



# WEEKLY HANSARD

Hansard Home Page: <http://www.parliament.qld.gov.au/hansard/>

E-mail: [hansard@parliament.qld.gov.au](mailto:hansard@parliament.qld.gov.au)

Phone: (07) 3406 7314 Fax: (07) 3210 0182

## 51ST PARLIAMENT

Subject

### CONTENTS

Page

## Wednesday, 30 November 2005

<b>PETITIONS .....</b>	<b>4463</b>
<b>AUDITOR-GENERAL'S REPORT .....</b>	<b>4463</b>
<b>PAPERS .....</b>	<b>4463</b>
<b>MINISTERIAL STATEMENT .....</b>	<b>4463</b>
Van Tuong Nguyen .....	4463
<b>MINISTERIAL STATEMENT .....</b>	<b>4464</b>
Queensland Economy .....	4464
<b>MINISTERIAL STATEMENT .....</b>	<b>4464</b>
Queensland, Population Projections .....	4464
<b>MINISTERIAL STATEMENT .....</b>	<b>4465</b>
Roads Implementation Program .....	4465
<b>MINISTERIAL STATEMENT .....</b>	<b>4466</b>
Queensland Criminal Justice Summit .....	4466
<b>MINISTERIAL STATEMENT .....</b>	<b>4466</b>
Old Government House .....	4466
<b>MINISTERIAL STATEMENT .....</b>	<b>4467</b>
Cadbury Schweppes Australian PGA Championship .....	4467
<b>MINISTERIAL STATEMENT .....</b>	<b>4467</b>
Institute of Public Administration Australia .....	4467
<b>MINISTERIAL STATEMENT .....</b>	<b>4467</b>
Patel, Dr J; Health System .....	4467
<b>MINISTERIAL STATEMENT .....</b>	<b>4485</b>
Health System .....	4485
<b>MINISTERIAL STATEMENT .....</b>	<b>4488</b>
Cost of Health Inquiries .....	4488
<b>MINISTERIAL STATEMENT .....</b>	<b>4490</b>
Queensland Audit of Surgical Mortality .....	4490
<b>MINISTERIAL STATEMENT .....</b>	<b>4490</b>
Employment Growth; Business Investment .....	4490
<b>MINISTERIAL STATEMENT .....</b>	<b>4491</b>
Police Resources .....	4491

# Table of Contents — Wednesday, 30 November 2005

<b>MINISTERIAL STATEMENT</b>	<b>4492</b>
Coal Industry; QR Locomotives	4492
<b>MINISTERIAL STATEMENT</b>	<b>4493</b>
Behaviour Management in Schools	4493
<b>MINISTERIAL STATEMENT</b>	<b>4493</b>
Queensland Racing	4493
<b>MINISTERIAL STATEMENT</b>	<b>4494</b>
Queensland Multicultural Awards	4494
<b>NOTICE OF MOTION</b>	<b>4495</b>
Health System	4495
<b>PRIVATE MEMBERS' STATEMENT</b>	<b>4495</b>
Health System	4495
<b>QUESTIONS WITHOUT NOTICE</b>	<b>4495</b>
Health System	4495
Patel, Dr J	4497
Health Care Complaints System	4498
Hospital Waiting Lists	4498
Hospital Waiting Lists	4499
Ministerial Clinical Advisory Committee	4499
Health Funding	4500
DPI Timber Permits	4501
Nurse Recruitment	4501
Patel, Dr J; Commissions of Inquiry	4502
Antihooning Legislation	4502
Police Response Times	4503
Housing	4503
Police Resources, Blackbutt	4504
Van Tuong Nguyen	4504
Sunshine Coast Hospital	4505
Education Funding	4505
Blue Cards	4506
Public Transport, Sunshine Coast	4506
<b>NATURAL RESOURCES AND OTHER LEGISLATION AMENDMENT BILL</b>	<b>4507</b>
Second Reading	4507
Consideration in Detail	4512
<b>MINISTERIAL STATEMENT</b>	<b>4515</b>
Davies Report	4515
<b>MINISTERIAL STATEMENT</b>	<b>4519</b>
Davies Report	4519
<b>MINISTERIAL STATEMENT</b>	<b>4521</b>
Davies Report	4521
<b>NATURAL RESOURCES AND OTHER LEGISLATION AMENDMENT BILL</b>	<b>4522</b>
Consideration in Detail	4522
Third Reading	4523
<b>ORDER OF BUSINESS</b>	<b>4523</b>
<b>WATER EFFICIENCY LABELLING AND STANDARDS BILL</b>	<b>4524</b>
Second Reading	4524
Consideration in Detail	4546
Third Reading	4546
<b>HEALTH SYSTEM</b>	<b>4547</b>
<b>DRUG LEGISLATION AMENDMENT BILL</b>	<b>4557</b>
First Reading	4557
Second Reading	4557
<b>JUSTICE AND OTHER LEGISLATION AMENDMENT BILL</b>	<b>4558</b>
Second Reading	4558
Consideration in Detail	4566
Third Reading	4568
<b>ADJOURNMENT</b>	<b>4568</b>
Hail Storm, Granite Belt	4568
Roads, Conondale	4569
Christmas in Redcliffe	4569
Road Funding	4570
Teaching Allocations, Charters Towers	4571
Yeppoon Surf Life Saving Club	4571
Special Needs Students, Townsville	4572
Daintree Rainforest	4572
Eudlo; Cow Candy	4573
Community Renewal	4573

## WEDNESDAY, 30 NOVEMBER 2005

---

Mr SPEAKER (Hon. T McGrady, Mount Isa) read prayers and took the chair at 9.30 am.

### PETITIONS

The following honourable members have lodged paper petitions for presentation—

#### **Flying Foxes, Edmonton**

**Mr Pitt** from 78 petitioners requesting the House to recognise the necessity of residents to enjoy their outdoor living areas and direct Parks and Wildlife staff to remove/relocate the flying foxes currently in residence in Edmonton.

#### **Road Widening, Conondale**

**Ms Male** from 404 petitioners requesting the House to widen the bitumen road west of Conondale to bring it up to a standard safe for the general public and especially school buses to travel on.

#### **South East Queensland Regional Plan for Industry**

**Mr Wellington** from 273 petitioners requesting the House to remove the investigation area at Bridges (Yandina) from the South East Queensland Regional Plan for Industry.

### AUDITOR-GENERAL'S REPORT

**Mr SPEAKER:** I have to advise the House that today I received from the Auditor-General a report titled *Audit report No. 4 2005: results of audits completed on 31 October 2005*.

### PAPERS

#### MINISTERIAL PAPERS TABLED BY THE CLERK

The following ministerial papers were tabled by the Clerk—

Premier and Treasurer (Mr Beattie)—

- Response from the Premier and Treasurer (Mr Beattie) to three paper petitions presented by Mr Wellington from 661 petitioners, 482 petitioners and 317 petitioners requesting the House to remove the investigation area at Bridges (Yandina) from the South East Queensland Regional Plan for Industry

Minister for Transport and Main Roads (Mr Lucas)—

- Response from the Minister for Transport and Main Roads (Mr Lucas) to an e-petition sponsored by Mr Lee from 102 petitioners requesting the House to reject proposals to allow for commercial jet boat joy rides on the Brisbane River

Minister for Justice and Attorney-General (Mrs Lavarch)—

- Response from the Minister for Justice and Attorney-General (Mrs Lavarch) to a paper petition presented by Ms Lee Long from 2943 petitioners requesting the House to appoint an independent investigator and investigation team from outside the State of Queensland to fully investigate all the known facts surrounding the deaths of Vicki Arnold and Julie-Anne Leahy in 1991 and new evidence recently released and to prepare a full and comprehensive report to be placed before the Chief Coroner of Queensland for his investigation, assessment and compilation of a report to be placed before this House

### MINISTERIAL STATEMENT

#### **Van Tuong Nguyen**

**Hon. PD BEATTIE** (Brisbane Central—ALP) (Premier and Treasurer) (9.32 am): I rise in relation to the issue of the death penalty. I think we would all agree that capital punishment is a barbaric policy. That is why I rise again in the chamber to express my concern at the imminent execution of Van Tuong Nguyen in Singapore. This young Australian has made a terrible mistake. I do not think there is any doubt about that. I want to advise the House that I have written to both the President and the Prime Minister of Singapore and detailed the motion resolved by our parliament, which opposed the use of the death penalty. I urged intervention to act in this case before it is too late. I reiterate that call today and call on the Australian government to do all in its power to help prevent the execution of this young Australian man. I seek leave to have more details incorporated in *Hansard*.

Leave granted.

Capital punishment is a barbaric policy.

In 1922 Queensland became the first Australian jurisdiction to abolish the death penalty.

The other states and territories followed much later, but there is thankfully now across-the-board agreement that capital punishment is not appropriate in any circumstances.

That is why I rise again in this Chamber to express my concern at the imminent execution of Van Nguyen in Singapore.

This young Australian man made a terrible mistake.

Desperately seeking to raise funds to pay for his twin brother's debts he was used by others to commit a major crime.

I have seen no evidence that he was a trafficker in the usual sense of the word, and he was only transiting through Singapore, not attempting to import drugs into Singapore.

In fact, had he finished his journey and been apprehended, he would not now be facing death but instead a very long imprisonment.

I believe that this would more than adequately have punished this young man for his grave error of judgement.

At the same time this would maintain the strong deterrent that both Australia and Singapore wish to highlight to drug traffickers.

Mr Speaker,

I have written to both the President and Prime Minister of Singapore and detailed the motion resolved by our Parliament which opposed the use of the death penalty.

I urged intervention to act in this case before it is too late.

I reiterate that call today and call on the Australian Government to do all in their power to help prevent the execution of this young Australian man.

## MINISTERIAL STATEMENT

### Queensland Economy

**Hon. PD BEATTIE** (Brisbane Central—ALP) (Premier and Treasurer) (9.33 am): I would like to share more good news on the strength of the Queensland economy. I am pleased to announce that the November 2005 Sensis Business Index survey released yesterday reveals that Queensland recorded the highest level of business confidence in the country. That indicates the strength of the economy. I seek leave to have the details incorporated in *Hansard*.

Leave granted.

The Sensis Business Index survey is based on a sample size of 1,800 small to medium enterprises from metropolitan and regional areas of Australia.

It includes businesses within the accommodation, construction, communication, health, community services, cultural and recreational industries.

I am pleased to announce that the November 2005 Sensis Business Index survey released yesterday reveals Queensland recorded the highest level of business confidence in the country.

It shows that over the past quarter confidence in business prospects was positive for a net balance of 70% of small and medium enterprises in Queensland.

Nationally, business confidence remained unchanged over the period, to remain at a net balance of 55%.

Ours was the highest level of business confidence recorded by any State or Territory.

Metropolitan business confidence remained

unchanged at 66%, however regional business confidence was up 6% points to 74%.

Of the individual component indices measuring actual business conditions in Queensland, the net balance of businesses experiencing an increase in sales rose strongly up 12% points to 23%.

This is more than double the national level of 11%.

The net balance of businesses reporting an increase in profitability increased from 7% to 9%.

Again this remained higher than the national profitability index at 5%.

The Survey suggests strong growth in prices and wages, with a net balance of 22% of Queensland small to medium enterprises reporting an increase in selling prices and the index measuring wage costs strengthening 5% points to 19%.

Mr Speaker,

The latest Sensis Business Index is another good sign that in the Smart State the economy remains strong and business confidence for the future is high.

## MINISTERIAL STATEMENT

### Queensland, Population Projections

**Hon. PD BEATTIE** (Brisbane Central—ALP) (Premier and Treasurer) (9.34 am): According to ABS population projections, one of the key drivers of Queensland's strong economic growth has been its rapid population growth relative to the rest of Australia. The result is that our population will shortly reach four million people. Under the medium series Queensland is projected to experience the largest increase in population between 2004 to 2051, increasing by three million people, or 77 per cent, to reach 6.9 million people. This will result in Queensland replacing Victoria as Australia's second most populous state in 2041. I seek leave to have the details incorporated in *Hansard*.

Leave granted.

One of the key drivers of Queensland's stronger economic growth has been its rapid population growth relative to the rest of Australia.

As a result, our population will shortly reach four million.

We know this because our Office of Economic and Statistical Research in Queensland Treasury have for some time been tracking this milestone by taking into account our population projections based on births and deaths as well as interstate and overseas migration.

Further, the release of the latest Australian Bureau of Statistics population projections this week highlight that Queensland is projected to continue to be the fastest growing State in Australia for the next fifty years.

Under the medium series Queensland is projected to experience the largest increase in population between 2004 and 2051, increasing by 3 million people or 77% to reach 6.9 million people.

This will result in Queensland replacing Victoria as Australia's second most populous state in 2041.

This compares with growth of only 2 million and 1.6 million persons in New South Wales and Victoria respectively.

As a result, Queensland's share of the national population is projected to reach nearly 25% by 2051, compared with slightly less than 20% currently.

One of the main drivers of Queensland's faster population growth is a high level of interstate migration into the State.

There are several reasons for this.

Our lower cost of living, such as lower petrol prices and house prices, as well as our low tax environment, has encouraged Australians to migrate north from Southern states, particularly from New South Wales.

Stronger economic growth and the greater employment opportunities it brings have also been a key catalyst.

Of course our climate and idyllic lifestyle also no doubt play a major part.

Mr Speaker,

Our Government is committed to policies that manage Queensland's population growth.

Our Smart State strategy of encouraging economic growth through skills and innovation will continue to create high-value job opportunities for all Australians wishing to work in Queensland.

Furthermore, initiatives such as our \$55 billion South-East Queensland Infrastructure Plan aim to provide the necessary infrastructure to maintain our quality of life and living standards in response to strong population growth.

## MINISTERIAL STATEMENT

### Roads Implementation Program

**Hon. PD BEATTIE** (Brisbane Central—ALP) (Premier and Treasurer) (9.34 am): Yesterday Paul Lucas, the minister for transport, and I released the Roads Implementation Program including the regional breakdown. At 34,000 kilometres, the state controlled road network in Queensland is the biggest in Australia. It services cities, towns and regional and remote communities right across our great state. I table the document. I also seek leave to have more details incorporated in *Hansard*.

Leave granted.

Our Government is committed to continuing to provide timely and well-maintained roads infrastructure that will help meet the transport needs of Queenslanders no matter where they live.

That is why yesterday the Minister for Transport and I launched a massive new five year Roads Implementation Program.

This infrastructure blueprint outlines record funding of \$10.5 Billion for roads across our State in the period from 2005-06 to 2009-10.

The multitude of projects funded stretch right across our vast State.

For example these projects include:

- \$233 million over the next five years to complete duplication of the Sunshine Motorway between Sippy Downs and Pacific Paradise;

- \$270 million to construct the Springfield to Ripley to Yamanto extension;

- an additional \$92 million to progress upgrading of the Pacific Motorway from Tugun to connect with the Gateway Motorway at Mount Gravatt-Capalaba Road;

- \$149 million over five years to duplicate the Houghton Highway bridge at Redcliffe;

- \$42 million to construct the Bundaberg Ring Road;

- \$30 million to progressively widen and upgrade the Roma-Taroom Road between Roma and Spring Gully;

- \$23.4 million to duplicate and rehabilitate sections of the Maryborough-Hervey Bay Road;

- \$33 million to upgrade the New England Highway from Highfields north to Crows Nest; and

- \$18.5 million to complete duplication of parts of Mackay-Bucasia Road from the Bruce Highway to Rural View.

Mr Speaker,

This is just a small sample of the massive investment outlined in the Roads Implementation Program.

We are the growth State of Australia and this record funding program will ensure we provide the foundation for continued growth.

## MINISTERIAL STATEMENT

### Queensland Criminal Justice Summit

**Hon. PD BEATTIE** (Brisbane Central—ALP) (Premier and Treasurer) (9.35 am): This afternoon I, along with my key ministers, will be opening the Queensland criminal justice summit, which brings together many participants in the justice system to discuss some significant issues. The Minister for Police and Corrective Services came up with the proposal to hold the summit as one response to the issues identified in her project on managing the growth in prisoner numbers. I seek leave to have the details incorporated in *Hansard*.

Leave granted.

Like any good system, our criminal justice system is made up of component parts, each with its own functions that contribute to the proper workings of the whole system.

The independence of the courts is the bedrock of our traditions of criminal justice.

However, respect for the separation of powers does not prevent us from talking to each other and working together for the benefit of Queensland.

I welcome the willingness of members of the judiciary to participate in this summit.

While there is a wide range of potential topics for discussion, it will be difficult to give more than one or two the treatment they deserve in the time available today.

One of the major issues we face today is rising prisoner numbers at a time when there has been a downturn in the number of reported offences, in most categories.

One area to be explored by the Summit is how much confidence the system has in non-custodial sentencing options.

## MINISTERIAL STATEMENT

### Old Government House

**Hon. PD BEATTIE** (Brisbane Central—ALP) (Premier and Treasurer) (9.35 am): Tonight I will be launching a public appeal to help meet the costs of a major restoration project on Old Government House in QUT's Gardens Point campus. I would urge all members to be supportive of this project. I seek leave to have the details incorporated in *Hansard*.

Leave granted.

In 1973, Old Government House became the state headquarters for the National Trust. Thirty years later, the Queensland University of Technology became responsible for the premises under an agreement with the trust and the state government.

One of the conditions of QUT's occupation is the restoration and refurbishment of the building in accordance with agreed heritage requirements.

Restoration of a grand building like this one is very costly.

It's expected that, by the time the work is completed in 2009, a total of \$13.5 million will have been spent.

In the appeal, QUT will be seeking \$12 million from Queenslanders to help ensure that the restoration proceeds as planned.

We're giving corporate and private Queenslanders the opportunity to participate in one of the most important projects of its kind in this state.

Work is already well under way, with the roof having been completely replaced this year.

We want to see this important building restored to its former glory.

The building was designed by colonial architect, Charles Tiffin, who also designed the Queensland Parliament. It took more than a year to build, at a cost of about 12,000 pounds.

In 1862, when the Old Government House opened, the population of Brisbane was 6,000.

It's important not only for Queenslanders today but for future Queenslanders that we make sure buildings like this are in the best possible condition.

Old Government House and the Queensland Parliament are two magnificent, living examples of our heritage.

To help make the building even more attractive, the eastern wing upstairs will be transformed into a gallery celebrating the works of one of Queensland's, and Australia's, greatest living painters, William Robinson.

In 2002, William Robinson donated a large collection of his work to QUT and they will be placed on display in the gallery.

The QUT now has the largest collection of William Robinson's works in the world and Old Government House will be a fitting place in which to exhibit them.

## MINISTERIAL STATEMENT

### Cadbury Schweppes Australian PGA Championship

**Hon. PD BEATTIE** (Brisbane Central—ALP) (Premier and Treasurer) (9.35 am): As the minister responsible for sport, I want to advise that this week's Cadbury Schweppes Australian PGA Championship on the Sunshine Coast will once again highlight Queensland to an international audience. I seek leave to have the details incorporated in *Hansard*.

Leave granted.

Sports tourism is a multi-million dollar business and one of the fastest growing areas of the global travel and tourism industry.

Golf tourists alone spend up to four times more a day than the average tourist.

This year our tournament will be showcased to media from leading sports tourism markets.

Four journalists from leading lifestyle magazines in Korea—a key market for Tourism Queensland—have been brought to the Sunshine Coast to cover the centennial event and the region.

This highly successful media strategy is a key player in Queensland Events reputation for successfully securing and hosting leading international sporting events.

Working with Queensland Events, the PGA has also extended invitations this year to five of the top Korean PGA Professionals currently playing on the SBS Korean PGA Tour.

In addition to the championship there will also be a number of key events held in connection with the tournament.

This includes a pro am featuring key players and business leaders as well as Australia's first annual PGA Business Club focusing on Golf Development in the Asia Pacific.

There will also be a centenary challenge featuring three past champions—Graham Marsh, Stewart Ginn and Bob Shearer—going head to head in a three round \$15,000 challenge.

Mr Speaker,

I wish all the visitors to our State for the Cadbury Schweppes Australian PGA Championship a pleasant and memorable visit.

And I wish all the players competing in the Championship the best of luck for a successful tournament.

## MINISTERIAL STATEMENT

### Institute of Public Administration Australia

**Hon. PD BEATTIE** (Brisbane Central—ALP) (Premier and Treasurer) (9.36 am): The other day the Leader of the Liberal Party asked me a question in relation to a seminar conducted by the Institute of Public Administration Australia. I seek leave to have the details of my answer incorporated in *Hansard*.

Leave granted.

Information about Queensland Government attendees at the two recent breakfast seminars held by the Institute of Public Administration Australia—Queensland (IPAA Qld) entitled Forster Health Systems Review—Implications for the Whole of Government.

Based on information provided by IPAA—the seminars were attended by 835 people from local, state and federal government, the non-profit sector and private enterprise.

655 of these participants were from a broad range of Queensland public sector agencies, who would have sponsored their employees' attendance. I am advised that 132 of the public sector attendees were from Queensland Health, which includes 8 health district staff.

IPAA advises that the vast majority of attendees registered at the on-line booking rate of \$75, and that—where 8 people from the one agency formed a table (which is the case for larger agencies)—the rate is \$71.25.

[655 Government employees at the \$75 dollar rate indicates a combined cost to the various Queensland Government agencies involved of \$49,125.]

IPAA Qld is a not-for-profit professional association. IPAA focuses on promoting excellence and best practice in the public service. IPAA Qld is funded through membership fees and their other activities. Many members of IPAA Qld are Queensland Government employees who pay their membership fees from their own pockets. The Institute does not receive any government funding.

As the title of the seminar suggests, Mr Forster shared the findings from his review and focused his presentation on the broader implications of his findings for the whole Queensland public sector. Professional development for public servants to use the lessons of the Forster Review to identify systemic issues in Government agencies means—ultimately—ensuring that taxpayers' money is well-spent.

## MINISTERIAL STATEMENT

### Patel, Dr J; Health System

**Hon. PD BEATTIE** (Brisbane Central—ALP) (Premier and Treasurer) (9.36 am): The Queensland government will receive a report today from Commissioner Davies. I want to highlight to the House that my government has embarked on the most far-reaching reforms of the Queensland health system in the history of Queensland. The winners in fact will be the people of Queensland. I have prepared two documents for distribution to the House—one titled 'Queensland Government

improvements to Queensland Health since April 26, 2005' and the other titled 'The pressures on all health systems', which I would urge all members to read.

A five-month independent and in-depth review of Queensland Health by Peter Forster and The Consultancy Bureau found that it was the equal of any health system in Australia. What my government wants to do is make it the best health system in Australia. The Queensland government has made enormous and far-reaching improvements to the health system in only six months since I announced the holding of the review and of an independent inquiry into issues involving Dr Jayant Patel.

Today retired Judge Geoffrey Davies AO will hand me the report of an inquiry which started its proceedings under Commissioner Tony Morris QC—an inquiry which my government had the courage to establish. It is appropriate to report on the many improvements this government has already made or announced since 26 April, when I announced that Tony Morris would lead a commission of inquiry into wide-ranging issues arising from the appointment of Dr Jayant Patel to Bundaberg Hospital.

The commission was also charged with investigating whether improvements could be made to the Medical Board of Queensland, what could be done on a statewide basis to ensure complaints and allegations are properly dealt with, how overseas trained doctors are dealt with from appointment right through to supervision and what could be done to make more doctors available for hospitals across Queensland.

But I was determined, as was my government, that we should go further than holding a commission of inquiry into these particular issues, important as they were. I also announced on the same day a major review of Queensland's health administration, management and performance systems so that we could check every aspect of the way it functioned—a complete health check. The review was headed by Peter Forster of The Consultancy Bureau—a man of great experience and reputation in reviewing government bureaucracy—who played a key role in the Fitzgerald inquiry into corruption and was responsible for ensuring the implementation of the recommendations of the Crime and Misconduct Commission inquiry into child abuse. In particular, we wanted Mr Forster to recommend measures to help in improving the availability of clinicians because of the worldwide lack of trained nurses and doctors.

In a nutshell, the inquiry was to examine problems associated with the appointment of Dr Patel. The review was to make sure that the Queensland health system is not just the equal of any in Australia but is the best, and that it is the most efficient and friendly system possible. The commission and the review amount to the most significant and far-reaching examination of Queensland Health in living history and, as I said, in the history of Queensland.

In terms of other matters, as we know, initially Tony Morris produced, in lightning speed, an interim report of the Bundaberg Hospital Commission of Inquiry on 10 June. We promised that if the recommendations were sound we would implement them immediately. That is exactly what happened. The interim report was handed to me at 9 am and was immediately considered by an extraordinary cabinet meeting before being tabled in the Queensland parliament shortly after 9.30 am when I was able to announce that we would move immediately to enact new laws and activate all 10 recommendations it contained. I introduced the bill to parliament at 10.30 am.

Parliament debated and passed the Medical Practitioners Registration Amendment Bill 2005 that afternoon. The Governor assented to the bill in the evening making it effective the next day. The new laws keep Queenslanders safer from charlatans such as Patel. The legislation makes it easier to weed out and punish frauds who pretend to be doctors and doctors with blemished records who try to dupe authorities in order to be registered in Queensland.

The changes also mean tougher penalties. Anyone pretending to be a registered doctor or practising as a doctor after using false information to gain registration from the Medical Board of Queensland can now go to jail for three years. That is irrespective of whether they actually harm a patient, in which case they could also face criminal charges. People who give the Medical Board false information when applying for registration also face up to three years in jail or a fine of \$150,000—40 times higher than the old penalty of \$3,750. I mention that, Mr Speaker, because it gives you a clear indication of my government's determination to ensure that we end up with the best health system in Australia and that we reacted at lightning speed.

The report also recommended that the appropriate steps be taken to procure Patel's extradition to Australia. This was in the initial Tony Morris report. On the same day the Queensland Police Service set in train the extraordinary extradition process for Dr Jayant Patel.

There have been many changes in Queensland Health. Members will be aware that I appointed Stephen Robertson as Minister and Uschi Schreiber, who had been deputy director-general, cabinet secretary and head of the policy division in my department, as the new Director-General of Queensland Health. Many reforms have taken place as a result.

When his report came down Mr Forster also recommended that Queensland seek a national review of the future health care system in Australia covering roles and responsibilities of Commonwealth and state governments. This issue is crucial to the future of health in this state and nationally. I have



suggested a national summit. Yesterday I was delighted when the AMA's Queensland president supported my suggestion. The summit could deal with other issues raised by Mr Forster in his report such as a national system of registration of medical practitioners. At the moment we have the toughest laws in Australia in relation to medical registration. Other states will eventually catch up, but it makes it harder for a doctor to be registered in Queensland. That will mean that unless there is a national system doctors will be registered in New South Wales and Victoria ahead of Queensland. That means we will get fewer doctors because we are tougher. I call on my interstate partners and interstate colleagues to ensure that they bring in the same tough measures we have brought in as soon as possible. There is no doubt that a national system of registration for medical practitioners would be the best way to go.

That national summit could also look at issues including the urgent examination of the feasibility of the Commonwealth becoming the sole funder of doctors to reduce the current Commonwealth financial incentives for doctors to leave the public sector—that is exactly what is happening at the moment and that was Peter Forster's suggestion—and development in conjunction with professional colleges of a timetable for the establishment of all additional specialist medical training positions recommended by the Australian Medical Workforce Advisory Committee for the Commonwealth government to provide funding for the training positions. Mr Speaker, we need more university training positions for doctors. It is an absolute disgrace that we are not training more Australian doctors—an absolute disgrace!

The national summit could also include a review of the medical benefits scheme to improve the alignment of the Commonwealth funded health sector and the public health system including providing incentives to address particular areas of need such as rural health. It could also consider a trial of arrangements such as pool funding and general practitioners working in public hospitals. It could also consider the development of the concept of universal service obligations for small rural communities of less than 5,000 people and encourage the Commonwealth to explore alternative funding for service models to increase the access of rural and remote communities to federally funded health systems. Unless we have a national reform of health, frankly we will be facing a crisis in Australia that is currently being faced in the French system. I will come back to that.

The reforms that we have brought in and identify in this document include many other things. It means that clinicians will have a greater role in the running of the health system. There will also be a new way of doing business in Queensland Health where openness, accountability and transparency are fundamental principles for how we operate on a daily basis. We have already started making the necessary changes.

Queensland Health is now moving into a structure that comprises a slimmed down and refocused central office, three area health services and the retention of the current 37 health service districts. Importantly, clinical networks will be established throughout the state to ensure that clinicians have a formal role in decision making.

Members would be aware that on 25 October the centrepiece of the mini budget was almost \$6.4 billion in just over five years to help build the best public health system in Australia and the health action plan. The money will grow to an additional \$1.5 billion a year every year. The health action plan provides a groundbreaking blueprint for reform, better patient health care, a healthier health system and, frankly, funding of health in a way that it has never been funded by any government in the history of Queensland.

