companies by helping to lessen anxiety towards resource development among landholders and agricultural stakeholders.~~

~~There has been media coverage of stakeholder groups seeking urgent action from this government to restore mining objection rights. The repeal of section 47D of the State Development and~~