No state or territory government in the history of Queensland has made such a massive commitment to ensuring the health and wellbeing of its residents. This money will be pumped directly into our health system to provide more doctors, more nurses and more allied health staff. It will be used to cut waiting times and lists, maintain and improve our hospitals and buy new technology and equipment that will help save lives.

Mr Speaker, expanding the training of nurses will also be rolled out over the next five years. We will train 1,000 experienced nurses immediately to become preceptors or mentors to support new employees during their transition phase in our hospitals and further training in the following years as required. This will ensure that nurse graduates and other newcomers are shown the ropes under the close watch of qualified staff on the ground. It will also provide refresher programs for 200 nurses each year in specialty areas enabling approximately 1,500 nurses to attend upskilling programs each year and increasing the number of dedicated nurse educators available in the clinical areas such as oncology and orthopaedics. Training initiatives will also cross over to the allied health professions where 100 scholarships will be provided for new graduates to work for Queensland Health in areas of shortage.

At the end of October we announced that Professor Stephen Duckett had accepted an invitation to help implement the Queensland government's \$6.4 billion five-year action plan. Professor Duckett is recognised as one of Australia's foremost health policy experts with extensive experience in implementing health reforms and structural change. Professor Duckett has been appointed as Executive Director of the Reform and Development Unit and will lead the health reforms outlined in the government's action plan for building a better health service for Queenslanders.

Earlier this month cabinet approved the draft legislation to make it mandatory for public hospital performance reports to be published every year by the Queensland government. We know that there has been some criticism of the lack of transparency and openness in terms of reporting by both my government and the previous coalition government, the Borbidge government. This new public accountability measure will be enshrined in amendments to the Health Services Act 1991 as spelt out by Stephen Robertson in this parliament. Relevant data about waiting times for elective surgery and specialist outpatient services will also be included. We will publish and table these reports in state parliament every year. That is a transparency and openness that has never existed for many sides of politics ever before.

I seek to leave to incorporate details of the ministerial statement entitled 'Queensland Government Improvements to Queensland Health since 26 April 2005' to show to Queenslanders and members that the reform process is well under way and that we will deliver on it.

Leave granted.

A five-month, independent and in-depth review of Queensland Health by Peter Forster and The Consultancy Bureau found it was the equal of any health system in Australia.

However, the Queensland Government has made enormous and far-reaching improvements to the health system in only six months since I announced the holding of the review and of an independent inquiry into issues involving Dr Jayant Patel.

Today retired judge Geoffrey Davies AO will hand me the report of an inquiry which started its proceedings under Commissioner Tony Morris QC.

It is appropriate to report on the many improvements this Government has already made or announced since April 26 when I announced that Tony Morris QC would lead a Commission of Inquiry into wide-ranging issues arising from the appointment of Dr Jayant Patel to Bundaberg Hospital.

The Commission was also charged with investigating:

- Whether improvements could be made to the Medical Board of Queensland;
- What could be done on a State-wide basis to ensure complaints and allegations are properly dealt with;
- How overseas-trained doctors are dealt with from appointment right through to supervision; and
- What could be done to make more doctors available for hospitals across Queensland.

But I was determined that we should go further than holding a Commission of Inquiry into these particular issues.

I also announced, on the same day, a major review of Queensland Health's administration, management and performance systems so that we could check every aspect of the way it functioned—a complete health check, if you like.

The review was headed by Peter Forster of The Consultancy Bureau, a man of great experience and reputation in reviewing government bureaucracy who played a key role in the Fitzgerald Inquiry into corruption and was responsible for ensuring the implementation of the recommendations of the Crime and Misconduct Commission inquiry into child abuse.

In particular we wanted Mr Forster to recommend measures to help in improving the availability of clinicians because of the worldwide lack of trained nurses and doctors.

In a nutshell, the Inquiry was to examine problems associated with the appointment of Dr Patel; the Review was to make sure that Queenslanders' health system is not just the equal of any in Australia but the best—and that it is the most efficient and friendly system possible.

The Commission and the review amount to the most significant and far-reaching examination of Queensland Health in living memory.

Three weeks after the announcements of the Inquiry and Review, Queensland Health lodged its first submission to the Bundaberg Hospital Commission of Inquiry and put it on the web as a very public demonstration of the Queensland Government's commitment to making this an open and accountable process.

I was absolutely delighted by Commissioner Tony Morris's lightning speed in preparing an interim report on the Bundaberg Hospital Commission of Inquiry by June 10 and promised that if the recommendations were sound we would implement them immediately.

The interim report was handed to me at 9am and immediately considered by an extraordinary Cabinet meeting before being tabled in Queensland Parliament shortly after 9.30am when I was able to announce we would move immediately to enact new laws and activate all 10 recommendations it contained.

I introduced the Bill to Parliament at 10.30am.

Parliament debated and passed the Medical Practitioners Registration Amendments Bill 2005 that afternoon and the Governor assented to the bill in the evening, making it effective the next day.

The new laws keep Queenslanders safer from charlatans such as Patel.

The legislation makes it easier to weed out and punish frauds who pretend to be doctors, and doctors with blemished records who try to dupe authorities in order to be registered in Queensland.

The changes also mean tougher penalties.

Anyone pretending to be a registered doctor or practising as a doctor after using false information to gain registration from the Medical Board of Queensland, can now go to jail for three years.

That is irrespective of whether they actually harm a patient (in which case they could also face criminal charges).

People who give the Medical Board false information when applying for registration also face up to three years in jail or a fine of \$150,000—40 times higher than the old penalty of \$3,750.

The report recommended that Patel be charged with the Criminal Code offences of making false representations and fraud and a criminal charge of a negligent act causing harm in the case of Marilyn Daisy.

It also recommended Patel be charged with the murder of James Edward Phillips—or, in the alternative, unlawful killing (manslaughter) of Mr Phillips.

It recommended that the appropriate steps be taken to procure Patel's extradition to Australia.

On that same day, Queensland Police Service set in train the extradition process for Dr Jayant Patel.

Before the end of June the Government received the report of a Review of Clinical Services at Bundaberg Base Hospital and presented it to the Commission of Inquiry into Bundaberg Hospital and to the Review of Queensland Health Systems.

Once again, the report was available for public scrutiny on the website of the Royal Commission.

The report made 29 recommendations to improve the functioning of Bundaberg Hospital and 12 recommendations regarding Queensland Health.

Queensland Health was instructed to make the implementation of these recommendations a high priority.

The 10-week review was carried out by Dr Mark Mattiussi, District Manager and District Director of Medical Services, Logan and Beaudesert District Health Service; Dr John Wakefield, Executive Director, Patient Safety Centre; Associate Professor Peter

Woodruff, Chairman and Director of Vascular Surgery, Princess Alexandra Hospital, Vice-President, Royal Australasian College of Surgeons until May 9 and President Elect of the Australian and New Zealand Society of Vascular Surgeons; and Adjunct Associate Professor Leonie Hobbs, Acting Executive Director of Women's and Newborn Services, Royal Brisbane and Women's Hospital.

Three months after announcing the Inquiry and Review, and having emphasised the need for renewal and to start afresh, I announced a new team to lead the reform of Queensland Health and refocus it on the needs of patients and health service providers.

I wanted them to start work immediately so that they would be ready to take action as soon as possible after receiving the recommendations of the Review and Inquiry.

I appointed Stephen Robertson as Minister for Health and Uschi Schreiber, who had been Deputy Director-General, Cabinet Secretary and head of the policy division in my Department, as the new Director-General of Queensland Health.

She has extensive experience at the most senior levels of Government and has extensive experience with health policy.

Ms Schreiber has the ability to get to the heart of the things that really matter and together with the new Health Minister is now leading the department through the changes required.

When Commissioner Morris wrote to me in July requesting additional support to achieve the September 30 Inquiry deadline, I agreed immediately.

On August 2 we released the Interim Report of the Forster Review and I announced the government would act immediately on principles in the interim report, two months before the final report was due.

The 213-page Interim Report was based largely on visits to 18 Queensland Health Service Districts over three months, along with more than 1,000 submissions.

The report confirmed that Queensland Health has a dedicated and professional workforce.

It confirmed the Federal Government contributes to the chronic shortage of health professionals.

I announced we would train 20 extra specialist doctors, open new hospital beds and hire 19 more nurses and other health professionals as an immediate response to the Report.

This meant we had acted immediately on the recommendations contained in both interim reports—from the Morris Inquiry and the Forster Review.

The initiatives included:

- 20 additional trainee specialists (registrars), to work in areas including cardiology, child health, surgery, cancer, radiology and emergency medicine. The government began recruiting the doctors that month. This \$2.2m investment will increase the ranks of registrars by 15%.
- \$2m extra for emergency, renal medicine and operating theatres in Bundaberg.
- 11 extra hospital beds in South-East Queensland, costing \$10m—7 at Royal Brisbane Hospital (3 intensive care beds and 4 high dependency unit beds); 2 intensive care beds at The Prince Charles Hospital and 2 intensive care beds at Sunshine Coast Hospital.
- An extra \$2.1m for acute beds to help busy hospitals manage winter demand. This funded 30 beds for three months at Royal Brisbane Hospital; 16 beds for 2 months at Townsville, 16 beds for 2 months at Cairns and 8 beds for 2 months at Mackay.
- \$1.7m for 19 additional nurses, allied health or Indigenous health workers to focus on preventing chronic disease and keeping people out of hospital.
- \$2.16m for 6 multidisciplinary teams to help patients with chronic respiratory diseases and heart failure.
- A three-month project on training and career pathways for rural doctors, with the aim of keeping them in rural Queensland.
- A new training program for nursing home staff to upgrade their skills and help them give patients treatment they would otherwise need from a hospital. This \$250,000 program involved collaboration between Redcliffe-Caboolture and The Prince Charles Districts. An average of six nursing home patients were being admitted to Redcliffe Hospital after hours each week.

Cabinet also endorsed a government team to continue working on a response to expected recommendations of the final report, so we did not waste a moment in improving the health system when the final report was received.

The report also vindicated strategies such as:

- working with private hospitals as part of the \$130 million waiting list reduction strategy;
- spending \$61 million over eight years to train 235 doctors and bond them to public hospitals;
- offering post-graduate university scholarships for 20 nurse practitioners each year;
- working with GPs at North Lakes, Logan and Innisfail to give better community-based care and reduce the pressure on hospital accident and emergency departments;
- Out-sourcing aero-medical retrievals to free up doctors to spend more time in hospitals;
- Investing more than \$60 million over four years on cardiac services;

- Investing \$151 million over four years in chronic disease prevention and management;
- Introducing and enforcing the nation's toughest anti-smoking laws;
- Investing more than \$68 million over the next four years in prevention and early intervention to improve Indigenous health;
- changing the guidelines for "area of need" for overseas-trained doctors so as to make Queensland more attractive to competent, senior overseas-trained doctors; and
- Committing to establish pilot bulk-billing GP clinics near public hospitals.

Importantly, the report identified many positive aspects of Queensland Health's culture including a dedication toward patient care and well-being evident during district visits.

The report shattered myths including that Queensland Health was deliberately reducing the number of visiting medical officers, and that overseas-trained doctors are cheaper than Australian-trained doctors.

The report supported a complaints management model based on resolution at a local level—something we had already addressed by sending an issues paper in line with this model to the Inquiry.

Queensland Health had already begun to address many issues raised in the report regarding the need for better information technology support for Queensland Health districts, and more involvement of clinicians in system design.

In his Interim Report Mr Forster pointed out that every day in Queensland Health:

- 506 women are screened for breast cancer
- 1502 older people receive residential care in 21 aged care facilities
- 93 babies are born
- 3375 people are treated in accident and emergency
- 7053 patients are cared for in public hospitals
- 24,082 people receive out-patient clinic services
- 963 people receive day-only procedures in hospital
- 1450 adult dental appointments
- 1730 child dental appointments
- 836 school aged children have dental treatment

Mr Forster's Report also shows that activity across a year includes:

- 721,013 inpatient separations (people who have been in hospital and been discharged)
- 8,741,513 non-admitted occasions of service (people receiving a service who have not been admitted)
- 2,617,753 patient days (the number of days the 721,013 spent in hospital).

Queensland Health staff provided an outpatient service on nearly nine million occasions in 2003-04—a magnificent achievement and I urge Queenslanders not to lose sight of the facts in the health debate.

I want to thank the hard working doctors, nurses, allied health professionals and support staff for making this happen.

It is important in this debate that we maintain some perspective.

I am the first to admit there were major problems which we have been determined to fix, but at the same time we need to recognise the dedicated professional staff delivering every day for Queenslanders.

At the beginning of August the Health Minister and Director-General directed all Queensland hospitals to ensure they fully check the registration documents and medical qualifications of all doctors prior to their employment.

The directive followed an administrative error which resulted in a visiting surgeon being allowed to start a two-week locum at Bundaberg Base Hospital prior to his registration having been completed by the Medical Board of Queensland.

There was no question about the medical qualifications of the surgeon or that he was eligible for full, unconditional registration with the Medical Board of Queensland.

But appropriate steps had not been taken to thoroughly check and confirm the doctor's registration had been finalised prior to him being allowed to start duties at the hospital.

The Report showed that of 18 selected Queensland hospitals, Redcliffe had the highest occupancy rate at about 105% compared with the ideal figure of 85%.

Caboolture services were under intense pressure from a 50 per cent increase in the number of births in the region over recent years.

We announced almost \$4 million in new funding to relieve pressure on health care services in the Redcliffe and Caboolture districts.

The relief package included:

- \$2.6 million for a new team of 22 specialist health professionals to provide home support for elderly patients in need of care;
- \$1 million for a new paediatrician and four special care cots for newborns—two at Caboolture Hospital and two at Redcliffe Hospital; and
- \$120,000 for two new ultrasound machines in the emergency departments of Redcliffe and Caboolture hospitals.

On August 10 Queensland police and medical authorities were formally asked by the State Government to investigate whether Vincent Victor Berg should be prosecuted for fraud.

Berg was identified in the Morris Commission of Inquiry as having allegedly relied upon false credentials and qualifications to gain medical registration to practice as a psychiatrist in Queensland.

On August 23 we agreed with Mr Morris on a timetable that would allow urgent improvements to health, while ensuring the commission could provide natural justice and complete a hearings schedule that was busier than we originally expected.

Next day we submitted a new State Government issues paper to the Inquiry and the Review with 14 key areas of suggested reform to Queensland's medical workforce.

They included a new category of senior doctor—the "rural generalist"—as a possible answer to improving medical services in rural and remote Queensland.

The private sector should also take greater responsibility for training its medical workforce, since most specialists work in private practice but are trained in public hospitals.

Currently, all specialty training, with only a few exceptions, is carried out by the public sector but most specialists work in private practice.

Given the increasing focus on private sector healthcare in Australia, it may be timely to consider the level of responsibility that should be held by the private sector for training its workforce.

We are also insisting the Commonwealth Government plays its part and ensures there are more non-doctor training places made available in tertiary institutions, particularly in the nursing and allied health areas, to reduce the current workload.

This issues paper represented an innovative approach to tackling the shortage of skilled medical professionals in Queensland and meeting growing public demand for specialist health services.

Cabinet also endorsed a submission to the Productivity Commission Study of the Health Workforce.

The Productivity Commission submission spelled out why we need both national workforce planning, and changes to the distribution of Federal education and training funds for health and medical professions.

We want to work with the Federal Government, other states and territories and the private sector to get this right. The Productivity Commission study is a good start.

The medical workforce issues paper also examined:

- More flexible and innovative options for specialist training and recruitment;
- Proposals to increase the number of specialist training positions plus intern and pre-vocational training places;
- The need to make working in the public health system more attractive; and
- Improved assessment, training and supervision of overseas trained doctors.

The paper highlighted areas and issues which are hampering efforts to attract doctors to Queensland and offered suggestions about how some of these barriers may be overcome.

Demand for specialist services will continue to grow into the future so we need a fresh approach to how we train specialist doctors and, importantly, how we keep them in the public system.

We announced that we were offering the victims of Jayant Patel at Bundaberg Hospital a special compensation process to speed up settlement.

I went to Bundaberg on a Saturday with Attorney-General Linda Lavarch and Health Minister Stephen Robertson to outline the proposal at a meeting with almost 40 former patients, their family members and supporters.

We told them we would cover all legal costs and the costs of expert medical reports for everyone who pursued the process.

We allocated an extra \$3 million for this special process, which was designed to benefit the vast majority of people claiming compensation because of Patel.

At the meeting which lasted almost 3 hours, we outlined the proposal's 10 main points:

1. The Government wishes to settle the claims using a special process. This means no up front costs for a claimant's medical report (which could cost about \$2,000) or for mediation of their claim; quicker settlement than if they went through other legal channels; and no need for the victims to prove government responsibility.
2. The Government will cover the legal costs of all claimants who settle through this process.
3. The Government will pay for joint expert medical reports for claimants seeking compensation.
4. The Government will allocate an extra \$3 million for the process. We will also be engaging additional independent medical experts and mediators to deal exclusively with Bundaberg claims.
5. The Government will offer compensation based on the information in the medical reports. Importantly, we will be more flexible than is usual with compensation claims. The process will take into account the sympathetic view of the Government in an effort to settle these matters. In these unique circumstances, the settlement will be informed by, but not necessarily constrained by, the statutory injury scale.
6. The Government will provide expert mediators for the process at no cost to claimants.
7. The Government will enter into these negotiations with claimants on a "without prejudice" basis, so that liability is not contested.
8. The Government will ask people making claims to lodge full details of the basis of their claim, so that we can expedite the mediation process. This information will also be used to assess appropriate rehabilitation services for claimants in need.
9. The Government does not intend to constrain people's rights at law. If people choose not to go through the special process, they can make claims under other legislation; that is, the Personal Injuries Proceedings Act 2002 and the Civil Liability Act 2003.
10. If matters are not settled through the special process, this will not disadvantage claimants if they still want to go through these other legal avenues.

A few days after the Supreme Court ruling on Tony Morris I was able to announce that a new commissioner with the same Royal Commission powers given to Tony Morris would probe official misconduct allegations surrounding Bundaberg Hospital and report to the Crime and Misconduct Commission by November 30.

And on September 6 I announced retired judge Geoffrey Davies AO would head the new independent inquiry.

The Inquiry was provided with an additional term of reference—to examine whether any Queensland Health official made reprisals or threatened reprisals against anyone who blew the whistle about Patel.

The government added this point because we were determined to protect anyone who blew the whistle in the Patel case, and to reassure Queensland Health staff that legitimate whistle blowers will always be looked after.

The Health Minister announced he had instructed his Director-General to bring forward the development of a new Code of Conduct for Queensland Health which would set very high standards of behavior for managers and employees alike.

It would make very clear that bullying and intimidation will not be tolerated under any circumstance.

Importantly, Queensland Health managers will be judged on their performance against the code of conduct.

In order to attract hundreds more doctors to Queensland, Cabinet decided to make an extra \$700 million available to make doctors' salary packages among the most attractive in Australia, especially when our lower cost of living and lower taxes are considered.

The action was necessary because there is a worldwide shortage of doctors and we have to attract and retain more of them if we are to rebuild our world-class health system and restore people's faith that they will receive first-class treatment in our public hospitals.

The government reached agreement on a \$100 million package over four years with Visiting Medical Officer representatives led by Dr Ross Cartmill, Chair of the VMO Committee of the Australian Medical Association Queensland.

At the heart of our agreement is a will to work together to rebuild Queenslanders' confidence in the public health system.

I thank Dr Cartmill for his commitment to working with us on this vital task.

The government wants to work with specialist doctors, and they want to work with us, to assure Queenslanders that their health system is as good as any in Australia.

Dr Cartmill acknowledged that this was a significant first step in rebuilding the health system and that VMOs have got to walk down the road to recovery in partnership with the Queensland Government.

We then reached agreement with doctors employed in Queensland public hospitals on an employment package worth more than \$600 million in new money over three years.

Nearly 3,400 salaried medical officers, from those just out of medical school right up to the most senior specialists, have the best deals ever offered by a Queensland Government.

Dr Nick Buckmaster, representing the Australian Salaried Medical Officers' Federation of Queensland, acknowledged that the package offered doctors pay and conditions which are at the forefront of Australia rather than trailing a long way behind.

Dr Buckmaster commented—and I quote—"Importantly, there are commitments from the Government to restore training, teaching and research back into our public health system and commitments to provide access to education for our junior doctors which will assist them in becoming our future specialist workforce."

Dr Buckmaster also said: "We believe our members will recognise the very significant effort that has been put in to restore the quality and safety of our hospital system through providing a package which will attract and retain doctors of the highest quality."

The two agreements also show we are fair dinkum about investing the budget surplus in health, to ensure that Queenslanders have continuing expert care.

I thank all the doctors who are committed to the public health system and who agreed to work with the government to rebuild Queenslanders' confidence in the system.

Having provided these salary packages, I took advantage of an investment mission that I led and which included the United Kingdom to launch a major campaign in London to recruit doctors, nurses and other health professionals to work in Queensland.

We placed a full-colour advertisement in The Times. It featured a photograph of two swimmers in clear blue water lined by an empty beach under a blue sky and a caption that read: just what the doctor ordered.

I told an audience containing medical media, recruitment agencies and health professionals that Queensland Health would pay relocation expenses for doctors and nurses, including airfares, and that we offered attractive salary packaging, generous pension with employer contribution, minimum four weeks' annual leave plus 17.5% leave loading, remote area allowance, and study leave.

I also launched a new Queensland Health website (<http://www.health.qld.gov.au/workforus/default.asp>) which features a new recruiting section where health professionals can watch a video about Queensland, inspect job vacancies and submit an expression of interest.

The campaign is continuing at various job expos and seminars in London.

A new Director of Medical Services with a wide range of experience and expertise started work at Bundaberg Hospital on September 21.

Dr Bill Beresford came extremely well qualified, having worked in different countries from Africa to the Pacific.

He had worked in Western Australia for the past 21 years in various roles from Director of Medical Services to acting Hospital Chief Executive at Royal Perth, King Edward Memorial and Princess Margaret and other hospitals.

Someone of his stature and talent is just what Bundaberg needs to rebuild services and restore confidence at the hospital.

He is being supported by the district manager and the new acting Director of Surgery, Dr Robert Tucker.

On September 23 we once again demonstrated our commitment to doing everything we could to enable the Inquiry to do its job.

Following a request from Commissioner Davies we extended its terms of reference to remove any doubt that Commissioner Davies had the powers to expose problems in Queensland public hospitals and give us detailed recommendations for reform.

These broader terms enabled the Commissioner to recommend improvements to the Coroners Act, if he thinks this is necessary.

We also removed any shadow of a doubt that the commission could inquire into waiting list issues.

The amendments also make it crystal clear that the inquiry can recommend disciplinary or other action or proceedings against any person.

The changes took immediate effect.

Next day, Health Minister Stephen Robertson and I announced that hospital performance reports would be published annually and that this requirement would be enshrined in legislation.

There will also be a requirement for an annual report on the state of the state health system.

We also released copies of hospital performance reports for the two years we had at the time.

We instituted the reports to make the public hospital system more effective and to improve the quality of patient care.

The initial performance reports were intended to be used internally as a management tool so that doctors and hospital administrators could use them in a blame-free environment.

This had never been done in Australia before and it was essential for everyone to be able to speak frankly without finger-pointing as they tackled the performance data.

But now the system is up and running, and as the hospital data gets better and more reliable, there's no reason why Queenslanders shouldn't be kept fully informed.

We have since released the latest performance reports.

In June we announced a record \$5.35 billion Health Budget—the largest in the history of Queensland.

Despite increasing funding for health by more than 60% over seven years, it was clear there was a need to make further massive improvements to Queensland Health.

While the Davies Inquiry was examining what had happened in the past, it was the Forster Review that was examining what we would need to do to have the best system for the future.

I announced we would deliver a mini-budget on October 25 so that we would be in a position to fund the recommendations from the Review to address systemic issues and improve health outcomes.

I made it clear extra staff, equipment and facilities would receive more funding.

It was essential to tackle any problems immediately and not at next year's Budget.

Our next initiative was to announce that doctors would face stricter competency screening before being allowed to practice medicine in Queensland.

This involved creating a taskforce of senior Queensland medical practitioners to develop an improved system of checks and balances for the State Government.

I told Parliament the taskforce would be chaired by an independent, respected clinician and comprise representatives from the Australian Medical Association, specialist colleges, other peak medical bodies and the Australian Medical Council.

It is charged with overhauling the policies surrounding overseas-trained doctors and developing a broader and more integrated system to govern the recruitment, assessment, supervision, training and support of doctors—especially overseas-trained doctors.

We will raise the standards for the registration of doctors to better protect the community against a repeat of the Bundaberg experience.

This will help us attract and retain professionals who will give Queenslanders health and medical care that is second-to-none.

The better checks and balances will help restore public faith in the health system.

The need for change had been identified by both the Inquiry and the Review.

On September 30 Mr Forster handed me his 491-page Final Report of the Queensland Health Systems Review containing 388 recommendations.

The official verdict by Mr Forster after a thorough, five-month review involving about 1,300 submissions is that: Queensland's health services and in particular the public health service, is a good service.

Mr Forster said—and I quote: Overall, based on all available information, it is performing as well as any other health service in Australia.

And Mr Forster continued: The service, which is supported by a large workforce of very dedicated personnel is experiencing unprecedented demand pressures.

Mr Forster also confirmed that patients needing elective surgery are more likely to receive it in Queensland than in the rest of Australia—the Queensland rate of surgery being 30 patients for every 1,000 people compared with the national average of 26.

The report also points out that Queensland Health has undertaken significant mental health reforms including:

- Increased expenditure on mental health initiatives from \$240 million in 1997-98 to \$418.7 million in 2003-04—an increase of 74%;
- More equitable distribution of inpatient mental health services across the State—by 2002, Queensland Health had completed a process of decentralising inpatient beds from large psychiatric institutions to 18 districts, enabling more treatment of patients closer to their home;
- Development of community mental health services, particularly in regional, rural and remote areas where no services had previously existed. Community staffing numbers increased by an estimated 350% between 1993-94 and 2004-05;
- An expanded range of adult community health services.

But he went on to say that Queensland Health is showing increasing signs of strain and in some cases is failing.

He also found that the challenges facing Queensland Health are shared by other states and territories to varying degrees and by health systems across the western world.

On waiting lists, the report says: "All states, in both the public and private sector have waiting times between referral from a general practitioner and the date for an appointment with a specialist. These waiting times are not systematically measured but have been the subject of much reported criticism recently in Queensland as well as in some other states which have problems of the same scale as Queensland."

It was clear that the massive scope of the changes needed to deal with the problems identified in the report would require at least five to 10 years to implement in full.

Preliminary costings put the price of all the reforms, including new staff, salary increases and training programs, at more than \$1.5 billion a year—extra—every year after the third year.

I cautioned at the time that even with this massive change and level of spending, Mr Forster warned on page 49: "In all health systems where there are limited resources and unlimited demand for services, rationing and waiting lists are inevitable."

Restructuring Queensland Health with more than 60,000 employees is a gigantic task but it is something we started immediately.

We acted immediately to advertise eight senior executive positions, to match the new structure recommended.

The need for a new complaints process was obvious and we started the process of introducing a new system immediately.

I committed the government to

- more doctors
- more nurses
- more allied health professionals
- more facilities
- better training and
- better services.

I pointed out at the time that the final report says on page 353—and I quote—"The cost of overall reform is likely to be quite significant and may be beyond the capacity of the Queensland Government alone to fund..."

I remind everyone—especially the Opposition—that the options identified by Mr Forster to deal with the likelihood of this funding shortfall include:

1. Increasing taxes and general community contributions and/or redistributing existing taxes (this may mean re-allocating money from other public purposes)
2. Introduce means tested co-payments for public health services, with private health insurance or self-insurance for individuals with the capacity to make a contribution to their health care (this includes for elective procedures)
3. Manage demand through encouraging greater personal effort to stay healthy and enhancing community care services to support healthier living outside of acute hospitals
4. Rationing or withdrawing from the delivery of certain health services altogether where these services can be provided through the non-government sectors.

We have not yet made a decision on Mr Forster's options.

I promised we would not scrap our fuel subsidy of 8.354 cents a litre in order to help pay for a better health system.

And I pointed out we have other responsibilities to pay for with our revenue, such as child safety, people with disabilities, education, transport and infrastructure.

As Mr Forster says on page 49: "The issue for Australia generally is to decide the appropriate level of health expenditure relative to other areas including education, transport and other essential infrastructure. Spending more on health will not necessarily provide better health."

Many of the 388 recommendations need consultation, debate and detailed considerations of their ramifications.

I invited all Queenslanders to take part in such a debate.

It was clear from the report that reform of the health system is not a job for Queensland alone.

The report says the current system of mixed roles and responsibilities for funding and delivering health services between the Commonwealth and the states is a major barrier to health service improvements.

It says on page 52: "Without significant changes to the way services are delivered and funded at both the State and Commonwealth level, rationing of public health services in the future is likely to get worse."

The question is: will the Commonwealth Government pay its share and make the necessary changes?

Mr Forster recommended that Queensland seek a national review of the future health care system in Australia, covering roles and responsibilities of Commonwealth and State Governments.

I have suggested a national summit and I was delighted yesterday when the AMA's Queensland President Dr Steve Hambleton supported my suggestion.

Like me, he says stakeholders should work together to fix the health system.

I look forward to the Liberals and Nationals in this House supporting a summit.

The summit could deal with other issues raised by Mr Forster such as:

- a national system of registration for medical practitioners
- the urgent examination of the feasibility of the Commonwealth becoming the sole funder of doctors to reduce the current Commonwealth financial incentives for doctors to leave the public sector
- development, in conjunction with professional colleges, of a timetable for the establishment of all additional specialist medical training positions recommended by the Australian Medical Workforce Advisory Committee, with the Commonwealth Government to provide funding for the training positions
- a review of the Medical Benefits Schedule to improve the alignment of the Commonwealth funded health sector and the public health system including providing incentives to address particular areas of need such as rural health
- a trial of arrangements such as pooled funding and general practitioners working in public hospitals
- developing the concept of universal service obligations for small rural communities of less than 5,000, and encourage the Commonwealth to explore alternative funding or service models to increase the access of rural and remote communities to federally-funded health services.

I wrote immediately to the Prime Minister raising those issues.

That same day, the Health Minister announced that the new Queensland Health will focus squarely on providing quality care and advice to patients and other users of the public health system.

And it will focus on creating workplaces where staff are valued, respected and encouraged to participate in decision-making processes.

This means more decision-making will happen at the local level where health services are actually delivered.

This means clinicians will have a greater role in those processes.

And this means values such as caring for people, leadership, respect, integrity and public service should be and will be the core of the new Queensland Health.



There will be a simpler administrative structure for the organisation and a renewed emphasis on the traditional core functions of a corporate office.

There will also be a new way of doing business in Queensland Health where openness, accountability and transparency are fundamental principles of how we operate on a daily basis.

We have started making the necessary changes.

Queensland health is now moving into a structure that comprises a slimmed-down and refocused Central Office; three Area Health Services and retention of the current 37 Health Service Districts.

New Area Health Services are based on the existing southern, central and northern zone boundaries. The need for a fourth Area Health Service will be considered by 2010.

19 regional districts with a population of less than 60,000 will be called rural and regional districts to emphasise the unique challenges that exist in delivering health services outside of major population centres and over great distances.

Importantly, clinical networks will be established throughout the state to ensure clinicians have a formal role in decision-making.

They will be adequately resourced and will have an active role in service planning and in the distribution of funding to areas of need and to improve clinical practice.

Each Area Health Service has greater management, budget and planning powers and is led by a General Manager who reports direct to the Director-General.

District Managers have started to report to the General Manager of their Area Health Service.

There will be much improved and streamlined reporting requirements that will ensure the voices of the districts are heard at the highest levels and not filtered through excessive layers of reviewers in Corporate Office as is currently the case.

New Area Health Councils will advise the Area Manager on the performance of Area Health Services, planning and service improvement opportunities. The members of these new Area Health Councils will be drawn from the existing district health councils.

This will elevate community input into the way health services are planned and delivered to a new level, ensuring the voices of the community are not lost as decisions about how health service are planned and provided are discussed at higher levels.

There are minimal changes to the existing district health councils; however, we will give greater recognition to their important role by remunerating members of councils for the time and effort they put in on behalf of their communities.

Major structural reforms result in more than 680 staff being transferred from Central Office to Area Health Services, with 162 positions in Central Office identified as surplus under the new arrangements.

We have already abolished 108 positions and we will reach the target of 644 people for Corporate Office in the next few days.

Affected employees are case-managed in accordance with a process agreed with the relevant unions.

A new senior executive group has been appointed, comprising:

- Three positions for General Managers of Area Health Services
- Executive Director—Policy Planning and Resources
- Chief Health Officer
- Executive Director—Corporate Services.

The new senior executive has met for the first time over the last two days to plan for the implementation of the Queensland Health reforms in the new year.

It is a team of significant calibre that will bring expertise, rigour and commitment to this difficult role.

The Corporate Office retains core functions such as:

- statewide health service plans and policies
- statewide workforce planning
- acquisition and allocation of funding to Area Health Services
- performance monitoring.

All structural reforms have been explained fully and are carried out in accordance with principles of fairness.

There are regular consultative meetings with unions as reforms are being implemented.

We announced we would open an extra 60 acute care and two intensive care beds on the Gold Coast to urgently reduce pressure on the region's hospital services.

The \$9.3 million package was announced as an interim measure for the Gold Coast as an immediate response to our own review and consultation into the pressures troubling the Southport Hospital, particularly in emergency and intensive care.

The money would pay for 30 beds at Robina Hospital and another 30 at Southport, giving the Gold Coast the capacity to treat approximately an extra 60 patients a week (3,230 admissions a year) who are admitted through the emergency department.

Another two beds at Southport Hospital will increase intensive care capacity which was being stretched on a regular basis.

The funding includes doctors and nurses to service the extra beds allowing for more patients to be treated and some much needed relief for our hard working Gold Coast staff.

Because the Forster Report points out that all state and territory health systems are facing major problems in continuing to deliver their present level of health services, I wrote to all premiers and territory leaders about the need for major changes in health arrangements with the Federal Government.

In the letter I drew attention to 11 findings by Mr Forster.

1. The report says "that if demand for health and hospital services keeps trending the way that it has been in recent years, then greater and greater percentages of gross domestic product will be required to support health care."
2. It says options to deal with this issue include increasing taxes, means-tested co-payments and rationing or withdrawing from certain health services.

3. It warns: "Without significant changes to the way services are delivered and funded at both State and Commonwealth level, rationing of public health services in the future is likely to get worse."
4. It says: "Fiscal projections of future health expenditure requirements serve to reinforce the need to fundamentally change the way the Australian health system is structured in the future."
5. It found that the current system of mixed roles and responsibilities for funding and delivering health services between the Commonwealth and the states is a major barrier to health service improvements.
6. Further: "Fundamental changes in the way health services are organised and delivered...are now urgently required to try and avoid major gaps developing in the system's capacity to meet future health needs."
7. It warns that all states and territories are "experiencing similar pressures and problems" and need to "work constructively with the Commonwealth to look at better ways of funding and organising health services..."
8. It says a range of existing national reviews and inquiries do not have the role to look at more fundamental change to the current separation of roles and responsibilities in Australia's health system.
9. The report recommends that the Queensland Government should seek a national review of the future health care system in Australia, to specifically consider the respective roles and responsibilities of Commonwealth and State Governments in the provision of integrated healthcare for the Australian community.
10. It says: "Problems of poor co-ordination and integration of health services (for example, between general practitioners and hospitals), overlap and duplication, the drain of doctors from the public to the private system and a culture of blame and cost shifting are a direct consequence of Australia's mixed system."
11. It warns: "even with the best possible results it may still be necessary for governments to seriously contemplate the withdrawal of certain service types from free access lists or seek a consumer co-payment for services."

One of the most important issues highlighted during the Forster Review and the Commission of Inquiry was significant concerns expressed and evidence of a negative and inappropriate workplace culture throughout Queensland Health.

We are addressing those concerns through the development of a new code of conduct emphasising respect for patients and fellow workers.

The draft code released at the start of October involved "zero tolerance" of unacceptable behaviour such as bullying and intimidation.

This new draft code of conduct sets very high standards.

The code's five principles reflect the new values of Queensland Health and are all about caring for people; leadership; respect; integrity and public service.

Hundreds of responses have been received from Queensland Health staff in relation to the Code of Conduct.

The consultation process concludes today and the code will then be finalised as a matter of urgency.

We are committed to having a health department where patients and other users of the Queensland health system are treated honestly, professionally and with respect.

We are also committed to a department where staff are valued, respected and encouraged to participate in decision-making processes.

A happier and more positive workplace will help us to refocus and reshape our public health system and, ultimately, lead to better healthcare for Queenslanders.

The draft Code is a guide to the standards of behaviour expected of managers and staff alike within Queensland Health.

The five principles of the draft Code are:

- Respect for people
- Integrity
- Diligence
- Economy and efficiency, and
- Respect for the law and the system of government

Positive behaviour will be strongly promoted and supported. Unacceptable behaviour will not be tolerated.

And the performance of managers will be judged against the Code.

We then announced a new independent Health Commission as the cornerstone of a revamped system for Queenslanders to lodge complaints about health matters.

The new complaints process will be easier for both members of the public and Queensland Health employees to use.

It will also be more responsive and more transparent.

Under the new system being developed, complaints will be dealt with locally in the first instance.

Those complaints unresolved after 30 days will be escalated to a new independent and greatly expanded Health Commission.

People wishing to make complaints will be assisted by independent patient support officers, arranged with the non-government sector and managed through the Health Commission.

Complaints will be handled by District Complaints Coordinators who will have the required skills and authority, and who will be supported by a Complaints Manager in each of the Area Health Services.

Health Commission staff around the state will assist in the resolution of public complaints.

The Health Commission will take over complaints that are unresolved after 30 days, or at any time it wishes.

It will have access to Queensland Health complaints data about patient care and the complaints.

The Commission will have three directors, one of whom will be responsible for the existing Health Rights Commission functions which include handling of complaints.

The government will also establish a state-wide complaints database which will record all complaints and compliments about Queensland Health's services.

The information gained from the database will help us to understand systemic problems and continually improve our health system through feedback from the people who use it.

As well as ensuring complaints are properly handled, the Health Commission will oversee the development and implementation of quality, safety and clinical practice standards throughout Queensland's public and private services and monitor best practice clinical governance and patient safety.

As part of our funding to fix immediate urgent problems, we announced Cairns Hospital would receive immediate funding before the mini-Budget to perform about 186 more operations at a cost of \$382,000.

The funding was designed to deliver surgery for hip and knee replacements, ear, nose and throat, and cataracts.

Cairns Hospital also received an additional \$2 million to keep 16 acute beds operating for an extra two to three months.

These beds were scheduled to shut as winter ended but demand had been sustained through September.

The announcement for Cairns followed a similar announcement in Rockhampton, where an extra \$200,000 was approved for about 80 operations depending on the level of complexity.

We also announced an immediate injection of \$3.7 million to fix immediate problems identified by Townsville Hospital and new surgical services for the people of Bundaberg.

A deal was struck with the Mater Hospital in Bundaberg to allow residents to have eye surgery and ear, nose and throat procedures as public patients.

Bundaberg Base Hospital was also allocated an extra \$345,208 to perform 172 elective surgery procedures, including joints, laparoscopic cholecystectomies, hernia and assorted biopsies.

We announced a \$10.6 million package to employ an extra 67 clinical staff to boost community mental health services throughout Queensland.

The package included:

- \$5 million for 54 new clinical staff positions in community mental health services across Queensland;
- \$1.1 million for 13 new clinical staff positions to help "dual diagnosis" patients or patients presenting with both mental illness and substance abuse problems
- \$4.5 million for additional follow-up support services for mental health patients following their discharge from hospitals

The \$10.6 million package was designed to help ease immediate pressures on community mental health services by providing more staff and additional services.

The 67 new clinical staff comprise nurses, doctors, clinical psychologists, social workers and occupational therapists employed in the frontline of community mental health services across Queensland.

At least six of these positions are clinical psychologists, nurses or social workers to provide care for children, adolescents and youth who are at risk of developing severe mental illness.

The nine health service districts of Gold Coast, Brisbane, Redcliffe-Caboolture, Logan-Beaudesert, West Moreton, Toowoomba, Townsville and Cairns each received \$500,000 for additional community support services.

Funding for the \$10.6 million package was drawn from the pool of Commonwealth funding allocated to Queensland each year for mental health.

We announced an extra \$3.7 million package for the Gold Coast, including \$1.5 million on elective surgery for about 595 Gold Coast patients to urgently reduce pressure on the region's hospital services.

The package also included opening two extra intensive care beds and four neonatal cots at a cost of \$2.2 million in addition to the 60 extra acute care beds announced earlier.

Measures to speed up the testing of illegal drug laboratories and DNA samples were among reforms to forensic science services announced on October 11.

I released a Ministerial Taskforce Report resulting from a comprehensive six-month review of government forensic and scientific services operated by Queensland Health Scientific Services.

Peter Forster reviewed the Taskforce report at our request and had suggested further changes to enhance the structure and performance of these services.

Together, Mr Forster's suggestions and the Taskforce's 65 recommendations signalled a new era for forensic and scientific services in Queensland.

The State Government is investing \$6.3 million in new money this year to implement the reforms followed by \$2.4 million each year in on-going funding.

The report proposed ways to streamline forensic and scientific processes and improve the delivery of DNA and crime scene sampling to the criminal justice system.

It identified measures to accelerate testing of clandestine drug laboratories as well as legislative reforms to speed up prosecution of persons engaging in illicit drug production.

And there were organisational changes recommended to make government forensic and scientific services more productive and more efficient.

Key reforms recommended by the Taskforce and Mr Forster included:

- Recruit extra forensic scientists to form a special 24/7 response unit to perform clandestine drug laboratory testing, plus other scientists to accelerate the elimination of the lab testing backlog;
- Introduce reforms to the Drugs Misuse Act 1986 including making possession of precursors and other chemicals, for the production of an illicit drug, an indictable offence.
- Appoint a new director to take charge of reforms and prepare for scientific services to be separated from pathology services as soon as practical;
- Maintain the current governance structure within Queensland Health;
- Transfer \$3 million funding from Queensland Police Service to Queensland Health Scientific Services to address the DNA profiling and crime scene sampling backlog;

The delivery of DNA profiling and crime scene sampling to the criminal justice system was a key area of reform.

The State Government had already provided \$11 million extra funding over three years to help eliminate the backlog of samples. Cabinet will receive six monthly reports on progress to eliminate the backlogs.

The Taskforce proposed a range of initiatives to address the backlog of clandestine drug laboratory testing and better meet future demand.

These include providing additional scientific staff to provide testing and analysis as well the formation of a special response team to be on call 24/7 to assist police with on-scene testing of clandestine drug labs.

The Taskforce also proposed legislative amendments including the creation of an indictable offence for the possession of precursor and other chemicals used in illicit drug production.

In mid-October we started casting the net for experienced nurses looking to step up and become Queensland's first nurse practitioner graduates.

Health Minister Stephen Robertson told the Nurse Leaders' annual conference in Brisbane that Queensland Health would advertise around the state to attract people to take up a State Government scholarship and study for the new category of nursing.

The nurse practitioner role will deliver more advanced patient care in Queensland's hospitals and represents an exciting career move for registered nurses.

Nurse practitioners are a smart way of tackling the effects of the worldwide shortage of health professionals, particularly in regional and rural Queensland.

Peter Forster endorsed the concept in the Queensland Health Systems Review.

We recently tested ten nurse practitioner roles in nine locations throughout the state.

Nurse practitioners in our hospitals will be highly skilled and experienced health professionals whose practice will be guided by clear clinical protocols.

They will strengthen our medical workforce by providing an unprecedented level of support for our doctors.

Nurse practitioners will be able to perform a variety of duties, such as:

- Carrying out health assessments and examinations;
- Requesting various diagnostic investigations;
- Prescribing some medication and preparing certain treatment plans;
- Processing admissions and discharges; and
- Referring patients to health care specialists.

There was a high level of patient satisfaction with the new roll-on trial in hospitals at Quilpie, Goondiwindi, Redcliffe, Kilcoy, the Prince Charles, QEII, Townsville and Princess Alexandra.

The nurse practitioners worked in a wide range of clinical fields from cancer, haematology and intensive care to mental health and highly specialised areas such as heart failure in cardiology.

They have worked well in other states such as New South Wales, Victoria and South Australia and in other countries.

The United States alone has well over 100,000 nurse practitioners working in its hospitals.

Our immediate relief measures included a multi-million dollar package to allow seven hospitals in and around Brisbane to perform elective surgery on an additional 2,750 public patients.

The Royal Brisbane and Women's, Princess Alexandra, Royal Children's, Mater, Redcliffe, Caboolture and Redland hospitals received \$6.8 million to do more operations and reduce their waiting lists.

Every cent of this package was new money and was in addition to \$1.9 million announced for The Prince Charles and \$1.2 million for Logan and QEII as part of an elective surgery blitz across south east hospitals.

The \$6.8 million elective surgery package included:

- \$3.4 million to the Princess Alexandra Hospital for 966 operations, depending on the level of complexity, for cancer, cardiac and neuro surgery;
- \$1.8 million to the Royal Brisbane and Women's for 1,011 operations, depending on the level of complexity, covering mainly vascular, orthopaedic and general surgery;
- \$578,324 for Redcliffe and Caboolture Hospitals for around 212 operations split between the two hospitals targeting orthopaedics and general surgery;
- \$558,000 to the Mater Hospital on around 366 operations;
- \$300,000 to the Redland Hospital for around 182 operations involving minor general surgery, minor orthopaedics and gynaecology; and
- \$74,000 to the Royal Children's for about 20 operations.

Other immediate relief measures included a \$5.3 million cardiac package and a \$21.4 million emergency department package for Brisbane and regional hospitals.

Fluoridation was a major concern of the Forster Report so we paved the way for more Queensland communities to introduce water fluoridation.

We went a step further than Mr Forster's recommendation to join with local government and look at the feasibility of introducing water fluoridation.

We are offering financial rebates to those councils who decide to fluoridate their local water supplies.

The rebate is for 100% of the capital cost of introducing fluoridation in communities with populations of more than 5,000 people.

It will apply for five years and be available to councils through the Department of Environment, Local Government, Planning and Women.

The Government supports fluoridation where its introduction is supported by the local community.

We recognise the balance of scientific argument favours the use of fluoride in pursuit of better oral health.

But we won't be mandating its compulsory use in Queensland communities.

What we are doing is allowing local communities to make up their own minds whether they want fluoride in their water and, if they do, we will help make it happen.

There are 43 communities with populations over 5,000 people that could potentially be fluoridated at a capital cost of about \$6 million.

A Queensland Health survey of households had shown that 60.3% of those people polled aged 18 and over supported the addition of fluoride to their water supply.

Only 22.8% of those polled were against fluoridation.

Several recent major reviews of all the available evidence confirm that fluoridation has no adverse general health benefits.

On October 19 we announced we are planning to dramatically reduce the number of people with private health care who are admitted to hospitals as publicly-funded patients.

And we said we would also examine the introduction of means testing and co-payments for non-urgent surgery, the spectacle subsidy scheme, dentistry for adults and specialist outpatient services for non-concession card holders.

We did so because the Forster Report warns that the future of every state's health system is unsustainable without dramatic changes to the way services are funded and provided.

The Forster Report canvasses the need for major reforms and says, for example, in recommendation 7.9: "Explore the introduction of means tested measures for non-urgent surgical services to improve the safety and timeliness of public surgical services for those least able to afford care."

On page 55 the report says: "Even with the best possible results it may still be necessary for governments to seriously contemplate the withdrawal of certain service types from free access lists or seek a consumer co-payment for services."

But I guaranteed that free hospital care and treatment for anyone who genuinely needs it will remain unchanged.

The Forster Report makes it clear that keeping the present system is not an option.

We need to take drastic action to:

- Cut waiting times for health services; and
- Find the extra money that is needed to provide those health services.

We have identified a range of revenue and savings measures that could pour tens of millions of dollars in extra funding into patient care every year.

Queensland Health will maximise the number of patients treated as private patients in public hospitals, index existing fees and charges using a realistic measure of soaring health costs, and consider co-payments or means testing for services such as free spectacles, adult dental services and specialist outpatient services among other measures.

I gave a further guarantee that Queensland Health will keep every cent of money collected through these measures to spend on health services for Queenslanders.

For too long, our public health system has run a charity in many areas and has too easily parted with tens of millions of dollars every year on services other states and territories do not even provide.

With 1,500 new Queenslanders every week and an ageing population putting increasing pressure on our health services, there are several ways we can focus on our core business of treating and caring for the sick and injured.

While there are many battlers who have no option when it comes to health care, there are thousands of Queenslanders who have private health insurance but who choose to occupy a public bed.

The Forster Report pointed out that: "If Queensland Health were to collect patient revenue at the same rate as the average of the other states and territories, this would equate to an additional \$115 million per annum in funding for public hospital services."

We will introduce a new program in every public hospital to increase the percentage of patients who choose to use their private health cover when they are admitted to a public hospital.

Six out of every 10 people who receive treatment in public hospitals and hold private health insurance are admitted as public patients. As many as 60,000 acute procedures could be claimed against private health insurance.

It is a free ride for the private health funds.

The Royal Brisbane and Women's Hospital already runs a successful process in which staff inform patients with private cover of their treatment options and refer them according to the patient's choice. We will expand this process.

We will also:

- consider, on a site by site basis, whether the private or not-for-profit sector can better deliver better aged care services;
- consider transferring the delivery of Home and Community Care (HACC) services from Queensland Health to non-government organisations on a case-by-case basis by mid 2006 and ensure transitional arrangements for staff who are impacted continue until mid 2007. Currently, Queensland Health and non-government organisations provide home care services using both State and Federal funding. Annual savings in administration costs would be achieved through this measure.

In order to develop policies to increase revenue from the services we provide, we will recruit a health economist to report to the Government by March 2006 on the following possibilities raised by the Forster Report:

- Making the level of indexation to existing fees and charges more comparable to other states and territories and better reflecting the soaring costs of medical equipment and facilities.
- Means testing or co-payments for the Spectacle Subsidy Scheme. Means testing will ensure that the 90,000 people who receive the full subsidy from Queensland Health are cases of genuine need. The Scheme costs taxpayers \$6 million annually.
- Means testing or co-payment for adults accessing dental health services with an annual cap per person. This is similar to most other States.
- Legislative amendments to pursue the reimbursement of costs involved in treating patients who receive damage pay-outs for compensable injuries. This would examine the approaches taken by other states and territories. Queensland Health currently foregoes between \$10 million to \$20 million each year providing free medical treatment to people who have received compensation from insurers.

- Means testing or co-payments for the secondary safety net for pharmaceuticals. Queensland is the only state which provides a safety net for patients who purchase four or more items of pharmaceuticals from public hospitals. This secondary safety net cuts in before the Commonwealth's safety net.

The intention is not to create bureaucratic red tape through any new systems.

On October 25 the centrepiece of the mini Budget was almost \$6.4 billion in just over five years to help build the best public health system in Australia in the Health Action Plan.

The money will grow to an extra \$1.5 billion a year every year.

The Health Action Plan provides a ground breaking blueprint for reform, better patient care and a healthier Queensland.

No State or Territory Government in the history of Australia has made such a massive commitment to ensuring the health and wellbeing of its residents.

This money will be pumped directly into our health system to provide more doctors, more nurses, and more allied health staff.

It will be used to cut waiting lists, maintain and improve our hospitals and buy new technology and equipment that will help save lives.

The record funding package included:

- \$463.7 million for cancer services;
- \$280.3 million for Emergency Departments;
- \$259.7 million for elective surgery;
- \$229.8 million for Intensive care units;
- \$210.9 million for cardiac services;
- \$201 million for mental health services; and
- \$127 million for workforce training.

It also includes an extra \$733 million for pay increases recently negotiated with Queensland doctors as well as existing provisions for future enterprise bargaining negotiations with nurses and other clinical staff.

It will also help recruit around 1,200 additional staff to the public health system during the next 18 months including 300 doctors, 500 nurses and 400 allied health professionals, such as physiotherapists, occupational therapists and speech pathologists.

Not all of the money was allocated.

A comprehensive Statewide Health Services Plan will be developed next year to target the remaining funds at the areas of greatest need.

We have funded areas where thorough planning has already occurred, but—contrary to what the Opposition alleges—we are not going to throw money at our problems.

Some can be tackled immediately while others require long term solutions through informed, careful planning.

That is why we have set aside unallocated funds worth \$50.6 million in 2006-07 growing to \$500.4 million in 2010-11.

The \$6.36 billion action plan contained an immediate response of \$547.6 million in 2005-06 which will beef up Queensland Health's current annual budget to \$5.75 billion.

The health budget will increase to \$6.22 billion in 2006-07, \$6.58 billion in 2007-08 and \$6.84 billion in 2008-09.

By 2008-09 we will have increased the health budget in nominal terms by a staggering 109% in the 10 years since 1998-99.

Our Government has injected billions of dollars into improving the lives of Queenslanders who need it most—people such as the sick, the elderly, disabled, under privileged and homeless," he said.

The mini Budget included an extra \$745,000 each year to ensure Queensland women have better access to breast cancer reconstructive surgery.

The new cancer initiative will allow for 70 additional breast reconstructions to be performed each year.

It included \$74.2 million over the next five years to reform Queensland Health systems and keep the public informed about its performance.

The new independent health commission will cost \$38.5 million over five years.

Recurrent funding of \$7.7 million per year from 2006-07 will establish and operate the new Health Commission.

\$5.7 million over five years will support medical registration boards.

We will spend \$4.2 million this year to fund the operations of the Medical Board of Queensland and the Office of the Health Practitioner Registration Boards plus an extra \$300,000 per year for the Office of the Health Practitioner Registration Boards.

The government will also spend \$30 million this year to start implementation of systemic reforms to Queensland Health's structure.

This funding will be used to begin implementing those parts of Mr Forster's Queensland Health Systems Review including organisational restructure costs, staff and leadership training and specific Information Communication & Technology recommendations.

We will also develop a Statewide Health Services Plan to provide advice to the government about the funding of sustainable health services into the future.

Queensland has never before had a comprehensive state wide health services plan.

Our commitment to do so signals a new era of fiscal transparency and responsible spending on health services.

Because we are committed to recruiting around 1,200 additional staff to our public health system over the next 18 months, including 300 doctors, 500 nurses and 400 allied health professionals, we will spend an extra \$127 million in the next five years on training programs.

The new training initiatives will start next year and increase the professional development of doctors, nurses and allied health professionals in public hospitals.

This new investment will help ensure Queenslanders have access to the best health professionals in the country.

Part of the \$127 million package will be spent on an additional 55 specialist training positions in our public hospitals.

We will train an extra 12 radiologists, 10 pathologists, five general medical specialists and three rural generalists with the remaining positions covering areas from orthopaedics, and anaesthetics to neurology and general surgery.

Together with the 20 registrar positions already allocated for next year, they will help develop a strong specialist workforce Queensland.

We will also create 43 additional medical intern positions in hospitals across Queensland and recruit a co-ordinator of physician training in each area to ensure the rotation of medical registrars to regional areas and support for their education and training.

Expanded training for nurses will also be rolled out in the next five years.

We will train 1,000 experienced nurses immediately to become preceptors, or mentors, to support new employees during their transition phase in our hospitals and further training in the following years as required.

This will ensure nurse graduates and other newcomers are shown the ropes under the close watch of qualified staff on the ground.

We will also provide refresher programs for 200 nurses each year in specialty areas, enable approximately 1,500 nurses to attend upskilling programs each year, and increase the number of dedicated nurse educators available in the clinical areas, such as oncology and orthopaedics.

Training initiatives will also cross over to the allied health professions where 100 scholarships will be provided for new graduates to work for Queensland Health in areas of shortage.

At the end of October we announced that Professor Stephen Duckett had accepted an invitation to help implement the Queensland Government's \$6.4 billion five-year action plan.

Professor Duckett is recognised as one of Australia's foremost health policy experts with extensive experience in implementing health reform and structural change.

We're very lucky to have him on board.

Professor Duckett has been appointed as Executive Director of the Reform and Development Unit and will lead the health reforms outlined in the Government's Action Plan for building a better health service for Queensland.

The Forster Review recommended the establishment of a reform unit to lead the necessary and significant changes over the next three years.

The Reform and Development Unit will report directly to the Director-General of Queensland Health.

Professor Duckett will work with the new Senior Executive Team to develop and implement a range of structural and systemic reforms to Queensland Health and the broader health system.

The reforms are the most significant change process experienced in the history of Queensland Health.

Professor Duckett was Professor of Health Policy, Dean of the Faculty of Health Sciences, and Pro Vice-Chancellor (Learning and Teaching) at La Trobe University. He is a Fellow of the Australian College of Health Service Executives and was Secretary of the Commonwealth Department of Human Services and Health from 1994 to March 1996.

Earlier this month Cabinet approved the draft legislation needed to make it mandatory for Public Hospital Performance Reports to be published every year by the Queensland Government.

The new public accountability measure will be enshrined in amendments to the Health Services Act 1991.

Relevant data about waiting times for elective surgery and specialist outpatient services will also be included.

And we will publish and table these reports in State Parliament every year.

The complex nature of the hospital performance reports is one reason why we are planning to establish a Health Public Reporting Advisory Panel.

We need a panel of experts to advise the government about privacy issues and the structure, content and readability of this type of performance report.

The advisory panel will comprise a mix of leading medical experts, academics, media and government representatives.

Naturally, we will approach the AMA to ensure the organisation is represented on the panel.

We will need panellists with the expertise to advise government on potential privacy/administrative law issues.

And we want media representatives to advise how to make the reports more reader-friendly to assist media organisations disseminate the information.

On November 9 the Health Minister told State Parliament surgical activity had increased in Queensland public hospitals.

Latest statistics showed public hospitals recorded increases in all categories of surgical activity.

In weighted separation terms, our hospitals carried out more work in elective, emergency and other surgery in 2004-05 compared to the previous year.

Weighted separations give the most accurate picture of hospital inpatient activity.

The term applies to the international methodology to quantify the relative cost and complexity of one patient admission to another.

For example, a hip replacement has a weighting of around 10 while a cataract operation has a weighting of around one.

So in terms of operating room time, our hospitals can perform more cataract operations than hip replacements.

The weighted data comparing 2003-04 to 2004-05 reveals:

- a 2 percent increase in elective surgery (169,256 to 172,529);
- a 6.1 percent increase in emergency surgery (95,439 to 101,246); and
- a 15.6 percent increase in other surgical procedures that are not classified as elective such as chemotherapy and dialysis (30,972 to 35,808).

Queensland Health had recorded a 4.7 percent increase in total surgical activity.

These figures expose the Opposition's deliberately misleading claims that our hospitals are doing less work.

I join the Health Minister in thanking all of our hardworking, dedicated hospital staff for this result.

On November 11 the Health Minister welcomed the appointment of the new senior executive team to drive reforms to Queensland's public health system.

105 applications had been received for the advertised positions. Positions of Chief Operations Officer and Executive Director, Performance were not filled.

The senior appointments are:

- General Managers, Area Health Services—  
 Southern Area—Terry Mehan: has most recently been Zonal Manager Northern Region based in Townsville. Prior to this he was General Manager of the Hunter Area Health Service in New South Wales.  
 Central Area—Gloria Wallace: has most recently been Acting Deputy Director-General and District Manager of The Prince Charles Hospital and Health Service District.  
 Northern Area—Roxanne Ramsay: was Director for Country Health in the South Australian Department of Health; responsible for service planning, monitoring and evaluation country health services, policy development, funding and purchasing, incorporating 7 health regions.
- Executive Director, Policy, Planning & Resources—  
 Professor Andrew Wilson—Professor of Public Health in the School of Population Health, University of Queensland. Previously worked for New South Wales Health for six years as Chief Health Officer and Deputy Director-General.
- Chief Health Officer—  
 Dr Jeannette Young—most recently Acting Chief Health Officer and Executive Director Medical Services, Princess Alexandra Hospital.
- Executive Director, Corporate Services—  
 Michael Kalimnios—until recently Executive Director—Finance and Organisational Performance, Royal Brisbane and Women's Hospital.

On November 18 at the Health Ministers meeting in Adelaide the Health Minister put Queensland's case for an extra \$1.6 billion in Commonwealth funds for our public hospitals to Federal Health Minister Tony Abbott.

Our mini-budget committed a \$6.4 billion injection over the next five and a half years to help renew and rebuild the health system for Queenslanders.

It means our budget contribution to Queensland Health has increased by 21 per cent this financial year compared to last while the Commonwealth will have increased funding by only 7 per cent.

Queensland has to match the rate of growth funding by the Federal Government.

This should work both ways and the Minister said on that basis the Federal Government owes Queenslanders an additional \$1.6 billion over the life of the agreement (five years to 30 June 2008).

Mr Robertson said if the Federal Government was committed to a world class health system, it would not only immediately correct its current level of funding, but increase the number of health university placements and lead health reform.

He said Mr Abbott had allowed a chronic health workforce shortage to worsen in Queensland and Australia, has significantly underspent on our public hospitals, and has dropped the ball on any meaningful health reform.

Mr Robertson said other matters which required urgent Federal Government attention were:

- An immediate increase in medical, nursing and allied health student places in Queensland;
- An immediate increase in the level of funding available to support the teaching and training of medical students on clinical placements within Queensland's public health system;
- Financial contributions to ensure that sufficient funds are available to support the clinical placement of nursing students and allied health workers;
- Access to Medicare billing for nurse practitioners, in recognition that these roles are taking on functions traditionally performed by doctors; and
- Review the Medical Benefits Schedule to improve the alignment of the Commonwealth funded health sectors and the public health system.

He said the doctor shortage had had a devastating effect on the health care of Queenslanders.

The appointment of a new full-time Director of Obstetrics at Bundaberg Hospital will enable locals, including mothers-to-be, to get the best care possible.

The new Director of Obstetrics is expected to start work in early 2006 and this will enhance local services in Bundaberg.

The hospital is also seeking to appoint a third obstetrician so that the women of Bundaberg continue to get the best obstetrics care possible.

A second specialist trainee may also be appointed through the Royal Australian College of Obstetrics and Gynaecology and may start in January or July next year.

Last week a major health conference in Brisbane involving Australian and international experts represented a turning point in the health workforce debate.

Queensland Health and the University of Queensland ran a Health Workforce Innovation Workshop with workforce reform on top of the agenda.

This workshop was not just about looking at how we attract more staff, but about challenging our ideas and looking beyond tradition and trends for new and different solutions.

The Health Innovation Workshop featured more than 200 delegates including representatives from the United Kingdom, New Zealand and the United States.

In summing up I pay tribute to a wonderful team of doctors, nurses, allied health care workers and other dedicated workers in Queensland Health.

I want to thank all those very dedicated personnel for their hard work and for providing such a wonderful service for thousands of Queenslanders, especially over the last six months when Queensland Health has suffered much criticism.



I was proved right when I said on April 26 that I still believed we had one of the best health systems in the world.

The Government owes it to everyone in Queensland Health to ensure they have the best support possible.

There is no doubt the review and inquiry process has been painful.

It has been painful for those patients and families who gave evidence and sat through the Inquiry hearings.

To all of you—and especially those people who had operations that were botched—I apologise again.

It has been painful for Queensland Health staff who helped uncover the problems and issues in the system.

It's also been painful for dedicated and professional Queensland Health staff to witness the fall in community confidence in the system.

The long list of actions taken by this Government in only six months is a graphic demonstration of our commitment to creating an even stronger public health system.

It is my Government's top priority.

We will build a system that is focussed on people and delivering quality health services.

We will renew services, restore public confidence and respect the people who work in the system and the people who use it.

The Forster Report says: Queensland Health must restore its reputation with the community and with its staff or this may have dire consequences for its ability to continue to recruit staff and therefore provide services.

It is time for everyone now to recognise that the independent verdict is that Queensland Health is as good as any in Australia—and it's going to get a whole lot better.

I want to let everyone in Queensland Health know that you are valued and there are thousands of Queenslanders who can tell their families, friends and neighbours about the magnificent service they received in one of our public hospitals.

I give a commitment to Queensland Health that we, as a Government, will do everything we can to help you restore your reputation.

## MINISTERIAL STATEMENT

### Health System

**Hon. PD BEATTIE** (Brisbane Central—ALP) (Premier and Treasurer) (9.39 am): The second report that is being distributed to members is called *The Pressures on all Health Systems*. I know that from time to time in the hurly-burly of politics it is easy to simply play political games. What we have to recognise is that this problem in relation to the future of health is not just a Queensland problem, it is not just an Australian problem; it is a worldwide problem. What we have to do is face up to that head on. The Queensland government has had the courage to thoroughly examine its health system in a very public way. The process will result in Queensland having the best health system in the country and our system will become a role model for the rest of Australia.

Vast amounts of money will be wasted until the federal government holds a summit or inquiry to investigate what it needs to do to reform the federal system. In a report by PricewaterhouseCoopers—and I tabled this at the last sitting—it is estimated that by 2020 health expenditure by OECD countries will be more than triple to \$10 trillion—\$10 trillion, Mr Speaker.

In the document I am tabling I deal with the pressures on the system, the problems with private health insurance, the costs that go with the new technology and drug pressures, the growing and ageing population and what that means for the health system, issues relating to the work force and increased demand for services. Let me highlight some of the problems.

The Forster review indicates that in 2003-04 there were 1.25 million emergency department presentations in Queensland public hospitals at a rate per capita that was 3.5 per cent higher than the national average. The Royal Brisbane Hospital and the Gold Coast Hospital emergency departments are two of the three busiest emergency departments in Australia. Many of those Queenslanders should have visited their GPs. It is not their fault, but we need to change the system.

There have been disproportionate levels of utilisation of Medicare for public patients compared to other states which has disadvantaged Queenslanders and placed high levels of demand on outpatient services in Queensland public hospitals, hence the point I have just made. Queensland Health data indicates that in 2004-05 MBS paid benefits to Queenslanders of \$464 per capita compared to \$474 per capita nationally. That equates to an underfund of \$39 million. What this amounts to is that Queensland's health system is under considerable strain. In fact, all state and territory systems are in the same boat. As highlighted in the PricewaterhouseCoopers report, health systems around the world are struggling. Some are on the brink of collapse such as in France.

Now is the time for fundamental and decisive action. Tinkering around the edges is no longer possible; it does not work. Still, the Commonwealth government prefers to bury its head in the sand and pretend everything is all right. Even concerted lobbying by respected Professor John Dwyer, chair of the Australian Health Care Report Alliance, a professor of medicine at the University of New South Wales, has been ignored. He describes Australia's health system as disturbingly dysfunctional. He says that it has now reached a point where it is unworkable.

We cannot do these reforms alone. Peter Forster's report was strong on the need for an equal partnership with the federal government. That is why I have written on several occasions in recent weeks to Prime Minister Howard and health minister Abbott. It is why the Queensland health minister, Stephen Robertson, raised the matter personally with Tony Abbott in Adelaide last week. We think we are fairly and reasonably \$1.6 billion over the life of the current Australian Health Care Agreement. That is the extent to which the federal government is underfunding Queensland public hospitals under the current agreement for 2003-08.

Equal partners with matching contributions is only fair. That is what we are asking for. It is only the beginning of the sort of reforms that will need to happen to ensure a sustainable public health system into the future. I make this point. I call on the federal government to have the same courage we have had to take the health issue head on. Only then will Australians get the health care that they are entitled to. I seek to incorporate more details of my ministerial statement in *Hansard*.

Leave granted.

#### PRESSURES

##### *Health expenditure and inflation*

Currently, national aggregate annual expenditure on health care exceeds \$70 billion and is growing rapidly.

The Queensland Health budget has grown by approximately \$2.2 billion since 1997-98 (average annual growth rate of approximately 7% per annum). Over the same period Queensland's population has grown by an average of 1.9% per year.

In addition, health costs are estimated to have grown by an average of 3.5% and 5.3% per year. This suggests that the average annual budget increase for health of 7% has kept pace with growth in health care costs and population. However there are other indicators which suggest higher increases for non salary costs of 6 to 7%.

Over the last decade, annual real growth in spending has averaged 4.5%, significantly higher than population growth of 1.2%, and the ratio of health expenditure to GDP has increased from 8.2% to 9.5%. Although it is difficult to be precise, expenditure on health workforce services currently accounts for about two-thirds of total spending.

New technology and rising demands have been the main drivers of increasing expenditure.

The Productivity Commission believes a combination with demand and technology; ageing will place significant additional pressure on future health expenditure.

The Commission projects that government health expenditure (excluding aged care) will rise to 10.3 per cent of GDP in 2044-45.

Projections are sensitive to assumptions about the growth in costs arising from factors other than demography such as technology and demand. (With different assumptions, projected health expenditure in 2044-45 ranges from 9 per cent to just over 11.5 per cent of GDP).

In all cases, ageing is projected to account for about half of the increase in health expenditure as a proportion of GDP.

Over the last 20 years or so, demand and technology factors have had a greater impact on health expenditure than ageing.

The Productivity Commission estimates that ageing has added about 0.5 percentage points a year to the per capita growth rate of health expenditure.

Real per capita spending has been increasing for all major components of Government health expenditure.

Real average growth rates range from a high 7.3% for pharmaceuticals to a more modest annual 2.2% growth in hospital expenditure.

- The AIHW's Health Expenditure Australia 2003-04 report indicates that health expenditures increases from 2002-03 include:

- 11.1% for doctors and other health professionals
- 5.8% for dentists
- 7.8% for hospital services
- 5.3% for medical services fees charged

The average annual ABS general inflation rate from 2000 to 2005 was 3.3%.

The average annual ABS health inflation rate from 2000 to 2005 was 4.5%—1.2% greater per annum than the average annual general inflation rate over the same period.

##### *Private health insurance*

Queensland's approximate share of the \$2.7 billion (in 2004-05) Commonwealth funded private health insurance rebate is \$540 million.

Were this funding redirected to the public system it would purchase 216,000 additional public hospital separations based on the average cost per separation of \$2,500.

The average annual increase in private health insurance premiums was 5.53% between 2000 and 2005 inclusive.

However, there is a greater annual average private health insurance premium increase if the period is 2002 to 2005 inclusive—7.4%.

##### *New technology and drug pressures*

Advances in technology will lead to the availability of new drugs and treatments, and to better quality care, thus providing the wherewithal for translating increased willingness to consume health care services into actual spending decisions.

The Productivity Commission's Impacts of Advances in Medical Technology in Australia, research study estimated that over one third of the annual growth in Australia's real health care expenditure over the past decade or so has been attributable to technological change. Such pressures are expected to continue, or even accelerate.

To date, technology appears to have played a key role in driving spending growth in two key areas—hospital care and pharmaceuticals.

For hospital care, the average cost of treatment has risen, partly due to growth in spending on increasingly expensive technologies such as prostheses.

And while new pharmaceuticals have improved treatment options they have also expanded those options, as well as increasing the average cost of PBS-listed drugs

*Growing and ageing population*

Australia faces a pronounced ageing of its population over the next forty years. One-quarter of Australians will be aged 65 years or more by 2044-45, roughly double the present proportion. The proportion of the 'oldest old' will increase even more.

- In itself, population ageing should not be seen as a problem, but it will give rise to economic and fiscal impacts that pose significant policy challenges

200 people a day are choosing to move to Queensland. Our population is projected to grow from 3.6 million people in 2001 to 5.3 million people in 25 years, reaching 6.5 million in 50 years.

Growth of this magnitude will result in Queensland's 1976 population doubling by 2011 and being three times the size by 2051.

While the total Queensland population in 2051 is expected to be 78% larger than in 2001 the population of children aged less than 15 years is projected to increase by only 18.6% and those of young working age (15 to 44 years) by around one-third (34.3%).

The number of people of older working age (45-64) is expected to almost double (92.8%).

However, the largest growth is for people aged 65 years and over, projected to increase more than threefold (324.2%).

The Productivity Commission estimates the major source of budgetary pressure will be health care costs, which are projected to rise by about 4.5 percentage points of GDP by 2044-45, with ageing accounting for nearly one-half of this.

The incidence of sickness and disability rises with age. Accordingly, on average, older people use significantly more health services per person than other Australians. For example:

- Costs per person in the Pharmaceutical Benefits Scheme are strongly age-related—average costs for a male aged 65-74 are more than 18 times those for a male aged 15-24

Across health services as a whole, expenditure on the over 65s amounts to around 4 times more per person than that on those under 65, and rises to between 6 to 9 times more for the oldest groups.

*Workforce*

There are around 450 000 paid health professionals in Australia, of whom just over 350 000 are employed in health service industries. More than 50% of these professionals are nurses, with medical practitioners and allied health professionals (such as physiotherapists and podiatrists) accounting for a further 12% and 9% respectively. There is also a sizeable volunteer workforce.

Queensland Health spends 60% of its budget on staffing and employs staff equating 43,785 (FTE) positions. In an environment of workforce shortage and increasing focus on quality and safety, workforce management (attracting, retaining and effectively using staff) and workforce planning (preparing an appropriate workforce to meet future organisational requirements) is critical.

In 2002, Queensland had the lowest number of registered doctors per head of population of any state or territory. The number of Queensland doctors per 100,000 population decreased from 236 in 1997 to 220 in 2002.

This is in contrast to the Australian average where numbers increased from 260 to 275 over the same period.

At the same time, the number of registered doctors in Queensland increased in the 5 years from 1997 to 2002 by only 1.7% as opposed to an increase of 12% for the rest of the country.

The numbers of doctors in Queensland has not kept pace with population growth.

If current models of care are continued by Queensland Health, the forecasted gap in medical staff will increase from 478 in 2006 to 993 by 2010. These numbers include Queensland Health's current reliance on overseas trained doctors.

The expected increase in demand for doctors by Queensland Health over the period 2006 to 2011 will far out-strip the number of new graduates when terminations are taken into effect.

Queensland also has the lowest number of nurses per capita of any state in Australia (except Tasmania) and has a critical shortage of nurses. With both the nursing and medical workforce there has been a trend to reduce working hours and do part-time work to achieve a work/life balance

*Increasing demand for services*

Service demand is fuelled by population growth, advances in medicine and new technology, critical staff shortages across all professions including doctors, nurses and allied health professions, shortages in critical infrastructure such as emergency theatres and intensive care beds and limited service capability in areas such as mental health and Indigenous health.

In 2004-05, Queensland hospitals (public and private) provided 4.4 million admitted patient days. This was an increase from 2000-01 (total of 3.9 million days) of 450,000 admitted patient days or 11.5%.

In 2004-05, Queensland public hospitals provided 2.55 million admitted patient days. This was an increase from 2000-01 (total 2.33 million days) of 217,562 or 9.3%.

While there was a decline in numbers of episodes (stays) in Queensland hospital (public and private) ICUs from 2000-01 (7,513 episodes) to 2003-04 (6,699 episodes), there was an increase to 2004-05 (7,166 episodes)—an increase of 467 episodes (approx 7%) over 2003-04.

Of particular interest is the massive increase in episodes in a private hospital ICU. Activity has increased from 524 episodes in 2002-03 to 1,351 episodes in 2004-05—an increase of 827 or 158%. This may reflect the impact of Commonwealth policies favouring private health care.

Analysis of the Queensland Hospital Admitted Patient Data Collection (QHAPDC) weighted data comparing 2003/2004 to 2004/2005 identifies a 2% increase in elective surgery, 6.1% increase in emergency surgery and a 15.6% increase in 'other' surgical procedures that are not classified as elective surgery, such as chemotherapy and dialysis.

Total surgical activity (including elective, emergency and other surgery) for the same period has increased by 4.7%.

Forster notes that Queensland has the second highest rates (30 patients per 1,000 population) of elective surgery in Australia (national average 26 patients per 1,000 population). Queensland is reported as second highest (90 percent of patients seen on time) compared to the other states (84 percent).

The number of elective surgery cases increased from 87,050 in 2000-01 to 92,491 in 2004-05.

The Forster Review indicates that in 2003-04, there were 1.25 million emergency department presentations in Queensland public hospitals at a rate per capita that was 3.5% higher than the national average. The Royal Brisbane Hospital and Gold Coast Hospital emergency departments are two of the three busiest emergency departments in Australia.

Forster notes that over the period 1999 to 2005 presentations in the top 20 public hospital emergency departments increased by 14% compared to 12.9% population growth.

General practitioners services are an alternative for many of the less urgent cases seen in emergency departments. However, according to 2002-03 reporting, Queenslanders' use of Medicare services is 4% lower per capita compared to national average.

There has been increasing pressure on emergency departments as presentation rates have increased rapidly in recent years. A geographically dispersed population and fewer general practitioners, particularly in rural and remote areas, are contributing factors.

Queensland Health data indicates that in 1999-2000 there were 399,823 GP type patients (Category 4 and 5) attending public hospital emergency departments. By 2004-05, this had increased to 479,535 attendances—an increase of 79,712 or 19.9%.

Waiting times for emergency departments in Queensland public hospitals met national targets for resuscitation cases but not for emergency, urgent, semi-urgent and non-urgent presentations. In Queensland only 60 percent of emergency department presentations over all categories are seen on time.

For outpatients, in 2003-04, Queensland Health Service Districts and Mater Public Hospitals provided 8,763,990 non-admitted patient occasions of services. In 2004-05, this activity increased by 96,989 occasions of service to 8,860,979.

The Forster Review indicated that to a greater extent than other states and territories, Queensland Health provides specialist outpatient clinics services to the public free of charge through the public hospital system. In recognition of this, the Commonwealth government has recently allowed Queensland specialists working in public hospitals to treat patients privately within certain guidelines and thereby access Medicare.

There have been disproportionate lower levels of utilisation of Medicare for public patients compared to other states which has disadvantaged Queenslanders and placed high levels of demand on outpatient services in Queensland's public hospitals.

Queensland Health data indicates that in 2004-05, MBS paid benefits to Queensland of \$464 per capita compared to \$474 per capita nationally. This equates to an underfund of \$39 million.

#### *Conclusion*

What it all amounts to is that Queensland's health system is under considerable strain. All state and territory systems are in the same boat. In fact, as highlighted in the PWC report, health systems around the world are struggling—some are on the brink of collapse (look at France)

Now is the time for fundamental and decisive action. Tinkering around the edges no longer works.

Everyone—the public, clinicians, state and territory governments—can see it.

But still, the Commonwealth Government prefers to bury its head in the sand and pretend everything is alright.

Even concerted lobbying by the respected Professor John Dwyer, Chair of the Australian Healthcare Reform Alliance (and Professor of Medicine at the University of NSW) has been ignored. He describes Australia's health system as "disturbingly dysfunctional." He says it has "now reached a point where it is unworkable."

We can't do this alone.

Peter Forster's report was strong on the need for an equal partnership with the Federal Government.

That's why I have written on several occasions in recent weeks to Prime Minister Howard and Health Minister Abbott. It's why the Queensland's Health Minister Stephen Robertson Minister raised the matter personally with Tony Abbott in Adelaide last week. We think we are fairly and reasonably owed \$1.6 billion over the life of the current Australian Health Care Agreement. That's the extent to which the Federal Government is under-funding Queensland's public hospitals under the current Agreement (2003-2008).

Equal partners, matching contributions—it's only fair. And, it's only the beginning of the sort of reforms that will need to happen to ensure a sustainable public health system into the future.

## MINISTERIAL STATEMENT

### Cost of Health Inquiries

**Hon. PD BEATTIE** (Brisbane Central—ALP) (Premier and Treasurer) (9.52 am): Finally, in relation to health I want to advise members of the costs of the inquiries. The Morris and Davies commissions of inquiry and the Forster review were essential and worthwhile. The entire process and associated payments have resulted in a cost of about \$16 million. This includes more than \$3 million set aside to support the implementation of a compensation process.

Let me go through the details. The Morris inquiry cost \$3.029 million and so far the Davies inquiry has cost just over a million dollars, with further costs of \$734,000 to come. The health department legal costs for support people before the inquiry such as Queensland Health employees was \$4.633 million. The Medical Board costs are estimated at \$750,000. The compensation process I mentioned will cost \$3 million. For the Forster review the costs out of my department were \$711,000 and the costs out of the health department were \$420,000. Clinical assistance to patients was \$1.2 million, patient support was \$100,000, patient representation was \$362,000 and outstanding patient representation we think is \$66,000. Witness travel expenses were \$2,000. The total is \$16.054 million.

Let me go through the details of the Morris and Davies inquiries. So far, the costs of the Morris inquiry are \$3.029 million and the Davies inquiry costs are \$1.047 million. That excludes the legal costs. The legal costs are part of the costs of those inquiries so they have to be added on. The costs of the inquiries include fees paid to the commissioners and two deputy commissioners. There will be further costs from the Davies inquiry of \$734,000—that is, outstanding bills yet to come.

Over and above the costs of the inquiries, Queensland Health has spent an additional \$4,632,662.90 in supporting its legal team and the legal teams of separately represented individuals before the commissions of inquiry. They are inquiry costs. This amount is a compilation of the following costs: salaries of internal and seconded staff transferred to the commission of inquiry response unit; the costs of senior counsel and two junior counsel and a Crown Law team of solicitors and paralegals; the

professional costs and outlays of solicitors and counsel representing Peter Leck, Darren Keating, Linda Mulligan, John Scott, Robert Stable, Wendy Edmond, Gordon Nuttall, Steve Buckland and Dr Nankivell; and the costs of Corrs Litigation Support Service to maintain the electronic document support network.

This figure does not include the legal representation of Colin Roberts, Gary Walker and Glen Cuffe because these costs have not yet been invoiced. Nor does it include the costs awarded by Justice Moynihan to Mr Leck and Dr Keating in the Supreme Court action that ended the Morris inquiry in August this year. There are also costs of representation of the Medical Board of Queensland before the inquiry. That is where this matter all started. This is separate to Queensland Health costs but would be a Queensland government cost. The Medical Board will have costs for legal representation before the commission of inquiry. These could be in the range of \$750,000.

For the Forster review the costs to the Department of the Premier and Cabinet for the review of Queensland Health systems conducted by The Consultancy Bureau and billables, including transport for staff and advertising plus public servants working at the review, are \$710,949.46. The cost of the review to Queensland Health is an additional \$419,668.05, essentially for staff and associated costs, including rental. This brings the total cost of the review to \$1,130,617.51.

With respect to former patients of Dr Patel, my government has demonstrated its ongoing commitment to providing all the support necessary. So far, the government has provided assistance to 620 former patients of Dr Patel at a cost of nearly \$1.2 million. That includes accommodation, surgery, doctors' fees, theatre fees, medical investigations, travel costs, meals, medication, pathology, consultations and family counselling. In addition to that, the Queensland government has provided \$90,998.27 so far for travel expenses and reimbursement of costs to the Bundaberg Patient Support Group to help them attend both inquiries and hold their regular meetings. It includes: accommodation, \$22,498; meals, \$17,590.40; incidentals, \$2,968; and travel, \$34,023.87. Some \$10,921 has been spent on the Bundaberg Patient Support Group to cover the costs of venue hire and catering of the regular community meetings, and for the group's phone expenses of \$2,997.

The people in the Bundaberg Patient Support Group who have had travel and accommodation costs paid when attending the inquiries are Beryl Crosby, Tesse Bramich, Lisa Hooper, Doris Hillier and Ian Fleming. In addition, at the commissions of inquiry, fees paid to Carter Capner Solicitors to represent the patients totalled \$362,150, including costs of counsel, and \$1,833 for related patient travel expenses of three witnesses. Further as yet uninvoiced legal costs are estimated at \$66,000.

I turn now to compensation costs. In relation to compensation for the former patients of Dr Patel, the government has put in place a special process to ensure that speedy and just outcomes are delivered. The government has set aside more than \$3 million to support the implementation of this process. The key features of the special process are: the special process will be managed by an independent entity, the Health Rights Commission; the state will pay for an independent medical report, costing around \$2,000 per claim, and the costs of an agreed mediator; quicker settlement than if claimants go through other legal channels; no need for victims to prove government responsibility, which means that claims can be processed more quickly; and the government will pay for the legal costs of all claimants who participate in good faith in the special process, at a cost of \$4,000 per claim. The figure of \$4,000 is a reasonable estimate of a claimant's legal costs, which takes into account the streamlined process and the fact that liability is not being contested.

The government will offer compensation based on the information in the medical reports. The offer will apply the statutory injury scale for general damages. However, in recognition of the very special circumstances of this case a further discretionary payment may be made where justified.

Importantly, the government does not intend to constrain people's rights at law. If people choose not to go through the special process, they can make claims under other litigation—that is, the Personal Injuries Proceedings Act 2002 and the Civil Liability Act 2003. It is not possible to estimate the amount of compensation that the state may pay to former patients of Dr Patel until the state has received more detailed information from the claimants of any damage suffered by Patel patients. However, it is important to note that the Queensland government is entering into the special process for Bundaberg claimants on a sympathetic basis and will strive to achieve a just outcome for all as quickly as possible.

I have set out clearly today that the reform process on health is well under way. We are being compassionate in terms of the Bundaberg patients, and they were entitled to government compassion. Yes, there has been a cost. These inquiries have been very expensive, but in the long term they will produce the best health system in Australia. That is why this investment, painful as it has been for the government—yes, it has been politically expensive and painful; we have lost two by-elections as a result—is important, because, frankly, the people of Queensland are more important than politics. I would hope that, as a result of the delivery of Commissioner Davies' report today, we could move on to get significant reform at a national level, which is what we need to do or we are going to continue to waste millions and billions of dollars. That is what will happen unless we have national reform. I also would hope that we can get some bipartisan support to support the doctors and nurses and allied health professionals in our system who save people's lives every day. They are the heart and soul of our health system, and they are entitled to the support of every member in this House.

## MINISTERIAL STATEMENT

### Queensland Audit of Surgical Mortality

**Hon. S ROBERTSON** (Stretton—ALP) (Minister for Health) (10.01 am): Last week I informed the House about important work being carried out by our new statewide patient safety centre based at the Royal Brisbane and Women's Hospital. The centre is committed to reducing the risk to patient safety and has already achieved positive results. Today I am pleased to announce another initiative to improve patient care—a partnership between Queensland Health and the Royal Australasian College of Surgeons. Queensland Health has reached in-principle agreement to work hand in hand with surgeons on a project to review the deaths of all surgical patients in Queensland's hospitals. This project is part of our commitment to build the best health system in Australia.

The Queensland audit of surgical mortality will commence early next year and involve a peer review process of investigating all surgical deaths as they occur. The audit will also make determinations on the appropriateness and quality of care the patients received and, if necessary, suggest remedial measures where appropriate. The state government will fully fund the project at a cost of around \$1.3 million over two years. Participation by surgeons will be voluntary, so the success of the project will be dependent on all surgeons contributing confidential reports on their surgical cases when requested. We are confident that we can achieve an extremely high participation rate because everyone wants to be able to deliver better patient care in our hospitals.

This project will not only benefit Queenslanders. The college informs me that its goal is to have a benchmarked surgical mortality audit process across all Australian states and New Zealand. The Queensland audit will require a strong commitment from both project partners that all information generated by the audit will be handled with care, confidentiality and sensitivity in a blame-free environment. To this end, Professor Mike Ward from Queensland Health's Clinical Practice Improvement Centre and the college's National President, Dr Russell Stitz, and State Chairman, Dr Hugh Bartholomeusz, have already established good local working relationships and are designing a strategy to publicly communicate their joint commitment to all Queensland surgeons.

The audit will improve care across the state by using surgeons to independently review the cases. They will identify any potential improvements to processes and systems and, in a supportive way, address systematic and individual problems. The audit is based on a 1994 Scottish model which has subsequently been used in Western Australia. Scotland found that a peer review of all surgical deaths reduced mortality rates in both elective and emergency surgery, and Western Australia also saw improvement in standards of care.

As I stated in this House last week, the vast majority of our patients have excellent outcomes after being cared for and treated by well-trained, dedicated and hardworking medical professionals under often difficult circumstances. However, I am informed that there are around 1,500 surgical deaths a year in Queensland's public and private hospitals, the majority of which are unavoidable. This is consistent with the surgical mortality rates in other jurisdictions, both interstate and around the world. However, this project will reassure the public of our new approach to actively managing the standards of surgical care in Queensland and allow us to identify areas where surgical practices can be improved. We have committed an extra \$259.7 million over the next 5½ years to increase elective surgery across the state, starting with an extra \$42.2 million this year. Not only are we significantly increasing funding for extra surgery; we are getting on with the job by ensuring the best possible quality of care for Queenslanders.

## MINISTERIAL STATEMENT

### Employment Growth; Business Investment

**Hon. AM BLIGH** (South Brisbane—ALP) (Deputy Premier, Minister for Finance and Minister for State Development, Trade and Innovation) (10.04 am): As we approach Christmas, I have good tidings about Queensland's financial and economic position. Firstly and most importantly, Queensland's trend unemployment rate declined by 0.1 percentage point to 4.9 per cent in October 2005 while the national unemployment rate remained unchanged at 5.1 per cent. The unemployment rate in Queensland has been below or equal to that nationally since July 2004. Queensland recorded solid annual jobs growth of 3.9 per cent in September 2005 compared with 2.8 per cent nationally. The state's strong employment growth over the 2004-05 period has continued to encourage more people to enter the work force. As a consequence, Queensland's trend labour force participation rate has risen 1.1 percentage points over the year to 66.6 per cent in October 2005—slightly below the record high of 66.7 per cent in July and August 2005. But this is still 2.1 percentage points higher than the national rate of 64.5 per cent in October.

The Queensland construction industry recorded the largest rise in employment—it is up by 28,800 jobs—of any industry during the year ending with the September quarter 2005 compared with

the year ending with the September quarter 2004. Strong population growth has also supported growth in property and business services, which are up by 16,200 jobs, while education is up 12,400 jobs. Solid growth in consumer spending over much of 2005 has driven jobs growth in the retail sector, which is up by 22,300 jobs, while the tourism related accommodation, cafe and restaurant industry also recorded strong jobs growth with an extra 7,300 jobs. The news was also good for our export sector. The nominal value of Queensland overseas merchandise exports increased at an annual rate of 32.7 per cent in the September quarter this year—more than double the 16.2 per cent annual growth recorded nationally for the same period.

The latest forecasts indicate that Queensland is expected to continue to record stronger economic, employment and population growth than the rest of Australia. The state economy is forecast to grow by 4¼ per cent in 2005-06 following growth of four per cent in 2004-05. Economic growth in the state is expected to outperform national economic growth for the 10th consecutive year, with the Australian government's budget in May 2005 forecasting national growth to be three per cent in 2005-06 following growth of 2.3 per cent in 2004-05. Clearly, Queensland is not only Australia's most vital state; it is a core driver of the country's economy. Solid growth in domestic activity and stronger exports growth are forecast to be the main drivers of economic activity in Queensland in 2005-06. Household consumption is forecast to remain supported by growth in real incomes and favourable labour market conditions.

Business investment has been buoyed by robust domestic activity and strong global demand for Queensland's traditional exports. The impact of high commodity prices on corporate profitability has encouraged investment in mining related and metals manufacturing industries in particular. Business investment increased by 17.9 per cent in 2004-05 and is forecast to continue to expand in this financial year. Clearly, we are in a terrific position and Queensland is overseeing what is obviously the engine room of the nation.

## MINISTERIAL STATEMENT

### Police Resources

**Hon. JC SPENCE** (Mount Gravatt—ALP) (Minister for Police and Corrective Services) (10.08 am): The editorial in today's *Courier-Mail* suggests that we need to 'inject some honesty into the debate on police resources'. Yet honesty is clearly missing in its story entitled 'Thin blue line can't answer call'. The first claim that is made is that police do not respond to emergency calls due to lack of cars and officers. The problem with this claim is that the *Courier-Mail* has included calls to 000 that are nonurgent as not being responded to immediately. As I have previously said in this House, 70 per cent of calls to 000 are not emergencies. These calls to 000 are called code 3 and code 4.

For this incredible expose, the journalist FOI'd response times on a particular day. I can inform the House that all code 2 calls on the night in question, 3 September, were responded to within four to 17 minutes. There were no jobs urgent enough to be given a code 1 status on the night. Code 3 and 4 jobs do not involve immediate danger to human life or property, or damage or threat of damage to property. These non-urgent code 3 cases include such incidents as an abandoned vehicle left in a suburban street or lost or stolen property complaints or where a member of the public has located property. While there is always room for improvement on these, people calling for urgent assistance when their life or property is under immediate threat are treated with the utmost priority and police attend in a matter of minutes.

The *Courier-Mail* story claims that—

NSW police respond to routine calls within 15 minutes under a benchmarking system that Queensland has resisted.

This is wrong—no surprise. The New South Wales 2004-05 police annual report shows its target is to arrive at urgent incidents within 15 minutes, not routine incidents. The annual report then goes on to say that the response times will be set by operational policing requirements at the time of the incident and it expects the standard will be met at least 90 per cent of the time. In that same year, New South Wales police responded to over 80 per cent of the urgent calls within 12 minutes. Eighty per cent of the calls classified as non-urgent were attended to within one hour. In 2001, the report from the New South Wales Auditor-General indicated that the average wait time for response by police was 40 minutes. Given Queensland's more geographically dispersed population, we are comparable. In the ACT, which has a compact population around Canberra, the average priority three response time was two hours and 15 minutes in 2000.

Going back to the newspaper article, I point out that on 3 September, the night on which this information was FOI'd, we had Riverfire in Brisbane. Police did not receive any code 1 calls, which are classified as a very urgent situation when lives are in immediate danger. Queensland police did, however, receive 16 code 2 calls, which are classified as urgent situations but where danger to lives is not imminent. Of these, 15 had a car arrive between four and 17 minutes. The other call started as a code 3, which is classified as routine, but was upgraded to code 2 when police were informed a person

was injured. Two cars were at the scene within three minutes—a pretty good result, I think. Code 3 or routine calls will always have longer response times because there is no immediate risk to life or property. Code 4, as I said, are matters where police will negotiate with the caller, and that is how it works.

Let us look at the story to see how many more inaccuracies and holes it contains. It claims that only half of all reports are attended to within half an hour. Callers with more urgent matters would of course rightly expect their issue to be responded to first, ahead of those less urgent issues.

The article claims that on 3 September, the night of Riverfire, when 1,930 calls were logged on the computer system, police answered 1,351 calls. This is wrong. Police answered every call. However, they negotiated a response with callers for the low-priority issues. The map on page 6 of the paper showing response times per district uses the words 'delayed response'. If this was an accurate report, the words should instead say 'negotiated response', that is, on the basis of information made to police they made a call that it did not require an urgent response, could afford to wait before a car was sent and other priority jobs were attended to beforehand.

Finally, the editorial states that there has been no accurate measure of the extent of the problems affecting police response times until now. This is wrong. The twice-a-year operational performance review system ensures that police review response times and other operational issues in each of Queensland's 29 police districts.

I could go on and on about the inaccuracies and the holes in this story, but I know that some of my ministerial colleagues would like to make statements this morning. However, the fact remains that the Police budget this year was \$1.178 billion. It was a \$132 million increase on the budget of last year, and that represented a 12.7 per cent increase in the Police budget. This government is dedicated to providing the police with the resources that they need to do their jobs. The results in terms of crime figures show that 2005 has been an excellent year in terms of the performance of our police and community safety in this state.

## MINISTERIAL STATEMENT

### Coal Industry; QR Locomotives

**Hon. PT LUCAS** (Lytton—ALP) (Minister for Transport and Main Roads) (10.14 am): The Beattie government has a strong record in delivering on transport infrastructure to build our regions and our state's economy. Today I can announce the latest milestone in Queensland's booming coal industry. QR is investing \$250 million to rebuild 60 of its electric locomotives, enabling them to do the work currently performed by 100. That is a 67 per cent improvement in haulage capacity and will extend the life of the fleet of locomotives by 20 years. We are boosting locomotive power to our booming coal export market. With this initiative, three of the rebuilt locomotives will be able to do the job currently performed by five. This is a first for the upgrade of electric locomotives in Australia.

Last night the first prototype was hauled from Townsville to Jilalen to begin on-track testing. This follows over two years of development and rebuilding. The system design and electrical technology to be upgraded will be provided by Siemens Ltd with United Group Rail in Townsville providing refurbishment and fit-outs. This is great news for Queensland and great news for Townsville, with at least 21 additional jobs created at the Townsville plant. There will also be flow-on effects to the local economy through the procurement of components.

The locomotive rebuild is part of QR's five-year \$3.5 million coal-rail program with rail infrastructure and rolling stock fleet enhancement projects. The improved coal haulage capacity of these locos will enable QR to better meet the requirements of Queensland's coal industry, maintaining its already high level of reliability and further improved performance for customers. The first of the rebuilt locomotives will be delivered in March 2007. It is expected that the locomotives will operate the Goonyella coal system in the Bowen Basin region to boost capacity.

This House is aware that the government has given significant project status to the northern missing link. We are committed to fast-tracking the planning and engineering approvals and rail corridor acquisitions for the northern missing link, linking the northern Goonyella system mines to the expanded Abbot Point coal terminal. The government's initial commitment is \$25 million, with an estimated total project cost of \$1.1 billion. All rail and port upgrades should have proceeded on the basis of coal companies taking up contracts.

Just recently, the Premier announced that the terms of reference for the environmental impact statement into the \$600 million northern missing link component had been finalised after a month-long period of public consultation. QR is now in a position to forge ahead and finalise the EIS.

The coal sector operates on a fully commercial basis and it is more than paying its way. Exports of Queensland coal for 2004-05 were 145.5 million tonnes, valued at about \$11.5 billion. Compared with 2003-04, exports were 135.1 million tonnes, valued at \$7.2 billion. Forecasts for exports for 2005-06 are



157 million tonnes, valued at approximately \$15 billion, with the increased value benefiting from major increases in contract prices since April 2005. These royalties are paying for schools, hospitals and roads such as the \$8.8 billion in state funding that the Premier announced yesterday for the five-year Roads Implementation Program. Current committed investment under way by our government owned corporations totals \$1.3 billion covering track access, ports and rolling stock. That is why I am amused when federal ministers come up to Queensland and lecture us on economic infrastructure. My message to them is to bring their chequebooks and not just hot air.

## MINISTERIAL STATEMENT

### Behaviour Management in Schools

**Hon. RJ WELFORD** (Everton—ALP) (Minister for Education and Minister for the Arts) (10.17 am): Our government places a high priority on providing safe, supportive learning environments in all our state schools. To support this approach, I am pleased to advise members of the House today that a new initiative will be implemented to promote positive learning and responsible behaviour in all state schools in 2006. The Better Behaviour, Better Learning initiative is designed to strengthen school discipline and student learning. It has been developed after consultation throughout Queensland with parents and school communities.

Essential to effective learning is a safe, supportive and disciplined environment that respects the following rights: the rights of all students to learn, the rights of teachers to teach and the rights of all to be safe. All schools will, therefore, be required to implement a new code of school behaviour. The code of school behaviour will define the responsibilities that all members of the school community are expected to uphold, and recognises the significance of appropriate and meaningful relationships. It will outline the responsibilities of all students, staff and parents in state schools throughout Queensland. School communities will use the code as a basis for providing positive support to promote high standards of achievement and behaviour and to provide clearly articulated responses and consequences for inappropriate behaviour.

Students will be expected to behave in a manner that ensures that they participate in learning, take responsibility for their own behaviour and learning, and respect the rights of others to learn. Consistent with our approach, which recognises that all students must accept the consequences of their behaviour, there will be a range of consequences developed in consultation with school communities which will be applied to behaviour that does not comply with this new code. Put simply, we want to ensure that students can go to school in a safe environment where bullying is not tolerated and there are clear boundaries for everyone.

Support staff, our teachers, teacher aides, behaviour support staff and school leadership teams will have access to a range of professional development in behaviour management. In addition to this new approach, six new Positive Learning Centres will open their doors next year to support students who have been experiencing behavioural difficulties at our mainstream schools. These centres will be in Townsville, Mackay-Whitsunday, Wide Bay North, Sunshine Coast South, Brisbane North and the Gold Coast. They will offer intensive educational support for those students whose behaviour can be disruptive in a mainstream school environment.

These six new centres will bring the total number of Positive Learning Centres in the state to 11. In addition, 10 new guidance officers will be employed next year to provide specialist services to students who need the most intensive behaviour support.

We will continue to place a high priority on behaviour management in our state schools. We want to ensure that the very best environment is available for our teachers to teach professionally and for our students to learn.

**Mr SPEAKER:** Before I call the minister for housing, if members want to have conversations, can they please hold them outside the chamber.

## MINISTERIAL STATEMENT

### Queensland Racing

**Hon. RE SCHWARTEN** (Rockhampton—ALP) (Minister for Public Works, Housing and Racing) (10.21 am): I am pleased to report to members that 2005 has been a very successful year for racing in Queensland. UniTAB turnover during the Winter Carnival was at record levels and at seven race meetings during the carnival wagering records were broken. Queensland Racing's policy of big prize money events has not only seen record attendance at meetings but also close to \$70 million paid out in prize money—a 14 per cent increase since 2003. The spotlight will remain on Queensland Racing over the next two months with the Magic Millions on the Gold Coast leading into the Summer Carnival.

The industry is performing so well compared to other states that even people south of the Tweed are taking notice. In Monday's *Sydney Morning Herald*, racing columnist Max Presnell reported that racing in Brisbane was outrunning Sydney. He wrote—

Brisbane racing, once a trailing third on the Australian scene, is topping Sydney... and that looks likely to extend into Magic Millions zone in January. Compare last Saturday's meeting at Eagle Farm with Rosehill Gardens.

Certainly, there were a few promising types at Rosehill but, as far as field sizes and betting depth were concerned, Queensland scored easily.

It was hardly a one-off. The 2005 year has also seen a new era of cooperation between the Queensland Turf Club and the Brisbane Turf Club, which will no doubt pay dividends for the industry and racegoers. But it is not just in the south-east where the industry is performing strongly. This year our government legislated to ensure that country racing is guaranteed to share in the benefits of the industry with non-TAB racing to receive seven per cent of industry revenue. Average prize money per non-TAB race has risen by 16 per cent in the past two seasons and average field sizes have increased by 11 per cent.

As members can see, the racing industry in Queensland is in very good shape despite those opposite trying to run it down. Queensland Racing should be recognised for the hard work it has done to attract more people to the track through increased prize money and stronger race meets.

I also advise that Betfair is claiming that Queenslanders can legally place bets on their system. This is contrary to the legal advice that I have been provided with. I want to caution any Queenslander against using Betfair.

I note yesterday that the member for Warrego and the member for Darling Downs attacked the Daubney-Rafter inquiry, claiming that it did not go far enough and that it virtually ignored very serious allegations. That is the sort of behaviour we have come to expect from those members. That is an attack upon the character of these highly respected and eminently well-qualified counsel. It was a contemptible act if there ever was one.

All honourable members know that these two members lack credibility with anything to do with racing. Of course, we see them in the gutter again making their old allegations.

**Mr Hopper** interjected.

**Mr SPEAKER:** Member for Darling Downs!

**Mr SCHWARTEN:** I will say that again because I think some members missed it. All honourable members know that these two members lack credibility with anything to do with racing. Of course, here we see them again in the gutter—

**Mr HOBBS:** I rise to a point of order. I find those words offensive and I ask them to be withdrawn. We did not say anything wrong or bad about those two particular members.

**Mr SPEAKER:** Minister, will you withdraw the offending words.

**Mr SCHWARTEN:** I am happy to do so. Not satisfied that \$2 million of taxpayers' money has been spent and reputations sullied, they are at it again. I simply say to both members that, if they are really fair dinkum, they should go outside the privilege of this place and repeat what they said yesterday. Also, if the member for Darling Downs has evidence of criminal behaviour he should forward it straightaway to the police.

## MINISTERIAL STATEMENT

### Queensland Multicultural Awards

**Hon. CP CUMMINS** (Kawana—ALP) (Minister for Small Business, Information Technology Policy and Multicultural Affairs) (10.24 am): I am pleased to announce that nominations for the Queensland Multicultural Awards 2006 will open on 12 December. This is the 15th year of the awards and last year they attracted a record 105 nominations. The awards are an opportunity for the Queensland government to recognise the outstanding contribution that schools, not-for-profit organisations, government agencies and businesses all make to multiculturalism in Queensland.

Individuals are acknowledged in three subcategories: Community Services, Refugee Services and Outstanding Young Achiever. For the first time last year we also awarded a prominent Queenslander with the title of Multicultural Champion. A proud Queenslander, Pat Rafter, was the inaugural winner of this award in recognition of his demonstrated commitment to social justice and humanitarian ideals.

Nominations for the 2006 awards program will close on 24 February 2006 and the awards ceremony will be held in May 2006. Nomination forms will be sent out across the community, including to electorate offices of members of parliament, and I am sure all members will join me in promoting the awards.

This follows yesterday's announcement that 71 multicultural festivals and projects across Queensland will share in more than \$650,000 through the Beattie government's Multicultural Assistance Program. There were 134 applications for funding this year. That strong response shows clearly that not only do Queenslanders value diversity but also it is important that we promote a society that celebrates difference.

Our rich cultural diversity is an important part of modern-day Queensland socially, culturally and economically and the Multicultural Awards will help celebrate it. All Queenslanders should be proud of our tolerance and acceptance of our multicultural state.

## NOTICE OF MOTION

### Health System

**Mr SPRINGBORG** (Southern Downs—NPA) (Leader of the Opposition) (10.26 am): I give notice that I shall move—

That this House condemns the Beattie Labor government for its failure to effectively administer the public health system in Queensland which now threatens the very existence of our free public hospital system; and

Further expresses this House's sympathy for those patients and their families that have been killed or injured as a consequence of this neglect.

## PRIVATE MEMBERS' STATEMENT

### Health System

**Mr SPRINGBORG** (Southern Downs—NPA) (Leader of the Opposition) (10.27 am): Yesterday in this House the Premier did what he does best, that is, perpetuate another half-truth. He stood in this place yesterday and quoted from a letter from the Prime Minister of Australia which implied that the Prime Minister was supportive of all of the actions of his government.

It is very interesting to note that when the Premier, an hour or so later at a press conference, was asked if he would provide a copy of that letter he said, 'No.' As the letter appears in today's *Australian*, we now know why the Premier did not want to quote the third-last paragraph of the Prime Minister's letter. It states—

Free public hospital care is a core component of Medicare and I note that the Queensland Government would be in breach of its Australian Health Care Agreement if it moved to charge co-payments or means test public patient services in its hospitals. It would also be in breach if there were any systemic evidence of staff at Queensland public hospitals directing or in any way pressuring patients to elect to be private patients or directing them to go to private hospitals.

It is clear now that it is only the coalition federally and only the coalition in Queensland that is prepared to stand up and preserve this state's free public hospital system. The Prime Minister of Australia has said to the Premier of this state that he would be clearly in breach of the Medicare agreement and he would be clearly in breach of the spirit of the Medicare agreement if he moved to force Queensland public hospital patients into copayments or a means test.

This Premier has to stand up for our free public hospital system, not whittle away something which has stood the test of time for some 70 years in Queensland. We have to ask the question: why was this Premier prepared to be so dishonest yesterday? Why was he prepared not to tell the whole truth? Why was he prepared to again gild the lily on this issue?

Time expired.

## QUESTIONS WITHOUT NOTICE

### Health System

**Mr SPRINGBORG** (10.30 am): My first question without notice is to the Premier. I refer to the letter the Premier referred to in parliament yesterday from the Prime Minister regarding certain matters. I also note the Prime Minister's concern and warning to the Premier that any moves towards copayments and means testing would be in breach of the Medicare arrangement and the spirit of our free public hospitals. Can the Premier give an assurance to this House that he will accede to the Prime Minister's request that he desist from destroying and wrecking our free public hospital system and give an absolute guarantee that there will be no introduction of copayments and means testing in the Queensland public hospital system?

**Mr BEATTIE:** I thank the honourable member for his question. If, as I indicated in my statement this morning, the federal government matches this appropriately, which means that we are paid the \$1.6 billion that we are entitled to, then the answer is yes. I have no difficulty with that. In fact, the health

minister made that offer to Tony Abbott in Adelaide last week. The answer is yes. If the Leader of the Opposition is prepared to use what little influence he may have with his federal counterparts and get Queensland paid appropriately—that is, the \$1.6 billion we are owed under this health care agreement—the answer is yes. Let us be really clear: yes means yes means yes means yes. All we want is the \$1.6 billion we are entitled to which his political colleagues in Canberra are short-changing us. It is very simple.

Let us talk about these issues. I know that the Leader of the Opposition has sought to play his usual silly political game about health because he is not interested in the real solutions. Let me make this point to him: these recommendations were made by Peter Forster. They were not recommendations made by the health minister or my government. They were made by Peter Forster. And, as with any report, there are aspects to it you do not like and there are aspects to it you do like. Frankly, what we said was that we would examine and take seriously every one of the recommendations that he has made. That means we will get a health economist like we have said we will do.

If the Leader of the Opposition reads the detailed statement that I have made to the parliament and incorporated today, he will see that I have dealt with the issues he has raised and I have highlighted the fact that Peter Forster was the one who recommended them, not us. I also said in that ministerial statement that we have made no decisions in relation to any of these matters—none whatsoever. But I said that we will take on board, as we should, Peter Forster's recommendations and we will have a health economist examine them and they will make recommendations back to my government, my caucus, and then we will make a decision.

What the Leader of the Opposition is really saying to me—and this applies to both Peter Forster and Commissioner Davies—is that I should immediately rule out any recommendations that I do not like.

**Mr Springborg:** The Prime Minister said it.

**Mr BEATTIE:** Hang on. I will come back to the Prime Minister. What the Leader of the Opposition is saying is that I should cherry pick. In other words, if I do not like some of the recommendations from Commissioner Davies, I should ignore them. He is saying that I should ignore Peter Forster. So he is saying that this afternoon I should come in here and what I do not like in relation to Commissioner Davies I should ignore. If that is his standard, that is fine. But let us be really clear: I wrote to the Prime Minister trying to get some bipartisan support. In his letter, the Prime Minister acknowledged the strength of the health system, which I referred to yesterday. He also acknowledged a number of other matters which I referred to yesterday. Yes, he made the cheap point. But what has been ignored in all of this is the fact that it was Peter Forster's recommendations, not mine. I table for the information of the House, and I seek leave to incorporate, the full letter that the Prime Minister wrote to me because I have no problem in doing that at all. I was simply not releasing it out of courtesy to the Prime Minister. But now we can all read it.

Leave granted.

PRIME MINISTER  
CANBERRA

4 NOV 2005

The Hon Peter Beattie MP  
Premier of Queensland  
PO Box 15185 City East  
BRISBANE QLD 4002

My dear Premier

Thank you for your letter dated 30 September 2005 regarding the Queensland Health Systems Review.

Australia is fortunate to be serviced by one of the best health systems in the world and it is particularly pleasing to note that the review found continuing evidence to support this claim.

However, we must not let this fact preclude us from continuing to seek further improvements. The incidents at Bundaberg Hospital have raised considerable community concern. It is important that all levels of government learn from these events and take action where necessary to maintain high levels of quality and safety.

The Australian Government is committed to working with all states and territories to maintain our high quality health system. The current COAG agenda is providing us with a very important opportunity to focus on making concrete and practical improvements to health service delivery for the benefit of all people who use the system. I understand that the COAG Health Working Group has been working cooperatively and constructively on the issues we agreed would be considered in June this year and is on track for Senior Officials to report to COAG in December.

Your government's review has identified some important ways to improve the Queensland health system. I believe that many of the issues you have raised tie in well with the existing issues on the COAG agenda and the work of the Productivity Commission's review of the health workforce. Given the significant work completed to date, I consider that the proposals put forward by the working group should form the basis of our discussions at the next COAG meeting.

In relation to your comments on a national review of the health system, I do not consider it would be appropriate at this time to engage in another broad review. A national review would delay implementation of the many good initiatives that are being put together under the COAG agenda and by governments separately across Australia.

Over the coming years, our health system will face major challenges due to issues including population ageing, a changing workforce and increasing expenditures from medical technology. These challenges are significant, but I do not consider that there is a need to pursue any proposal to increase taxes, charge co-payments or means test services in public hospitals. Further, while

it is appropriate that patients be informed of their choices when being admitted to a public hospital, I ask that you consider carefully the implications of forcing privately insured patients into private care.

Free public hospital care is a core component of Medicare and I note that the Queensland Government would be in breach of its Australian Health Care Agreement if it moved to charge co-payments or means test public patient services in its hospitals. It would also be in breach if there were any systemic evidence of staff at Queensland public hospitals directing or in any way pressuring patients to elect to be private patients or directing them to go to private hospitals.

I am confident that the current COAG agenda will provide us with many options to progress health reform. This agenda represents a significant first step and I am hopeful that all governments will continue to build on these reforms. I look forward to discussing the proposals of the COAG Health Working Group at the next COAG meeting.

This letter has been copied to the Minister for Health and Ageing, the Hon Tony Abbott MP, for his information.

Yours sincerely

(Sgd)

John Howard

### Patel, Dr J

**Mr SPRINGBORG:** My second question without notice is to the Premier. Nine months ago in this place the Nationals' Rob Messenger exposed the problems at the Bundaberg Base Hospital and was castigated for it. At the same time the government paid for Dr Jayant Patel to leave Queensland. Some six months ago the member for Mount Isa and the Premier's former director-general went to the United States to an area where Dr Jayant Patel was said to be residing in an effort to return him or encourage him to return to Queensland to face the legal music. It has now been some six months. Can the Premier give an update to this parliament on where Dr Patel actually is and what practical steps have been taken by his government to bring him back here to face the legal music for his butchery in this state?

**Mr BEATTIE:** Nothing would please me more than to see Jayant Patel face court in Australia. Nothing would please me more. I would have thought that we would have some bipartisan support to do what we can to encourage and support our Police Service as they put together a case in this regard. I have made it clear from the beginning that these are operational matters. The government does not politically interfere in these sorts of matters. I know in the corrupt National Party days it did. But the police do not have political interference from us. The Fitzgerald inquiry came along. Those opposite may have noticed that there was an inquiry from Tony Fitzgerald that said that the political corruption that existed between the government and the police of the day was improper and wrong. The police commissioner went to jail and so did a number of other people. Since then there has been a standard, and that standard is that operational matters are dealt with by the police.

The police are appropriately resourced. They have a team working on this. Yes, Mr Speaker, when you were a minister you did your bit, along with everyone else in this government, to try to get Jayant Patel back. The police have been to the United States. They are putting together a case. That case is not easy. What we are trying to do is extradite an American citizen from the United States. They have to put together a case and a good one. Simply having an inquiry that says that we need to do it does not mean that we have the evidence sustainable in an American court to do it, because it goes through two processes. We should allow the police to do their job. We and, of course, the police do not need any political interference in their process either.

This is tough and it is hard. I just say to Queenslanders that if it were an Australian citizen who was being extradited to the United States every Queenslander would want them to go through the proper judicial process. I find it a pain. I hate it. I would love to see him back here. I would love to see him behind bars. That is what I would like to see. But I am the Premier and I have to accept due process and the law and so does the Leader of the Opposition, if he ever understood it. I find these things frustrating. But the police will have our full support and any issues dealing with procedure or this investigation will be a matter for the police to realise.

Let us come to the second point. The Leader of the Opposition wants to grandstand on the basis of the misery that has been suffered by the people of Bundaberg. I want to make this point really clearly: the people of Bundaberg have been through enough. We have done everything we can to support them. The Medical Board recognised that it made a mistake here and allowed his admission as a doctor into Australia. What happened is a shameful reflection on the Medical Board and the health system at that time. Rather than hide it, we have moved to do something about it.

I would urge the Leader of the Opposition to support some bipartisanship. I want to make this point: this is not about credit for anybody; this is about us and the community trying to work together to have the best health system. We made a decision as a government to bring this matter on, and we are suffering as a result. But, frankly, that pain is not as much as that suffered by the people of Bundaberg.

Time expired.

### Health Care Complaints System

**Mrs NITA CUNNINGHAM:** My question is also to the Premier and Treasurer. How will the new health care complaints system work to ensure that the health system is delivering the best possible care to Queenslanders?

**Mr BEATTIE:** I thank the member for Bundaberg for her question. She has raised these issues with me personally on a number of occasions. I know this has been a difficult time for her, as it has been for the people of Bundaberg. Today what we get from Commissioner Davies's report is justice for the people of Bundaberg. That is important. The reason I recommended to my colleagues that we establish this inquiry is that what I wanted was justice for the people of Bundaberg.

There were some in my party—not in this caucus but in my party—who thought I was mad to support the establishment of these inquiries. They thought I was mad to appoint Tony Morris. They thought I was even madder to appoint Commissioner Davies. I want to make it clear: I stand by what I did. I did it because it was the right thing for the people of Bundaberg and out of this we will end up with the best health system in Australia. Yes, it sometimes takes political courage to do the right thing. But my government had the guts to do the right thing. If the Prime Minister of this country and some of our national leaders had the same guts, we would end up with a better health system, but we do not have that.

Let me talk about what we will do. I am pleased to answer this question, because it gives me the opportunity to assure the people of Queensland and the people of Bundaberg that as part of the massive health reforms we are implementing there is a new body to monitor the Queensland health system. We have allocated \$7.7 million to establish the new Health Commission and we will spend \$38.5 million over five years on its operations. On all of the matters that the Leader of the Opposition referred to me yesterday I have written back to him. Every one of those matters will be referred to this commission for it to follow up and investigate. Every one of those matters will be taken seriously.

The task of the independent Health Commission will be to investigate and respond to complaints from the community. It will also provide further avenues of complaint and investigation for Queensland Health employees and health professionals. It has a further important role as it will also oversee the development of quality, safety and clinical practices for Queensland's public and private health facilities. There have been many lessons learnt from the Morris inquiry and the Forster review, and of course will be from the Davies review. No doubt there will be further reforms that we will follow as a result of the Hon. Geoffrey Davies's investigation.

The well-funded and well-resourced Health Commission is another step in our efforts to ensure that the people of Queensland are cared for by a health system the equal of any in the country. It, too, will be subject to additional scrutiny. The Health Commission will be overseen by an appropriate report to this House in the future.

I draw to the attention of the honourable member pages 21 and 22 of the detailed ministerial statement I made today about improving the health system since 26 April. It sets out the procedures there. It says that positive behaviour will be strongly promoted and supported within Queensland Health to overcome the culture of bullying and that unacceptable behaviour will not be tolerated.

Time expired.

**Mr SPEAKER:** Before calling the Leader of the Liberal Party, I welcome to the public gallery students and staff of the Yeronga TAFE in the electorate of Yeerongpilly, which is represented in this place by Mr Finn.

### Hospital Waiting Lists

**Mr QUINN:** My question is directed to the Minister for Health. The day before the member for Brisbane Central was first elected as Premier, he said that the size of hospital waiting lists for Queenslanders was 'simply not good enough'. I ask the minister: since his government's mismanagement of our health system has led to hospital waiting lists more than doubling in the past 7½ years, would he not agree that by the Premier's own measure his government's efforts have simply not been good enough?

**Mr ROBERTSON:** I made it perfectly clear when the last quarter's elective surgery waiting lists were published and publicly released that those figures were unacceptable. I also committed my department to working flat out day in and day out to improve that set of circumstances. There is a problem that we have in doing a true comparison of waiting lists. The member has just gone over the last 7½ years and mentioned the waiting lists that existed when the Premier came to office in 1997. To do a true comparison, we need to go back further than that. The only problem is that we cannot because those opposite never published waiting lists when they were in government—never. They actively avoided it. There was not one ounce of transparency in terms of waiting lists—

**Mr Horan:** You took it from the worst in Australia to the best in Australia.

**Mr ROBERTSON:** I get interrupted by the guilty party. The best advice that I could give the member for Toowoomba South is to seek legal advice straightaway lest he gets himself into any further trouble. We cannot do that comparison with elective surgery waiting lists because when those opposite were in office they actively hid them. What we have now is a more transparent, open, accountable system in Queensland Health than has ever existed before, and those reforms will continue.

The member for Robina asked me what we are going to do about those waiting lists. I am not too sure where he has been, because each and every day that this parliament has sat for the last three months we have rolled out on a daily basis the necessary reforms to get Queensland Health back on track, attack those waiting lists, employ more doctors, employ more nurses and employ more allied health professionals. Some \$6.4 billion invested will be invested into Queensland's public health system over the next 5½ years. That is our response to the member for Robina's question. There are \$6.4 billion of reasons, reforms, initiatives and changes that will make Queensland Health in the years to come the best public hospital system in Australia.

### Hospital Waiting Lists

**Ms NOLAN:** My question is directed to the Premier. It might help the member for Robina, too. What is the government doing to improve the public's understanding of public hospital waiting lists?

**Mr BEATTIE:** I thank the honourable member for her question. The government has committed to openly inform Queenslanders about the performance of their health system. Early this month cabinet approved the draft legislation—on the recommendation of the health minister—needed to make it mandatory for public hospital performance reports to be published every year by the Queensland government. This new public accountability measure is now enshrined in law following amendments to the Health Services Act 1991. It is now law. The reports, which include relevant data about waiting times for elective surgery and specialist outpatient services, will now be published and tabled in parliament annually. This government is committed to communicating openly and honestly in our community. As a result, the quarterly reports of waiting list figures on the internet will continue—a decision I would remind the House that we implemented when we first formed government in 1998.

I say to the Leader of the Liberal Party, because he asked this question of my ministerial colleague: there is no doubt that Commissioner Davies today—because he has already foreshadowed this—will be critical of the Borbidge government, of which the Leader of the Liberal Party was a minister, and will be critical of my government for not releasing more information. I want to say to Commissioner Davies—and I will do this when I see him—that I accept that criticism. As a result, we have responded by making it law that this information be released. We will never again have a cover-up of information which the commissioner has found occurred on both sides of politics because we will have a transparency that Queensland has never seen before. I just say to those opposite who want to throw—

**Mr Messenger:** You've got Google.

**Mr SPEAKER:** Order! Member for Burnett!

**Mr BEATTIE:** This is actually about patients; this is not about you. What we need to do here—

**Mr Messenger:** This is about cover-up!

**Mr SPEAKER:** Order! Member for Burnett, I warn you under standing order 253.

**Mr BEATTIE:** I am aware of the tactics that are being pursued by those opposite. I just want to make this point: this is about patients, not politics. It is about time that everybody put patients first. We have had enough of the politics; we have had enough of the grandstanding. It is about time that we put patients first, and that is exactly what my government will do. I will be doing nothing to help facilitate anyone being thrown out of this chamber, regardless of their strategies. Let me make it clear: this is about patients. It is about time we thought about patients, not politics.

Let me come back to the point. Commissioner Davies will be critical of both sides of politics today. No-one can play Pontius Pilate here. No-one can wash their hands of this and pretend that they are lilywhite, because none of us are. We have to ensure that we get this right. By making it law, which the health minister has recommended, we have provided for a transparency that has never existed before. Let me draw everyone's attention to page 33 of the document that I have distributed. It says that earlier this month cabinet approved the draft legislation. It is unprecedented accountability and I hope members will read it.

### Ministerial Clinical Advisory Committee

**Dr FLEGG:** My question without notice is directed to the Minister for Health. I refer the minister to his announcement in the House yesterday of his establishment of a Ministerial Clinical Advisory Committee and earlier reference that he has made to director-general advisory committees, Reform and Development Unit advisory committees, and health area and health district advisory committees. Could the minister inform the House how many advisory committees he intends establishing in Queensland Health? Are there others besides the ones that I have mentioned?

**Mr ROBERTSON:** The answer is yes, because I have actually heeded the call for greater involvement by clinicians in how we run our hospital system in Queensland. The way to do that is to bring them in to advisory committees, such as those I have announced over the last couple of days, and make them part of the reform process that will get Queensland Health back to its leading position in Australia. I hope the member for Moggill listened to my ministerial statement this morning about the new partnership with the college of surgeons. Queensland Health and the college of surgeons are working together on a \$1.3 million project to investigate all hospital deaths in Queensland. Yes, there will be more committees and, yes, there will be greater involvement by clinicians in the new Queensland Health. I am proud of that because it indicates that we have listened. We have listened to the AMA, which said that it wants clinicians to be involved in how Queensland Health is run. We are delivering on that and we are proud of that.

I do not know where the member for Moggill is actually going with this suggestion, but if he is suggesting that the only thing we are doing is setting up more committees and increasing levels of bureaucracy then he is wrong. At the same time we are doing that we are implementing the recommendations from Forster and downsizing head office by those 162 positions. I think, from memory, 100 of those positions have already gone. There are another 60 to go in the next couple of months. Another 600 positions have been taken out of Charlotte Street and will be reallocated to the areas and to the districts to support clinicians going about their work—to get the paperwork burden off them and to get them back in the operating theatres, where we want them to be, doing what they do best: operating on Queenslanders and making them better. That is part of the ongoing reform process. We are proud of the fact that we have a greater level of cooperation, involvement and support amongst our clinician work force than has ever existed before. I suggest, as I have on numerous occasions, that the member for Moggill stops being part of the problem, gets on board and starts being part of the solution.

### Health Funding

**Ms CROFT:** My question is to the Deputy Premier. The Premier has tabled recent initiatives of the government in relation to Queensland Health. Can the minister please tell the House what alternative options for funding the state health system are already in place?

**Ms BLIGH:** I thank the member for Broadwater for her question and for her enduring interest in the health of her constituents and, indeed, all Queenslanders. I have previously drawn the attention of the House to the policy released by the coalition for improving the services provided by Queensland Health. As members heard this morning, the Premier outlined in detail the actions taken by this government. The actions outlined by the Premier this morning are fully funded by this government. They are fully funded this year, and they are fully funded for the whole five years of the comprehensive policy that we have outlined.

This is in stark contrast to the two-page document that was released by the coalition in October this year. Let me remind members about that policy. It was very short on specifics and very short on detail. It is not a policy that commits to any actual increases in funding, and it is not a policy that commits to any actual numbers of staff in any category. However, if it is short on detail it is much, much shorter on funding. The only funding option raised in the coalition health policy is the policy to cut 2,000 staff from Queensland Health. At best this would raise \$150 million, which means that the coalition would be short by more than \$1 billion a year.

Since the release of that policy, last week the coalition voted against two key aspects of the revenue bill. It voted against the increase in transfer duty and it voted against the proposal to transfer the funds from the major facilities levy to Queensland Health. Last week it voted against \$150 million in new funds to Queensland Health. Now the coalition is further behind in funding services that are so clearly needed by the health system.

When it comes to policy and when it comes to financial competence, the contrast could not be more stark. The government has a comprehensive five-year plan that is strong on details, strong on specifics and fully funded. When it came to hard decisions on revenue, people on this side of the chamber had the guts to put their hands up. The plan is fully funded. There will be extra staff—an extra 300 doctors, 500 nurses and 400 allied health professionals, and that is just in the first 18 months. The coalition, on the other hand, has a policy without detail, a policy that is unfunded and a policy to have fewer staff in Queensland Health. So it is going to make Queensland Health better by having less money and fewer people. This is absolutely crackpot stuff. We care; they cut. That is the contrast.

This is the flimsiest and most pathetic of policies. If people go looking for it they will not find it on the Leader of the Opposition's web site. They will not find it on the Leader of the Liberal Party's web site. They can find it on the member for Moggill's web site. He is clinging desperately to it. It is buried. Give it a decent funeral.



### DPI Timber Permits

**Ms LEE LONG:** My question is to the Minister for Primary Industries and Fisheries. I refer to a matter of which the minister has been advised through my office whereby a constituent obtained all the correct licences and permits to cut timber on state forest land. DPIF Forestry officers incorrectly marked the trees and EPA officers subsequently confiscated the posts and rails that were cut and are now refusing to return the material, despite both departments agreeing that my constituent did nothing wrong. Will DPIF Forestry compensate my constituent, who has had his reputation tarnished, for his lost materials, time, labour, fuel, cartage and all costs in relation to this matter?

**Mr NUTTALL:** There are a couple of points around the issues raised by the honourable member. After giving a response to the House today I will write to the honourable member to give her the details of what we are doing.

I have been advised of the circumstances surrounding this matter. Staff from both the DPIF and the Environmental Protection Agency have investigated the incident. It is very unlikely that the EPA will return the seized forest products to Mr Buckley. DPIF Forestry has identified a possible alternative cash sales permit area for Mr Buckley. He was notified on 9 November of his potential sale area. We have invited him to inspect that area and to advise local DPIF Forestry officers whether that is suitable for him in terms of the material for his market. He is yet to advise the local DPIF Forestry officers of the outcome of his inspection of that area.

The member also raised the issue of the costs incurred by the gentleman. In view of the costs he has incurred in harvesting the material on the previous cash sales permit area at Millstream Falls National Park, which is now cancelled, DPIF Forestry is prepared to reimburse him for fair and reasonable costs that have been incurred in relation to the material that has been seized by the EPA. Initial discussions to this effect were held with the gentleman around mid-November including a request for him to provide a preliminary estimate of the costs that were incurred by him. Details of such costs have not yet been provided to local DPIF Forestry officers. At least that is what my department has advised me.

We will proactively pursue the gentleman and speak with him in terms of doing two things: one, to ensure that he is compensated fairly; and, two, to try to ensure we meet his requirements so that he can get a proper product and continue with his work. It is an unfortunate situation. We apologise to the gentleman. We will do all we can to rectify the situation.

### Nurse Recruitment

**Mr WILSON:** My question is to the Minister for Health. There has been much talk about the recruitment of doctors to rebuild the public health system, but has any progress been made to recruit more nurses, who are the backbone of our hospitals?

**Mr ROBERTSON:** I thank the member for the question. The Beattie government's \$6.4 billion health action plan commits us to recruiting 1,200 additional medical staff, including 500 nurses, in the first 18 months of the five-year plan. I am pleased to inform the House that we are making good progress in our efforts to retain existing nursing staff and recruit more nurses to work in Queensland hospitals.

An interim enterprise bargaining agreement that will deliver immediate benefits to nursing staff has been reached. That includes a wage increase of four per cent per annum or \$30 per week, whichever is the greater, effective from 26 October 2005. The proposed interim agreement is currently out to vote and, subject to a successful outcome, will operate until March 2006. During that time Queensland Health will continue to negotiate a longer term agreement that will provide for better working conditions and professional development opportunities for nurses.

Our nurse recruitment campaigns are also starting to bear fruit. To date 85 nurses and midwives have lodged formal expressions of interest as a result of the Premier's international recruitment campaign. A further 82 nurses visited the Queensland Health stall at the recent Opportunities Australia Expo in London and expressed interest in working for Queensland.

Queensland Health is also planning to significantly increase its intake of graduate nurses for 2006. During the last three years Queensland Health has employed between approximately 630 and 690 nursing graduates a year. We will significantly increase this number for the next year. To date, Queensland's hospitals have already offered 932 graduate nursing positions to commence in 2006.

This already represents an increase of between 34 per cent and 50 per cent over the number of nurses employed per year over the past three years. The recruitment process will continue until early 2006. Queenslanders deserve to be treated by the best possible health staff. That is why we are committed to recruiting more nurses and providing them with better pay and working conditions to help us deliver a world-class public health system for the people of Queensland.

On a related matter, I advise the House that I have today written to the Leader of the Opposition with respect to the statement that he made in House yesterday. I have written to him in these terms—

I note your concern in relation to some 129 cases of complaints from people about their experiences with the Queensland public health system. I further note that you have forwarded the material to the Premier.

I am writing to advise you that the Premier has referred these complaints to me and I, in turn, will be referring them to the Health Rights Commission ... to provide an independent and impartial avenue for resolving health care complaints. While the Commission can only investigate complaints made within 12 months of the patient becoming aware of the problem, I have the powers to authorise the Commission to investigate matters outside these timeframes.

I gave the Leader of the Opposition this commitment—

If any of these complaints fall into this category the Commissioner will refer them to me and I will authorise the investigation.

### **Patel, Dr J; Commissions of Inquiry**

**Mr MESSENGER:** My question without notice is to the Minister for Health. I note that it took extraordinary political and media pressure to force the Premier to implement the Morris royal commission and it took 31 days and extraordinary political and media pressure before he visited the victims of Dr Patel and it took another five tortuous days and extraordinary political and media pressure to force the Premier to restart the royal commission with the Davies inquiry. Taking into account this government's appalling record and the fact that it failed to put in place a truly independent complaints mechanism, can the minister guarantee the victims of 'Dr Death' that he will take care of their needs and also protect them from future 'Dr Deaths' without being forced to do so by extraordinary political and media pressure?

**Mr ROBERTSON:** I thank the honourable member for the question. Unfortunately, he was not listening to the answer I gave the House just a moment ago. The member for Burnett has to have a bit more flexibility.

**Mr Johnson:** You've got 20 minutes.

**Mr SPEAKER:** Order! Member for Gregory, I warn you under standing order 253.

**Mr ROBERTSON:** I shall read into the record once more the letter that I sent the Leader of the Opposition today referring specifically to 129 cases that he claims to hold. I understand that he referred them to the Premier yesterday. The Premier has appropriately referred them to me. I have been in contact with the Health Rights Commission this morning. I advised Mr Kerslake, the commissioner, that I will be referring those 129 matters to him. I have also indicated to him that, based on the powers that I have as Minister for Health, should any of those 129 matters fall outside the 12-month period within which the Health Rights Commission is automatically authorised to investigate, I will authorise the health commissioner to investigate those matters.

I have also advised the Leader of the Opposition that when the new Health Commission is established in June next year any of those 129 matters or indeed any of the matters that are currently before the Health Rights Commission—and the Health Rights Commission handles about 4,000 or 5,000 complaints a year—will transfer seamlessly to the new Health Commission. My guarantee is that not only will the 129 complaints that the Leader of the Opposition has held and referred to the Premier be appropriately dealt with and appropriately investigated by the independent Health Rights Commission but also should any of them fall outside the 12-month period I will authorise the extension of the powers of the Health Rights Commission to investigate those matters.

The new Health Commission will have an enhanced complaints framework. Any additional powers that are needed to investigate complaints in our public system will be put in place by the middle of next year. Those complaints will move seamlessly from the existing system to the new system. That is the guarantee. That is part of our commitment to ensuring that Queenslanders not only have the best public health system in Australia but also have the most transparent, open and responsive complaints handling system in existence in Australia.

### **Antihooning Legislation**

**Dr LESLEY CLARK:** My question without notice is to the Minister for Police and Corrective Services. It has been three years since Queensland's antihooning legislation was introduced. Can the minister tell me how many vehicles have been seized in far-north Queensland since those laws took effect?

**Ms SPENCE:** Mr Speaker, I am sure that you will be pleased to learn that the Queensland Police Service is making good use of our antihooning legislation, particularly as you introduced this legislation when you were police minister. I can inform the House that over the last three years the state traffic task force has confiscated a total of 2,191 vehicles from Queenslanders across the state. That is a lot of hoons. Of those, 96 in far-north Queensland had their vehicles confiscated; 33 vehicles or one-third of these were confiscated in the Cairns police district.

The good news is that in terms of hooning offences far-north Queensland has the best record in the state with the lowest number of vehicle confiscations. The highest hooning areas in the state—and I am sure it is no surprise to those who live there—are the north coast region and the south-east region. Combined these two regions account for more than half of Queensland's total vehicle confiscations. In

the past three years 702 drivers in the south-east region, which includes Logan, Beenleigh and the Gold Coast, have had their vehicles confiscated and in the north coast region, which includes Gympie, Bundaberg and Maryborough, there have been 521 vehicle confiscations.

Since the inception of the antihooning legislation 46 offenders have been detected committing hooning offences on a second occasion. The laws are clearly working because in the past three years we have had only three offenders who have been detected committing a third offence—one from Ipswich, one from Bundaberg and one from the Redcliffe district.

We all passed an amendment to this legislation last week when we discovered that one of these clowns who had their vehicle confiscated stripped the car before he gave it over to the police. We have responded to that last week in this parliament and that will now be an offence with a penalty of up to \$3,000.

I hear complaints about hooning behaviour when I travel around the state to places like Ipswich, Mooloolaba, Southport and the Logan district. I know that hooning is an incredible aggravation to other motorists and to residents. But, of course, it is a very dangerous occupation for those people who indulge in this kind of behaviour. We talk about the fatal four—speeding, drink-driving, not wearing seatbelts and so on—but the hooning behaviour, the dangerous behaviour, also needs to be brought to people's attention. I am very pleased that the police have made this number of prosecutions and confiscations.

### Police Response Times

**Mr JOHNSON:** My question is directed to the honourable Minister for Police and Corrective Services. In response to the revelations today that police are overwhelmed and underresourced to respond immediately to a third of emergency calls the minister claimed the issue was an operational matter for police. Despite hiding behind the words 'this is an operational matter' the minister had no qualms when on 28 September she released details on police numbers, on 22 November she unveiled new police patrol vehicles and on 1 November she released selective information on the swift police response to emergency calls. Will the minister cut the excuses and take responsibility by committing to the introduction of performance benchmarks for police response times to ensure some honesty regarding the performance of our Police Service? Will the minister cut the excuses and take responsibility by committing to the introduction of performance benchmarks for police response times to ensure the needs of our Police Service can be openly addressed?

**Ms SPENCE:** I am very pleased to be asked this question by the shadow spokesman because it gives me an opportunity to comment a little more about the article in the *Courier-Mail* today. I notice that on page 6 we have the story 'Police go slow to break-ins'. There is the incredible revelation that in one case the police took 11 hours to attend after being informed of a break and enter. As I have explained to the House this morning, it is normal for the police to negotiate response times with people.

I have to say I have been broken into three times myself—twice under National Party governments, once under a Labor government—and I phoned the police station and said, 'My house has been burgled.' I have negotiated when they would come around. Once it was in the evening and I said, 'Look, please don't come around tonight. I'd just rather go to bed. Can we see you in the morning?' They said, 'Yes. Don't touch anything and we'll come in the morning.' That is quite normal behaviour. So is an 11-hour response time extraordinary? No, not if it has been negotiated with the owner of the residence. That is normal behaviour. So Mr Thompson—Tuck, better known by some as the worst journalist in Australia—has chosen to use one statistic, an 11-hour response time, to claim that this is something dreadful, something to be feared.

The whole article is nonsense, as I have pointed out this morning. In terms of our accountability and performance measurement, in Queensland we have the most accountable police in Australia. I detailed the results of the operational performance review recently in this parliament. That is the first time these results have ever been put on the public record. Police have no fear about giving up their statistics warts and all. The reason that they have no fear is because they know that they are doing a very good job on behalf of Queenslanders. They will not be hiding behind any statistics and I will make sure that they continue to be as accountable as they have been.

### Housing

**Mr REEVES:** My question without notice is to the Minister for Public Works, Housing and Racing. Could the minister advise what has been the effect of the Howard government's reliance on the private sector to meet housing needs?

**Mr SCHWARTEN:** I thank the honourable member for his ongoing concern. There is no greater evidence than the words that come from a 76-year-old gentleman who lives at Runcorn. He points out that his rent is about to go up by \$40 by February and he says that basically his rent assistance has not gone up and will not go up and that his standard of living is about to plummet by \$40 a week. He asks what the government is going to do about it.

The letter that I received was also sent by this gentleman to the local federal member, Mr Hardgrave, the member for Moreton. The gentleman is obviously very well informed because he knows that rent assistance is a federal government provision and he thought that the Prime Minister of Australia's assistant minister—none other than Mr Hardgrave himself—would also know that. That is why the gentleman wrote to him. Guess what Mr Hardgrave did. He sent it to me! What does that tell us? That tells us that the Liberal Party is always keen to pass the buck when it comes to housing. We have an opposition—

**Ms Spence:** Hardgrave's got form on this. He does it on roads, too.

**Mr SCHWARTEN:** I will take that interjection. He does it on roads, apparently, too. He blames us for all the roads in his electorate as well. Returning to the housing issue, what do we have here? We have \$4 billion worth of subsidy coming into Queensland since I have been a minister—presumably since Hardgrave has been a minister—and he does not know that it comes from the federal government. He does not know, and obviously the Liberals here—especially the 'Count from Chatsworth'—cannot advise him. Obviously he can advise him on how to count but he does not advise him that Queensland actually is the recipient of rent assistance.

Let me say to Mr Hardgrave that it is about time he told the Prime Minister that this is actually burning Queenslanders. This gentleman, 76 years of age, says he is getting a bit old to live in a tent but that is the prospect he is facing because of the rent assistance that is coming his way. What is the position of the Queensland Liberals on it? Surprise, surprise—they do not have one! And, of course, the shadow minister has never put crayon to paper once to try to get any sort of a policy going so we do not know where they stand in terms of housing. The former shadow minister promised a policy about three years ago but that never saw the light of day. I wonder whether they will be able to agree on this aspect of it because the National Party misses out greatly on this, even more than the Liberals do, as there is no rent assistance whatsoever paid to their constituency at all.

It will be interesting to see what they do when it comes to policy but the fact of the matter is they will probably do what Mr Hardgrave does which is to pretend the problem does not exist—blame the state government, blame anybody else, but not blame themselves for this fellow's plight.

### **Police Resources, Blackbutt**

**Mrs PRATT:** My question is to the minister for police. It is my understanding that the sergeant of police at Blackbutt is on permanent stress leave and the other police officer finishes by Christmas. Could the minister please advise what arrangements have been made to replace these two officers and when those replacements will commence duty?

**Ms SPENCE:** The Queensland Police Service has over 13,000 employees and at any time some of them are on leave, some of them are on holidays and some of them are on study leave. I do not have in my head exact information on any employee at any point in time but I can assure the member that if there are people going on leave from her local police station, the relief duty will take their place.

### **Van Tuong Nguyen**

**Mr WELLS:** My question is to the honourable the Attorney, and I ask: what legal issues are raised by the imminent execution of young Australian man Van Tuong Nguyen in Singapore.

**Mrs LAVARCH:** I thank the honourable member for Murrumbidgee for his question. I have known the member for Murrumbidgee for a very long time and I know that he has a deeply held opposition to capital punishment. I also know that, as a member of Amnesty International, he has been vocal and outspoken against capital punishment and has spoken in this place against it.

I express the Queensland government's sorrow about the imminent execution of young Australian Van Tuong Nguyen in a Singaporean jail at dawn on Friday. The Queensland government is saddened that diplomatic attempts by the federal government with Singaporean authorities appear to have failed to save the life of this 25-year-old man. This is a tragic case involving a young Australian who made a dreadful mistake by trafficking heroin into Singapore three years ago.

The Queensland government supports all efforts to reduce the devastating impact of illegal drug trade on individuals, families and communities. However, it remains steadfastly opposed to the draconian use of the capital punishment under any circumstances. Capital punishment is a dreadful policy. It is not only barbaric; its deterrent effects are highly dubious and it risks the worst kind of injustice—taking the life of a man or woman who is later proved to be innocent. This state has a proud record in opposing the death penalty. In 1922 Queensland became the first Australian jurisdiction to abolish capital punishment.

The case of Mr Nguyen also highlights the danger of mandatory sentencing. The most difficult task of sentencing is best undertaken by an independent, impartial and experienced judicial officer who hears all the facts of a particular case, including the offender's circumstances. The use of mandatory sentencing inevitably leads to cases such as that of Mr Nguyen. It is true that Mr Nguyen was found to be trafficking a large amount of heroin. However, under Singapore's policy of mandatory sentencing, the

first-time offender who cooperated with authorities has found himself on death row. The Queensland government reiterates its tough stance on the trafficking of illicit drugs but expresses its opposition to the use of a penalty such as death for such behaviour.

We express our sympathies to Mr Nguyen and his family and we do hope that his mother is able to be granted her wish to hug her son for one last time. Queensland will support any effort by the federal government to petition neighbouring countries to outlaw capital punishment.

### Sunshine Coast Hospital

**Mr McARDLE:** My question is to the Minister for Health. The new hospital to be built on the Sunshine Coast is critical to the health and wellbeing of the residents. As such, establishing its location is of primary importance not just for that reason but also for the long-term infrastructure planning of the region. I ask: can the minister advise if sites other than Sippy Downs are being considered? If so, can he advise the location of those sites and whether any documents have been executed by his department obtaining an option to purchase any of the sites or are the people of the Sunshine Coast required to continue to be kept waiting on the never-never for their new hospital?

**Mr ROBERTSON:** The first thing I would say in response to the member for Caloundra's allegation about Sunshine Coast residents waiting on the never-never for their new hospital is—absolute nonsense! The member for Caloundra knows that the commitment by this government to build a new hospital on the Sunshine Coast is for 2009. He also knows that we have been open with that, that it is contained in the South East Queensland Infrastructure Plan and it was part of all announcements that have been made by my predecessor and by the Premier.

It is a nonsense to suggest that any work that is currently under way to firm up on the site of the new hospital will in any way delay the delivery of that new hospital for the people of the Sunshine Coast. If the member opposite goes around this place suggesting that, let me place on the record now that he would be doing so in a very dishonest way. He would be deliberately misleading the constituents of his electorate and the people of the Sunshine Coast. What is under way is a reappraisal of the location of the health hub. Because of the level of our commitment to the Sunshine Coast to ensure that it has a 21st century hospital that meets the needs of a fast, if not the fastest, growing region in Queensland, it has been deemed necessary to separate the project of the health hub from the new hospital. We are actively seeking a location for that health hub. Our priority in terms of delivering on our election commitments is that we will deliver that health hub by 2007. So that is our priority. That is why we are actively seeking a new location for that.

Given the kinds and the range of services that we want to offer Sunshine Coast residents at the new hospital when it is built, we need to ensure that we have sufficient land to do that. Based on the new advice that has been provided to me as we continue the planning process, it has been deemed necessary to separate that project from the hospital project. That is our priority. That is why we will be securing land for the health hub while the other planning activities are under way for the range of services that will be offered to the people of the Sunshine Coast. Let no-one misunderstand: what we committed to for the people of the Sunshine Coast—a very important part of Queensland—is that they get the best deal that this government can deliver when it comes to health care and public health services. That is our commitment to the people of the Sunshine Coast. They will get a brand-new health hub and they will get a brand-new hospital co-located with the University of the Sunshine Coast.

### Education Funding

**Mr MULHERIN:** I refer the Minister for Education and Minister for the Arts to the federal government's ongoing interest in state education, and I ask: given the fact that the federal education minister, Brendan Nelson, is constantly trying to direct the states on the way they manage education, can he provide any recent evidence of the Commonwealth's ability to manage education funding?

**Mr WELFORD:** I thank the honourable member for Mackay for his question and for his keen interest in education in the Mackay region. We all know that the federal education minister, Dr Brendan Nelson, has taken a very keen interest in telling states what is wrong with their education systems and how they should run them—everything from our state schools to our universities. In the meantime, the federal government is spending 70 per cent of its education funding on private schools and starving our state schools of any access to resources whatsoever. Our state schools get small handouts that are simply lip-service to a federal commitment to a real education for all students.

This week we have new evidence of the extraordinary talents and capabilities of Dr Nelson and his federal colleagues when it comes to dispensing funding for schools throughout Queensland. This week the federal government announced funding under its Country Areas Program. The federal government does this in a number of its electorates to pork-barrel for its local federal MPs. One federal MP who picked this up with gusto was De-Anne Kelly, the federal member for Dawson. She rushed to the typewriter to spirit out a press release in the following terms. It starts by stating—

Schoolkids and staff from two of Mackay's 'little battler' schools are the big winners in the latest round from the Australian government's Country Areas Program (CAP) funding.

She goes on to say—

Carmila State and West Hill State are by far the greatest winners in Dawson and one of the biggest recipients in the country under this round's funding.

Further down in the release when referring to the program she said—

PIDE is all about improving the educational opportunities and learning outcomes for students through the implementation of targeted—

hold that thought, Mr Speaker—

well-planned projects that address the needs of their rural students.

She says—

Both schools jointly applied for and were approved for another six projects.

There is just one small glitch: West Hill State School does not exist. It was a school that was closed over 12 months ago. De-Anne Kelly does not even know which schools are in her electorate. She was so keen to publicise the funding to a school that does not exist that she put out a media release about it. However, it does not end there. She was alerted to this error undoubtedly by locals in her electorate who actually pay more attention to education than either she or the federal minister do. So she put out another press release asking the media to withdraw her statement so she could conveniently try to cover up her error.

### Blue Cards

**Mrs MENKENS:** I refer the Premier to the extraordinary delays in the processing of blue cards by the Commissioner for Children and Young People, and I ask: as many people are required to hold these cards prior to employment, does the Premier consider that a processing time of often between four and six months is acceptable? If not, what does he propose to do to overcome what has effectively become a barrier to employment?

**Mr BEATTIE:** I thank the honourable member for the question. I am happy to check the latest detail and at some appropriate time advise the House. Let me make two things very clear. Firstly, I expect the commission to check out in detail the people who have applied for blue cards. Frankly, I would rather that the commission took more time and got it right than rushed in and got it wrong. Let me be really clear about that. It is important that these people working with children be thoroughly checked out. Even on the member's time scale, which I think she said was four months—and I do not know whether that is right or wrong—it may be that there have to be appropriate checks done before that decision is made. Bearing in mind that the people we are talking about who are applying for these cards are going to work with our most vulnerable—that is, our children—I do not believe a delay in those circumstances is unacceptable. If it means protection, protection is important.

Let me give the member opposite some idea of the workload. From 1 May 2001 to 30 October 2005 some 421 negative notices were issued and 831 applications were withdrawn when more information was sought on their police history. Let us think about that for a minute. If the member is as interested as I am in protecting children—and I give her the benefit of the doubt that she is; I do not say that in a half-smart way—just think about this: from 1 May 2001 to 31 October 2005 some 421 negative notices were issued, which is quite a lot, and 831 applicants withdrew when more information was sought on their police history. Why did they do that? If we add those two figures together we have something like 1,252 people who have either been issued with a negative notice or have withdrawn. A further 16,102 applications were withdrawn by the commission where further information was required. These applicants cannot continue or begin work in child related employment or businesses.

That is a lot of people—a further 16,000. I do not know whether the member is interested in listening to the answer or whether she wants to talk to the member for Burnett, but I am trying to give her the courtesy of a serious answer. A further 16,102 applications were withdrawn by the commission where further information was required. Think about the magnitude of the amount of work involved and think about how many people the commission has stopped getting blue cards, which means that our children are better protected. It is not just criminal history that is checked. We changed the law to allow information on serious investigations. They take time to check. The member may want to raise this, and fair enough. We should have an efficient system. I will guarantee that as best as I can as the minister responsible for an independent commission. However, let us not be critical of an organisation that is doing its job. I say to the commission: do not rush these things. By all means, do it efficiently and effectively but do not rush these things. Our children are too important.

### Public Transport, Sunshine Coast

**Ms MOLLOY:** I refer the Minister for Transport and Main Roads to the fact that the Sunshine Coast is undergoing tremendous growth. Yesterday he joined the Premier in announcing funding of \$318 million for the Sunshine Coast region over the next two years, funding that will lead to better and safer roads. That road funding is most welcomed, but can the minister inform the House what steps this state government is taking in improving public transport?

**Mr LUCAS:** I thank the honourable member for the question. It would take me two hours to talk about what we are doing. I will just very briefly advise of the government's massive increase in road funding in the CAMCOS corridor compared to what was allocated by the coalition. I will talk about some of the new services that have been provided.

TransLink is injecting \$2.4 million into service improvements from 11 December—a 20 per cent increase in the services. That is on top of the new rail line that we are building in the CAMCOS corridor and the \$5.5 million that is allocated yearly to maintain these new services. There is a new local bus service for Nambour, Burnside and Palmwoods—route 639. There is also a new bus route to Coolum township, the Marcoola beachfront and the Glenfields estate—route 622. There will be hourly bus services during the week between Parklands, Hastings Street and Noosa National Park—route 628, and they are going out to catch the buses now—and between Nambour and the University of the Sunshine Coast, route 636. There will be hourly services seven days a week between Kawana and Peregrine—route 622—and Caloundra and Nambour, route 602. You might not be able to get your kicks on route 66, but Sunday passengers will enjoy the same timetable frequency as passengers do on Saturdays on routes 616, 617, 626 and 627. There will also be six new airconditioned buses.

Time expired.

**Mr SPEAKER:** The time for questions has expired.

## NATURAL RESOURCES AND OTHER LEGISLATION AMENDMENT BILL

### Second Reading

Resumed from 29 November (see p. 4455).

**Mr PEARCE** (Fitzroy—ALP) (11.30 am): During my contribution to the adjournment debate last night I mentioned the fact that a lot of people in the state did not know of the dangers that existed at the Moura mine at the time a major explosion occurred. That claim can be supported by the 1996 report titled *Report on an accident at Moura No. 2 underground mine* by the Mining Warden, Mr Frank Windridge, which states—

It is the opinion of the Inquiry that events at Moura surrounding assumptions as to the state of knowledge of the night shift on 7 August, and the safety of those at the mine, represent a passage of management neglect and non-decision which must never be repeated in the coal mining industry.

People were aware of that situation but did not tell the workers. They allowed them to go into the mine, there was an explosion and 11 miners lost their lives.

I could say many more things about the inspectorate, such as a lot of positive things about the good work that the inspectorate does in the mining industry. There have also been some issues with regard to the performance of the inspectorate. But I need to move on, because the review has taken place. The industry is moving forward in a new direction. I believe that there is now a fresh opportunity for the inspectorate to go out and ensure that our coalmining and metalliferous mines are very safe places in which to work.

In the few minutes left available to me, I want to raise a couple of issues that are of concern to mineworkers. I would like the minister to respond to these concerns in his summing-up. I refer to a document that was released by the department titled *Reforms of the Queensland Mine Inspectorate*. It is a great document. A number of references are made in that document to the reforms that have been initiated, such as skills and structure and improving the performance of the inspectorate and stakeholders. Under the heading 'Skills and Structure' a number of comments are made in relation to the competencies of the people who will work in the industry carrying out jobs similar to those carried out by the Mine Inspectorate and occupational health and safety officers.

I would like the minister to clarify what competencies a future applicant must have for an inspector's position, in particular a person appointed as an inspector of an underground mining operation. I would expect that such a person would have competencies equal to those of an underground mine manager and, most importantly, would have experience in underground mining.

There is a high level of concern about this matter. I believe that it would be a fatal step to allow into the industry inspectors who do not have the knowledge and experience of underground mining and for them to be given the responsibility of monitoring and making decisions about health and safety in underground mines. No member in this place knows better than I that underground mining is no place for a university graduate. I know from my own experience that managers and inspectors must understand and respect the underground environment. It is an environment that demands a respect that can be best given through an experience of the ever-changing environment of an underground mine. This is a passionate plea to the minister to take this issue on board and to not under any circumstances allow for the downgrading of qualifications for inspectors, in particular working in underground mines but also working in open-cut mines. We have to make sure that those standards are maintained.

At the moment the Mining Safety and Health Advisory Council is considering those statutory positions and the competencies that applicants for those positions must have. I am talking about deputies, shotfirers and open-cut examiners. What commitment is being given with regard to the competencies of inspectors? There is a real concern that that issue is not being addressed. I again ask the minister to have a very close look at that matter.

Some reference has been made to remuneration for mine inspectors, which will be addressed through the normal public sector process in accordance with the review's recommendations. I know that this matter is out of the minister's hands because a process is in place that must determine those types of things. Although I understand the pressures involved in getting suitably qualified people into the inspectorate, I do not want the industry's standards to go backwards in both underground mines and open-cut mines. There should be a total rejection of any attempt by public servants to downgrade the competencies of statutory officials so that they do not have to pay them any extra. That is very important.

I know that that comment will not please very many people in the department, but the public sector processes have limited or no knowledge of the problems that employers and employees would face if a standard inspectorate is forced on the industry because people in the Public Service do not want to pay mine inspectors a decent wage. It is important that these issues are brought to the minister's attention. I would appreciate hearing the minister's reply in relation to those points.

Finally, the inspectorate must be given the resources to deliver an effective health and safety regime in the coal industry. If we cannot deliver to the inspectorate quality, skilled and experienced personnel, we will be again standing in this place wondering where we went wrong. I hope that never happens. I support the bill.

**Mr SHINE** (Toowoomba North—ALP) (11.38 am): In the couple of minutes available to me in which to speak to this bill, which contains amendments to a wide range of acts, I would like to restrict my remarks to a couple of issues. One relates to the Land Title Act and the impact on the doctrine of indefeasibility of title that we are so used to in the Queensland system. In the 19th century Queensland adopted the Torrens system of registration of land as opposed to what is commonly referred to as the old system. In Queensland today there are still some outposts of old-system titled land. I know that at Drayton in Toowoomba there are some blocks of land that were still registered under that form of title until fairly recently. There is also such titled land in the older parts of Ipswich and Brisbane.

The Torrens system has served us well. Its principal advantage is that it created certainty and provided a guarantee of title. This bill impacts on that in the sense that in certain circumstances compensation will not be paid to mortgagees who should have taken more care in terms of the lending procedures that they adopted. Currently a mortgagee holds an 'indefeasible'—that is, unchallengeable—interest for its mortgage, even if the signature of the mortgagor was forged, provided that the mortgagee had not acted fraudulently. These proposed amendments will ensure that appropriate due diligence requirements will be imposed on mortgagees to take reasonable steps to identify mortgagors with the consequence that a mortgagee will not benefit from the government guarantee of the registered interest in the mortgaged land. That is important for lenders to note. I think it will be easy for the lending industry to become aware of that. It will not be so easy for private lenders, family lenders and so on.

**Mr Lawlor:** Tell us about indefeasibility, Kerry.

**Mr SHINE:** Not in the two minutes available to me. I will refrain from the invitation, attractive though it may be. The other aspect I want to touch on, if I can be heard, is the new concept of public thoroughfare easements, which is a novel thing to me coming from a legal background. It has been many years since I dabbled with easements, thank God. The effect of these amendments will be to allow pedestrian or public access across private land in certain circumstances, with responsibility for the easement resting with local governments or the state. So I commend those two aspects of this legislation to the House.

Finally, I want to pay tribute to my brother Michael Shine, who works at the titles office at Woolloongabba. He has been there since the age of 16. I think he is about 61 now. He is a most dedicated public servant, professional and highly regarded. It is appropriate for me, as his brother, in discussing this bill to mention him.

**Mr KNUTH** (Charters Towers—NPA) (11.41 am): I rise to speak to the Natural Resources and Other Legislation Amendment Bill as there are a few issues that I believe are very important. This bill deals with freehold land, and I believe that the vegetation management legislation is draconian and takes away landowners' rights to manage their land.

**Mr Nuttall:** What is the relevance to the bill?

**Mr KNUTH:** Yes, I am speaking to the bill.

**Mr Nuttall:** What clause?

**Mr Seeney:** Don't take any notice of them. You always pick on the weak ones, don't you, Gordon? You always pick on somebody else.



**Ms Nolan:** That is rich coming from you.

**Mr Seeney:** You sit there dumb and mute. Come and have a go at me and see how you go.

**Mr DEPUTY SPEAKER** (Mr Lee): Order! Member for Callide, please cease interjecting. I want to hear the member for Charters Towers.

**Mr KNUTH:** Freehold title is an important provision in this legislation. But there is an issue with regard to land-holders being tied up. They are required to provide a healthy and safe workplace environment for their workers. But this is very difficult when workers are trying to work cattle through stock gates and through troughs and the legislation requires that they can only clear five metres from a particular fence or gate. When the helicopters are moving in and pushing cattle through gates and the stock workers are pushing cattle through gates, it is virtually unworkable. I believe that the minister for natural resources needs to look at this because the workplace health and safety legislation requires employers to provide a safe environment for their employees. But that is virtually impossible with this legislation.

I would also like to raise the issue of flying foxes in Charters Towers.

**Mr Shine:** Oh, fair dinkum.

**Mr KNUTH:** I table a petition of over 3,000 signatures. I would not need to raise these issues if the permits that the council is asking for were provided by the state government. This issue was brought up five years ago. Five years later there are still 2,000 bats. I do not want to keep coming back and raising this issue, but I raise it because they are still there.

**Ms Male:** Talk to the council. They are the ones who have the control. It is their responsibility.

**Mr KNUTH:** That is right. But the state government issues the permits and the permits are absolutely useless. That is why the bats are still there. I would like to bring to the attention of members—this is a very important issue—the fact that the bats are still there because there are restrictions on the permits. The bats can only be harassed from 5 am to 9 in the morning or from 4.30 in the afternoon to 7.30 at night. Members have to listen to me very carefully: the council harasses the bats in the early hours of the morning when everybody is asleep or when mums are trying to get their children ready for school and they hear the booms and bangs. All this is doing is lifting the flying foxes up, plonking them over the residents, and then after 9 o'clock—and this is very important—those bats cannot be touched. The bats are roosting amongst residents all day and we cannot touch them.

**Ms NOLAN:** I rise to a point of order, Mr Deputy Speaker. I ask you to consider whether these bats are relevant to this natural resources bill.

**Mr DEPUTY SPEAKER:** Order! There is no point of order. But I ask all honourable members to keep their comments as close to the content of the bill as they can.

**Mr KNUTH:** I will say just one last thing: if we are given the permits to harass the bats in interim periods on and off throughout the day, we can push them to this tree and an hour later we can push them to that tree and we can work these bats out of town. With the present system it is costing the council an absolute fortune. The money, the resources and the energy that are being put into this are a complete waste of time and useless. That is why I say that this government needs to do something about these permits. The flying foxes are still there and will continue to be there if something is not done. Now they are talking about a bat habitat. It is impossible to move the bats to that bat habitat under the present permits that we have. I wanted to bring this before the House because this is an important issue. I will be coming back five years later and 10 years later if something is not done about this.

**Hon. H PALASZCZUK** (Inala—ALP) (Minister for Natural Resources and Mines) (11.46 am), in reply: I thank all honourable members for their contributions. I particularly acknowledge the contribution of the member for Fitzroy. All members know how passionate and strong the member for Fitzroy is when it comes to giving mineworkers a go in this place, and I congratulate him for that. However, the proposals contained in this bill that deal with the Mines Inspectorate are very, very significant. The removal of the mandatory requirement for an engineering qualification for eligibility for appointment as an inspector will broaden the skills in the Mines Inspectorate.

The bill contains a number of other significant reforms. When passed, the bill implements a temporary stay or freeze on the extension of freehold tidal boundaries. The member for Callide mentioned stream boundaries. This legislation applies only to tidal boundaries, and I need to confirm that the amendments apply to both freehold and leasehold land. This stay is necessary because some freehold lots along the Queensland coast are already being resurveyed and new plans are being registered with the department's land titles register. It came to the department's attention that some of these plans show a greater land area than the original survey conducted in the 1800s and the early 1900s. The freeze takes effect from the day this bill was introduced into the House—that was 8 November this year.

The issue at stake here is the public's continued access to beaches and other tidal areas. Our government is determined to protect the public's access to beaches. A day at the beach is one of Australia's favourite pastimes and it should always be within reach of the community. There is a possibility that owners of resurveyed lots may now or at some time in the future restrict access to some

areas of foreshore including parts of the beaches. Public access to beaches is part of the Australian way of life.

I have written a detailed response to the queries raised by the Scrutiny of Legislation Committee, in particular about the impact on property rights of the stay. The amendment proposed in no way affects any current title, as it does not change the current positions of property boundaries, legal definitions or take away from land-holders what was already shown on a registered plan.

The amendments will not stifle development. Resurveying and subdivisions will not be held up from registration provided there is no change to the depicted tidal boundary. Under the amendments, I also have discretion to allow registration of plans approved under section 376 of the Integrated Planning Act 1997 before 8 November 2005. Additionally, if a surveyor can demonstrate that the boundaries of a subject lot have increased because of natural, gradual accretion processes, I as the minister may decide to register the plan. Registration must not be contrary to the public interest. This amendment does not draw a line in the sand, but these lines will have to be eventually drawn to give certainty to land-holders and the wider public.

A primary purpose of the stay is to allow the government to consult fully with all stakeholders. The government is committed to a consultation process to ensure that the best solutions are achieved. There has already been some preliminary consultation with the surveying industry and the Urban Development Institute of Australia. As to the question of retrospectivity, again, I have responded in detail to the Scrutiny of Legislation Committee on this issue. The introduction of the bill was to ensure that there was not going to be a rush of owners of properties with tidal boundaries lodging plans of resurvey.

The bill also deals with mortgage title fraud. As the honourable member for Callide has said, there has been an increasing number of instances of title fraud and consequential claims for compensation under the Land Title Act 1994 where mortgagees—that is, the lenders—have not properly identified mortgagors. These amendments will help protect landowners from this type of fraud and will reduce the state's exposure to the payment of compensation.

There have been cases where elderly people have had their homes sold out from underneath them. In some instances, this has been done by their own children. It certainly is a disgraceful act. The bill imposes due diligence requirements for mortgagees. The requirements reflect the current practice of most reputable lenders, and the amendments have been drafted after extensive consultation with peak bodies representing banks, credit unions and building societies. These lenders must, in many cases, comply with similar requirements under Commonwealth legislation—the Financial Transaction Reports Act 1998 and the financial transaction reports regulations of 1990. Standard practices have been developed to comply with these requirements and to minimise the lending risk.

In terms of the Valuers Registration Board, this bill responds to the board's requests for the Valuers Registration Act 1992 to be amended to allow it to better carry out its statutory responsibilities and to improve the operation of the legislation. Amendments to that act will give greater power to the board for disciplinary matters and will otherwise clarify the legislation. The amendments will provide more flexibility in relation to the application of disciplinary provisions and will provide a means for the board to investigate the suitability of a valuer for registration. We need to bear in mind that when valuers do their jobs they sometimes have entry into houses, and that is the reason we are looking at checks on criminality.

There are also a number of other amendments to improve the effectiveness and efficiency of the act. I would like to acknowledge the officers of the department in land and information titles, Land Management and Use, strategic policy and legal, mine safety and health.

I will now address specific issues raised by honourable members. The member for Callide referred to positions within the Mines Inspectorate. The department has worked hard to fill vacant positions in the inspectorate. Like the broader mining industry, the department has had difficulty recruiting appropriately qualified mining engineers to do the job. There is nothing untoward in this, and it certainly is not an issue about budgets. These amendments will greatly assist the department to ensure that the Mines Inspectorate is adequately staffed with a broad range of skills appropriate to the mining industry.

The removal of the compulsory requirement for mine inspectors to have engineering qualifications does not mean that the department will stop employing people with engineering qualifications. However, it does mean that the department will be able to expand its skills base to include occupational health and safety inspector specialists, hygienists and investigative officers. We will change work practice to have teams of inspectors in recognition that not one person will hold all the skills. It is important that we maintain a good range of skills and broaden the skills base. By only allowing holders of engineering qualifications to become inspectors, it places a restriction on the skills base of inspectors. But I stress this point, in response to the honourable member for Fitzroy's query: removing this prerequisite does not mean that people holding engineering qualifications will not be employed as inspectors. We will still employ as inspectors people who hold engineering qualifications.

Scrutiny of Legislation Committee concerns addressed by the member for Callide referred to issues raised by that committee—in particular, the impact of property rights on ambulatory boundaries.

The stay will not change the current position of landowners' boundaries. The stay is only a temporary measure. It will not take anything away from what is already depicted on registered plans. In relation to future decisions, the policy development process will include opportunities for the public to make submissions. Of course, we have three years in which to do that. It is important that we get the solution right for the long term.

The member for Callide also raised the issue of consultation. Our government understands the need to consult widely. There are a number of potentially affected property owners, but equally there are many Queenslanders who routinely visit and enjoy our public beaches. We will take this into account during consultation of course. Legal and surveying professions, as well as local governments, are key stakeholders on this matter.

On the issue of retrospectivity, the commencements of the stay at the time of the introduction of the bill are to ensure that there was not going to be a rush of tidal boundary owners having their property surveyed. If the stay was not commenced then, the registrar of titles would have been forced to register those surveys and potentially enlarge their lot areas.

Let me address the issue of land valuations raised by the member for Darling Downs. I want to dispel the recent misinformation which the honourable member has perpetrated about land valuation reporting by the department. The department reported valuations this year in the same manner as it did under the previous government. The department does not set market values; rather, the valuations it issues reflect the market. When the market goes up, so do the valuations.

The increases recorded in various parts of Queensland in recent years are indicative of the buoyancy of the property market across the state. Objections account for approximately 1.6 per cent of total valuations in the latest valuation—this year. In 1997-98 under the National and Liberal parties' government the objection rate was approximately 1.5 per cent. I am advised that, in 2004, 38 per cent of objections lodged were upheld. In 1996-97, 38 per cent of objections dealt with were upheld.

With reference to the inference of valuation reports on rates applied by local governments, I refer to a former minister for natural resources who said—

The Government is not legally empowered to place a moratorium on a valuation once it has been issued. However, council has several avenues it can take to ensure that all landholders ... are treated equally.

That statement is true. It was a statement made by the now Leader of the Opposition.

The member for Darling Downs queried why it was necessary for the Valuers Registration Board to conduct criminal history checks on applicants for registration as a valuer and on existing valuers on renewal of registration. The act currently states that a registered valuer convicted of an indictable offence may have their registration cancelled by the board. The provision exists to prevent consumers' valuation services being subjected to fraudulent practices by a convicted person, potentially resulting in financial loss. However, there is currently no mechanism that allows the board to identify prior convictions.

The act also requires that a person applying for registration as a valuer is of good fame and character, but it provides no mechanism for the board to determine this. Let us remember that valuers can access property through their work inspecting the interior of houses and other improvements. Therefore, the proposed criminal history checks should give those people using valuation services greater confidence.

On the issue of the Tara shire and valuation objections raised by the member for Darling Downs, the member was correct when he said that the valuations were issued in March this year and took effect on 30 June 2005. I am advised by the department that all objections for Tara shire were finalised by the end of September. It is common for objections to more complex valuations, including rural properties, not to be finalised before the end of the financial year. Surely we do not want a situation where valuers rush their decisions. I note that, in the 1997-98 financial year, the last full financial year of the former National Party government, there were 10,400 valuation objections outstanding out of 16,631 objections lodged that financial year. I am advised that, as of today, only 992 objections from a total of 21,668 objections received this year remain outstanding, which is less than five per cent.

On the issue of rights of land-holders to object, the department has not denied land-holders the right to lodge objections but simply provided guidelines for objectors to include appropriate information to assist in the determination of the objection. Where the information is included, valuers only need to have a conference when and if they need to clarify information contained in the objection. Land-holders have 42 days to lodge an objection. I find it curious for the opposition to, on the one hand, claim that objections have doubled and then, on the other hand, claim the department is preventing landowners from lodging objections.

The member for Gregory questioned why the government is proposing to shorten the period of continuing professional development for valuers from 18 months to 12 months. The Valuers Registration Board considers the current 18 months for a valuer to undertake their continuing professional development is too long. The board believes that reducing the period will encourage greater networking and sharing of knowledge. The member for Kallangur also addressed this issue.

On the issue of staffing of valuers within the Department of Natural Resources and Mines, there is a shortage of valuers in the industry and this is a symptom of the strength of the property market. The department is actively recruiting valuers and it has attracted a number of valuers in recent months. I am advised that the vacancy in the Longreach office—and this is good news for the member for Gregory—has been filled, and I am sure that the member for Gregory would welcome this. Indeed, there is also a valuer in Charleville within the member for Gregory's electorate. So that allays the member's concerns about there not being a valuer in the central west. The department is implementing technological improvements to assist them in their operations.

There was a perception amongst certain members that the government was taking away property rights without compensation by providing specific power for the registrar of titles to correct the freehold land register to include an omitted easement. This is not the case. This amendment is only for clarification. It gives the registrar power to correct the title to show what it is already subject to under the Land Title Act 1994. In the Torrens system there has always been an exception to indefeasibility for easements that existed at law but were not noted on a title at the time land was first bought under the Torrens system or that they were at one time noted on the title but later were not on the title for whatever reason, such as errors made when new titles were issued after a subdivision.

Compensation is payable by the state if a registered owner is deprived of an interest or suffers loss or damage for one of the reasons set out in the act. A registered owner cannot be deprived of an interest where an omitted easement is reinstated because the title has always been subject to the easement under the act. Furthermore, no claim for compensation can be made for loss or damage in respect of a matter where the registrar has power to correct the register. There was extensive consultation by circulation of a discussion paper on the correction of omitted easements on titles. The discussion paper and later a draft of the bill were provided to the Queensland Law Society, and the society raised no concerns about these amendments.

Motion agreed to.

### Consideration in Detail

Clauses 1 to 37, as read, agreed to.

Clause 38—

**Mr SEENEY** (12.05 pm): Clause 38 is the first of a number of clauses that deal with this new concept of a public thoroughfare easement. For the benefit of the House, I will address the issue and talk about the subsequent clauses that flow from that because the issue of public thoroughfare easements flows through from clause 38 to clause 41 and is mentioned again in clause 77. I think it would be appropriate to discuss the issue as a whole. As I indicated in my speech during the second-reading debate, we do not have any objection to the concept of a public thoroughfare easement but, as it is a new concept, it is appropriate that we do get some details on the record as part of the consideration of this bill which puts it in place. As the minister said in his second-reading speech, it is important that the general public retains access to beach areas especially. I certainly endorse the comments the minister made about the importance of that and the extent to which that type of access to beaches and waterways is part of the Australian lifestyle, and so it should remain.

This amendment allows for the establishment of a new type of easement. There are a couple of issues that I believe need to be explored. Firstly, could the minister confirm for me the process that would be involved in establishing one of these public utility easements. Clause 38 of the bill states—

- (a) the State or another entity representing the State; or
- (b) the Commonwealth or another entity representing the Commonwealth; ...

Could it be that a local government or some other entity has the authority to apply or establish one of these easements for public access? I would be interested in some indication as to the extent of the government's thinking in terms of defining the entities that would have the ability to establish these public access easements. I would also be very interested in the process that the government believes is appropriate for the establishment of these public thoroughfare easements on existing properties. I can understand—and it is mentioned in the explanatory notes—that there are situations where a development application is applied for where it is appropriate, as part of that development application being approved, for the developer to provide an easement so that public access can be retained to certain beaches or waterways. That is a very easily acceptable situation, and I have no problem in supporting that at all.

The concern I do raise, though, is the establishment of one of these public thoroughfare easements over an existing property or where there is no development application being applied for but where an entity, the state or an entity representing the state sees a need for public access and therefore one of those public thoroughfare easements is to be established. I would be interested to hear the minister's views and his department's position on whether or not it is envisaged that these easements would be able to be established over an existing property. If we look at the other range of easements that are available—utility easements for electricity providers or even drainage easements that local

councils are able to take—those easements are able to be established over existing property in response to an arising need.

The question of whether these public thoroughfare easements can be established over an existing property in response to a defined need is one that needs to be clarified but has not been in this debate. That then brings into question the whole issue of compensation and the change in value that the establishment of a public thoroughfare easement may have on a particular private property. There are certainly some issues that need to be clarified. I reiterate that we do not have a problem with the basic concept of public thoroughfare easements, but I certainly think it is worth while having the government's position in relation to those issues on the record.

There is another issue that the minister might like to address. The explanatory notes mention that other forms of easement, such as utility easements, have been used for public thoroughfare access. I know that is quite right. People have taken the opportunity to use those utility easements to gain access to certain areas.

It says in the explanatory notes that it is not the intention to change that situation. I would have thought that with the creation of public thoroughfare easements there would be an opportunity for the two to coexist. A utility easement that is established for the provision of a utility or service or even drainage could legally and properly be used, as it is in practice now, for public access to areas. That is something that the minister might like to comment on. I would appreciate some indication of the government's position on these issues.

**Mr PALASZCZUK:** The honourable member raised a number of issues. They seem to be quite complicated but in actual fact they are not. There is a suggestion that the state or a local government can impose public thoroughfare easements on a private land-holder, but a public thoroughfare easement can only be created by agreement between the land-holder and the authority. This is usually done with local government. The agreement will be made in relation to a development application made by the landowner.

These easements will benefit the community by allowing, as the member said, better public access to beaches and parklands. It has been identified that there is a need for a mechanism to allow the public access across private land by registration of an interest—that is, without opening a road. This will be done by amendments to the Land Act.

I do have some diagrams with me which explain this. If we look at case 3, where we have a high-rise building going up and a public thoroughfare is a requirement, then the local authority and the builder will negotiate a suitable easement. But once the high-rise is there and a body corporate is established the cost of maintaining that easement will have to be met by the local government authority and not by the body corporate. That is basically it.

**Mr SEENEY:** As the minister said, it sounds very complicated, but it is not really. I would like the minister to confirm that when a public thoroughfare easement is being proposed over an existing private property owner's lot and the private property owner is not applying for a development application that easement will only be established with the agreement of the private property owner. It is a very important point whether or not that easement can be compulsorily established against the private property owner's wish. I would envisage that the minister would answer no. But I would hope that we can put that on the record to allay the fears that some people may have.

It is very appropriate when a private property owner puts in a development application for some sort of development that one of these easements is established to ensure that the public have access. I totally support that. But if there is any thought at all to take the next step and allow the state or one of its entities to establish one of these public access easements against the wishes of a land-holder on private property then it becomes a very different issue. From my reading of the legislation that is certainly not provided for and is not envisaged. To allay any fears I would like the minister to clearly set out the government's intention.

**Mr PALASZCZUK:** Unless there is agreement between all parties the easement will not go ahead. That should allay the honourable member's fears.

**Mr SEENEY:** There was the other issue of utility easements being used for access. This happens now in a whole range of areas. There is no problem with that. I do not think anyone objects to it happening. With the establishment of this new provision for a public access easement I am curious as to why those same provisions are not overlaid on utility easements, or is it envisaged that the easements can coexist? It would effectively solve the problem if an easement became a dual-purpose easement—that is, for the provision of a utility and public access. I am curious as to why it was specifically ruled out in the explanatory notes that the new public access easement provision was not meant to change any of the currently registered easements or provide any change to the existing rights.

I wonder whether the minister or one of his staff could give us some indication as to what is intended there. I suspect that the best solution would be to have the two easements coexisting or to extend the rights of the public access easement to the utility easement so it verifies or makes technically correct the current uses.

**Mr PALASZCZUK:** My advice in relation to the coexistence of easements is that provided they are separate easements they can coexist. The reason this legislation is currently before the House is that the courts really have not determined the issue in relation to these easements. This legislation will bring clarity to that issue.

Clause 38, as read, agreed to.

Clauses 39 to 43, as read, agreed to.

Clause 44—

**Mr SEENEY** (12.18 pm): As with the consideration of the previous clause, there are subsequent clauses that flow on from clause 44 that are probably best considered as a group. I hope that there will not be any need for a division on these clauses. Clause 44 is the first of a group of clauses that deal with the registration of covenants and the establishment of covenants on private property. As I have said a number of times already during the consideration of this bill, the protection and effect on private property rights is certainly a very important consideration for me and for the opposition when considering whether to support this bill.

Given the government's horrendous record in terms of protecting private property rights and the number of pieces of legislation that have gone through this parliament which very deliberately and very aggressively attack private property rights, it is appropriate that we should be careful about the effects of this legislation on the rights of private property owners. Clause 44, amongst other things, inserts a new reason why covenants can be established and it does that by amending section 373A and inserting a new subsection 4(b) which gives a reason for the establishment of a covenant. It is as well that I quote it. It says that a covenant can be—

...aimed directly at preserving—

- (i) a native animal or plant; or
- (ii) a natural or physical feature of the land that is of cultural or scientific significance.

That is a new insertion in the act. This bill provides for a new insertion in the act for covenants to be established for those purposes. Once again, I think the discussion that we had about the previous group of clauses is relevant here as well. If this provision to establish these covenants is being used as part of the consideration of a development application, then I believe it is right and proper—and most people would accept that it is right and proper—that as part of a development application that is being proposed a developer is required, as a condition of receiving that development application, to enter into such a covenant to protect a native plant or animal or a natural or physical feature of the land.

I do not think too many people would have a problem with that, and I certainly do not. But if it is the case that there is any thinking at all within the department or the government that these covenants are going to be imposed upon land-holders who are not seeking a development application or who have not instigated an action that has been the impetus for the suggestion that one of these covenants is required, then we are dealing with a very different situation indeed. It is important that we establish very clearly the intent behind the subsection that this clause inserts—that is, that we establish very clearly that it is, as we would expect, aimed at situations where a development application is being sought.

I know that some councils do this already. There are certainly files in my office where land-holders have come to me complaining bitterly. The Livingstone Shire Council on the Capricorn Coast is an example. The Livingstone Shire Council has required, as a condition of approval of a development application, that covenants be entered into for the protection of vegetation in certain areas that they believe are significant. It is happening already.

I believe it is arguable as to whether that is justifiable, but it is an argument that should be had at the local government level. It is a decision for the council. Whether or not the particular area that is being sought to be protected by the covenant needs to be protected is something that should be contested at the council level. I was somewhat surprised to see this provision in the bill because councils are currently doing that. Perhaps it would be as well if the minister could give some explanation as to why it was necessary to have this provision in the bill as well as clearly explaining the government's intent in respect of any possibility that it may be used compulsorily where a development application is not being sought and the action is not instigated by the land-holder. I would very much appreciate having those points clarified and put on the record.

**Mr PALASZCZUK:** My advice is that some local governments have attempted to use covenants—which, of course, are voluntary, and they really must be agreed by two parties—under the Land Title Act or the Land Act as a notice board for development approval conditions. We believe it is inappropriate for covenants to be used in this way. We believe that the Integrated Planning Act 1997 provides for conditions of approval to run with the land and notification of title is not necessary. These amendments have been strongly recommended to government by the Local Government Association of Queensland, which does not agree with its members using covenants in the way that they have been. Of course, the amendments are also there to clarify the purposes for which covenants may be used, and they follow a recent court decision in relation to the Townsville Port Authority v Max Locke, the now registrar of titles.

As to other matters that the honourable member raised in relation to vegetation and so on—this clause actually replaces the existing subsection to clarify what the existing subsection meant to do. It is aimed directly at preserving a native animal or plant or a natural or physical feature of the land that is of cultural or scientific significance. The intent of this provision is that it be used as a tool to assist in the conservation of native animals and plants and features of cultural or scientific significance. This amendment gives effect to that. As an example, let us say there is a bora ring on a property. This will help to protect that bora ring.

**Mr SEENEY:** I certainly understand and agree with the comments that the minister made in the first part of his reply. They certainly apply to the latter part of clause 44 and they clear up the areas where covenants should not be used. I certainly agree with the examples that are listed in the legislation and the explanatory notes. The new subsection that I spoke about in my previous contribution—and I will not repeat it—provides for that usage and makes it available to the state or one of its entities and to local governments. As I have indicated, local governments have been trying to use these covenants for that purpose already, and the example that I used was the Livingstone Shire Council in central Queensland. I know that that council has been trying to use those covenants for that purpose.

As I understand it—and I think the minister confirmed it, but I would ask him to confirm it again—these covenants are voluntary covenants and therefore they can be required as a condition of the development application but they must be entered into voluntarily. So unless there is a benefit for the land-holder, then obviously the land-holder would not enter into a voluntary covenant, and the benefit for the land-holder in the case of a development application would be that he gets his development application approved and therefore enters into a covenant voluntarily. I seek confirmation that they are absolutely voluntary covenants and that the government has no intention of changing the voluntary nature of the covenants.

**Mr PALASZCZUK:** The honourable member is correct. As I mentioned earlier, the covenants are voluntary. To allay the honourable member's fears even further, the covenants need to be signed by the two parties before they are effective.

Clause 44, as read, agreed to.

Clauses 45 to 118, as read, agreed to.

Clause 119—

**Mr PEARCE:** I apologise for having to raise this during this stage of the debate. I have had inquiries from a number of miners to whom I sent the bill and the explanatory notes. We have some concerns with regard to clause 119. I know the minister has already spoken about the engineering qualifications, but we need to clear this up.

Debate, on motion of Mr Palaszczuk, adjourned.

## MINISTERIAL STATEMENT

### Davies Report

**Mr SPEAKER:** Before I call the Premier, I have given permission for the photographic media to be in the gallery and also, of course, the television media. I have asked them to take photographs only of those members who have the call.

**Hon. PD BEATTIE** (Brisbane Central—ALP) (Premier and Treasurer) (12.30 pm): This morning the health minister and I met with Commissioner Davies and he has provided me with a report as a result of the inquiry we established, the Queensland Public Hospitals Commission of Inquiry. The report recommends that Jayant Patel should be referred to the police commissioner for prosecution for a number of offences including manslaughter, assault and grievous bodily harm. The recommendation on page 191 is as follows—

The conduct of Dr Patel in relation to securing registration with the Medical Board of Queensland and a position at the Base be referred to the Queensland Police Service for further investigation in relation to fraud (s408C Criminal Code) and attempts to procure unauthorised status (s502 Criminal Code).

It goes on—

With respect to the matters found by Dr Woodruff, Dr O'Loughlin and Dr de Lacy, Dr Patel's conduct be referred to the Queensland Police Service for further investigation in relation to the offences of assault (s335 of the Criminal Code), assault occasioning bodily harm (s339 of the Criminal Code), grievous bodily harm (s320 of the Criminal Code), negligent acts causing harm (s328 of the Criminal Code) and manslaughter (s303 of the Criminal Code).

The conduct of Dr Patel in holding himself out as a general surgeon be referred to the Medical Board of Queensland for further investigation in relation to s158 of the Medical Practitioners Registration Act 2001.

The report is a comprehensive one. I want to advise that these matters in relation to Dr Patel will be acted on immediately. The Queensland Police Service has a team of investigators who have been investigating Jayant Patel for almost six months with the assistance of a panel of expert medical practitioners. That team will use the evidence obtained by the inquiry, as well as other evidence they

have obtained themselves, to prosecute Jayant Patel. I assure members that the government is committed to ensuring that Jayant Patel is swiftly brought to account for his actions. Everything will be done to bring him to justice. The patients and victims at Bundaberg expect nothing less.

I hope the findings in this report bring some closure to the people who have suffered at the hands of Jayant Patel. As I have said this morning, we have already made massive improvements to Queensland Health. Commissioner Davies has discovered the same national problems that Mr Forster found in his five-month review. We need a national solution. These problems are not unique to Queensland.

I draw the attention of members of the House to page 361. Paragraph 6.66 says—

And it is also wrong, in my opinion, to assume that the other states are providing an adequate and safe system. Concerns similar to those investigated by me have been investigated in other jurisdictions; at the King Edward Memorial Hospital in Western Australia (1999), the Canberra Hospital in the Australian Capital Territory (2000), and Campbelltown and Camden Hospitals in New South Wales (2002). The most recent example in New South Wales concerned allegations made by nurse whistleblowers of unsafe or inadequate patient care or treatment, disregard for quality and safety, and an indifferent hospital administration, following a number of patient deaths at the Campbelltown and Camden hospitals. The New South Wales Health Care Complaints Commission investigated some 47 clinical incidents, including 19 deaths, at those hospitals. The Health Care Commission's investigation supported the allegations made by nurse whistleblowers, finding that there were inadequate standards of patient care and safety at both hospitals.

Commissioner Davies joins Mr Forster in questioning whether Queensland or Australia can 'provide at no cost and at an adequate and safe level all of the services promised to all of the people, at least without a substantial increase in taxation or a substantial increase in income from other sources.' Those are his words. A quick reading of the report suggests that Commissioner Davies does not believe this is happening in any state. Commissioner Davies notes that national leaders on both sides of politics seem reluctant to face this question and points out that when I raised the possibility of copayments for some services, both the Australian health minister and the Leader of the Opposition stated that all Australians were entitled to a free hospital system. Commissioner Davies joins Mr Forster in saying that it is not possible and it may be necessary to consider whether either the number or extent of free services should be limited or the classes of people to whom such services are provided should be limited, or both of these. These are serious issues that obviously require detailed consideration, and they are not easy. In fact, on page 363 at paragraph 6.72 the report states—

Yet, if recent reported events are any guide, there seems to be a question which national leaders, on both sides of politics, seem reluctant to face or even admit exists.

This is in relation to Health. It goes on—

When the Queensland Government raised the possibility of co-payment for some services, both the Australian Health Minister and the Leader of the Opposition stated that all Australians were entitled to a free health system—whatever that may mean. But neither questioned what it would really cost to provide all of the free health services, now promised to all Australians, at a level which is reasonably adequate and safe; or whether indeed that is realistically possible. That a question which is beyond the scope of this Commission.

If it is not possible, then it may be necessary to consider whether either the number or extent of free services should be limited, or the classes of people to whom such services are provided should be limited, or both of these. It may not be possible for Queensland alone to do this consistently with its obligations under the Australian Health Care Agreement, but that question is outside the terms of reference of this Inquiry. The question whether free hospital services may be limited in any significant way may be one which can be, and should be addressed only on a whole of Australia basis. The reality is that Australia's national real health care spending has been growing faster than the Australian economy in every year since 1990. Sooner or later this imbalance must be addressed, as must the reality that, in Australia generally, free public hospitals do not appear to be providing those services adequately.

I have no joy in saying that, but it highlights the difficulties and the problems confronting all sides of politics. Hopefully, out of Commissioner Davies' report we can get some maturity. He points out that it may not be possible, as I said, for Queensland alone to do this consistently. Once again, I emphasise the need for a national summit or inquiry. Commissioner Davies says that raising funding to the national average is not enough and points out failures in other states, and I agree with him. That is why I want the federal government to pay its fair share. We think we are fairly and reasonably owed \$1.6 billion over the life of the current health care agreement. That is the extent to which the federal government is underfunding Queensland's public hospitals under the current agreement 2003-08. I have repeatedly called on the federal government to hold a summit or inquiry into the health service it administers so that we can free millions of wasted dollars and spend them on patient care.

Commissioner Davies found that there were inadequate budgets and there were problems with the distribution of funding. This was, of course, before our mini budget. In June we announced a record \$5.35 billion Health budget, the largest in the history of Queensland. Despite increasing funding for Health by more than 60 per cent over seven years, it was clear that there was a need to make further massive improvements to Queensland Health. On 25 October the centrepiece of the mini budget was almost \$6.4 billion in just over five years to help build the best public health system in Australia and implement the health action plan. That money will grow to an extra \$1.5 billion a year every year. The Health budget will increase to \$6.22 billion in 2006-07, \$6.58 billion in 2007-08 and \$6.84 billion in 2008-09. By 2008-09 we will have increased the Health budget in nominal terms by a staggering 109 per cent in the 10 years since 1998-99.



This will enable us to attract appropriate applicants and fund the necessary supervision in hospitals. In our action plan we have committed to developing new ways of funding the services we provide, including moving towards population based funding. This will help to ensure that services are provided according to the health needs of a community. We have already announced the increased role clinicians will have to play in decision making.

I will highlight to the House other matters that are contained in the report. In relation to Dr Keating, Commissioner Davies recommends that Dr Keating's conduct with respect to the application of a four-year visa be referred to the Australian Federal Police for investigation into whether he has committed an offence against section 137 of the Commonwealth Criminal Code on the basis that he may have knowingly or recklessly given false or misleading information to the department of immigration and multicultural affairs and that Dr Keating's conduct in relation to the renewal of Dr Patel's registration be referred to the Queensland Police Service for investigation and prosecution for a breach of section 273 of the Medical Practitioners Registration Act 2001. So Dr Keating may have given false or misleading information or documents to the Medical Board. Also, Commissioner Davies recommends that the Crime and Misconduct Commission prosecute Dr Keating for official misconduct and that, alternatively or subsequently, the director-general of Queensland Health consider taking action against Dr Keating under section 87 of the Public Service Act 1996 on the basis that he has performed his duties carelessly or incompetently or has been guilty of misconduct.

In relation to Mr Leck, Commissioner Davies recommended that the Crime and Misconduct Commission prosecute Mr Leck for official misconduct and that he may have committed a disciplinary breach sufficient to warrant dismissal and that, alternatively or subsequently, his conduct be referred to the director-general of Queensland Health for discipline under section 87 of the Public Service Act 1996 on the basis that he may have performed his duties carelessly or incompetently or been guilty of misconduct. Commissioner Davies then set out final remarks in relation to those particular disciplinary matters. I draw those to the attention of the House.

I also draw to the attention of the House a number of recommendations in relation to the Medical Board on page 377. It states—

- (1) The Medical Board failed, before registering Dr Patel, to obtain directly from the registering authority in all jurisdictions in which he had practised, a certificate of good standing.
- (2) The Medical Board failed, before registering Dr Patel, to obtain from his last employer a certificate of good standing, and an explanation of the circumstances in which he left that employment.
- (3) The Medical Board failed, before registering Dr Patel, to adequately check the documents supplied by him on the basis of which he sought registration.

On other matters, Commissioner Davies made the following findings with respect to elective surgery waiting lists. He found that in 1997-98 cabinet, under a coalition government, decided not to disclose to the public statistics which showed the number of persons on elective surgery waiting lists. That decision was contrary to the public interest. In 1998 and thereafter until 2005, cabinet under an Australian Labor Party government decided to disclose to the public the surgery lists but not the anterior lists, and only that disclosure was made. To disclose the surgery lists but not the anterior lists was misleading and contrary to the public interest. In other words, Commissioner Davies found against both sides of politics in relation to disclosure.

In terms of the Hervey Bay Hospital, at page 352 of the report Commissioner Davies found the following in relation to the evidence of Dr Buckland—

It was opened, against the advice of Queensland Health because, according to Dr Stable, Mr Horan, then Minister for Health, directed that a hospital be opened at Hervey Bay before the 1998 election.

I simply indicate that, frankly, under those circumstances it is appropriate that we now have some bipartisanship. Clearly, there has been criticism of both sides of politics. There was also criticism of former health minister Wendy Edmond. There was also some criticism of former health minister Gordon Nuttall.

In relation to other matters, Commissioner Davies found that the special purpose registration for areas of need was defective. I want to advise the House that we have already begun addressing these concerns by raising the standards for the registration and reregistration of overseas trained doctors through redesigning the area of need process. The new process takes the responsibility for declaring an area of need away from Queensland Health and gives it to the executive officer of the independent Office of Health Practitioners Registration Boards. We have also provided \$4.2 million in the 2005-06 year for the Medical Board of Queensland and the Office of Health Practitioners Registration Boards to ensure that registration processes provide a high-quality assessment and are implemented in a timely and efficient manner, conduct clinical assessments of non-specialist grade overseas trained doctors and conduct the assessment of overseas trained doctors for practise at specialist level via the established Australian Medical Council specialist college pathway. Area of need will no longer be the driving force for the placement of overseas trained doctors.

Commissioner Davies found an absence of credentialling and privileging and a failure to monitor doctors and investigate complaints. I highlight that, in the action plan, the government outlined significant steps being undertaken to promote a culture of patient safety by introducing a new clinical

governance system which encourages clinicians to more effectively review clinical practice outcomes within their work units, including timely and accurate incident reporting and investigation, as well as clinical auditing and benchmarking. In order to involve more clinicians in health decision making, clinical networks will be established to develop and implement statewide safety initiatives and improve clinical services planning. In addition, the Chief Health Officer within Queensland Health has started a review of Queensland Health's credentialling and privileging policy in consultation with key stakeholders. Commissioner Davies's recommendations will feed into this review. The partnership with the Royal Australasian College of Surgeons, announced this morning by the Minister for Health, will also boost the quality and safety of our hospitals.

A key focus of the Davies report is the way in which complaints are managed. This government has already recognised this as an issue of the highest priority. To that end, we are well advanced in creating an independent commission to manage all complaints. The government will consider Commissioner Davies's recommendations in finalising the details of the commission. Commissioner Davies says that the deficiencies he has found need to be addressed and effectively overcome and that anything less would be an inadequate response to the urgent need for a safe public hospital system.

We have listened to the evidence given to the inquiries and the review. We have already announced actions, which we are initiating, to deal with the problems that have been exposed. We will go through the report in detail to ensure that we have indeed taken all of the necessary steps to ensure a safe public hospital system for Queenslanders.

The report finds that there is a culture of concealment that has emerged amongst Queensland Health officials. Again, this is an issue recognised by the government and we are moving to fix it. We have announced that we are bringing forward the development of a new code of conduct for Queensland Health which would set very high standards of behaviour for managers and employees alike. It would make very clear that bullying and intimidation will not be tolerated under any circumstances. We have also committed to openly informing Queenslanders about the performance of our health system. As I pointed out this morning, this commitment is enshrined in law.

I mentioned before that the report criticises former Minister Edmond for not having sufficiently disclosed information on the hospital system both in terms of waiting lists and the measured quality reports. In saying so, the report recognises more broadly that this is a sin that has a long legacy—stretching back in time under successive governments from both sides of politics. However, it should be recognised that, despite the shortcomings identified by the commissioner, the level of transparency adopted by Minister Edmond was nevertheless far greater than her predecessors. In terms of what happened, that was acknowledged from what I read from the report previously. That said, since the commissioner began his inquiries we have taken measures to ensure that all relevant waiting list data is made publicly available. So, too, have the measured quality reports been made fully available to the public. In relation to Minister Nuttall, I have noted what Commissioner Davies has said and we have taken it on board. Mr Nuttall will continue as the Minister for Primary Industries and Fisheries. I have already referred to our commitment to introduce a new funding model, which will be in place by mid-2006.

More generally, on the question of organisational culture, considerable work is being done in Queensland Health under the new director-general to change the culture. The commissioner has made recommendations as a result of adverse findings against a number of Queensland Health officers including Dr FitzGerald, Dr Buckland and Dr Scott for failing to effectively discharge their responsibilities—as I mentioned earlier, Dr Keating for potential breaches of the Commonwealth Criminal Code; Mr Leck for potential breaches of the Crime and Misconduct Act; and Mr Allsop, Dr Hanelt and Dr Naidoo for potential breaches of the Public Service Act. These recommendations will be referred immediately to the relevant authorities for appropriate action.

The commissioner proposes to strengthen public confidence in the system for accountability and transparency by conferring responsibility upon the Ombudsman to oversight all public interest disclosures other than where official misconduct is involved; broadening the categories of people who may make a public interest disclosure concerning public health and safety and neglect or improper management of public funds; and establishing a regime for escalating whistleblower complaints. I will examine those recommendations in cooperation with my colleagues.

The commissioner has also highlighted some deficiencies within the Coroners Act. He finds that, as a result of these, 13 deaths were not reported to the coroner. The commissioner has therefore recommended amending the act to ensure that where a death occurs within a short time of an elective health procedure the practitioner in charge must advise the coroner of his or her opinion of the cause of death. Again, we will act to implement this recommendation.

Concealment is the final matter I want to deal with. I would point out that we made a dramatic improvement on the government of which the current National leader and Liberal leader were members. They were part of a cabinet which hid elective surgery waiting times from all scrutiny. We promised to make them public, and we did. Four times a year, good or bad, we published them widely, including putting them on the web. As part of the health action plan we announced earlier this year, my

government has legislated to openly inform Queenslanders about the performance of our health system through regular reporting with an annual report on the statewide performance of the Queensland public health system, including outpatient waiting times, elective surgery waiting lists, hospital performance reports and clinical outcomes, including quality and safety issues. Quarterly reporting of waiting list figures on the internet will continue.

Mr Davies, as I said, has criticised both sides of politics for the failure to publish appropriate information. For much of the Borbidge coalition government, February 1996 to June 1998, the then health minister, Mike Horan, refused to give meaningful details of the waiting lists and waiting times of the actual number of people waiting for category 2 and category 3 elective surgery in Queensland's public hospitals. It was the lists for elective surgery in those categories which were the focus of the Labor opposition of which Wendy Edmond was shadow health minister and I was the opposition leader. What I said can be seen in a number of questions and answers in *Hansard*, which were rejected. It is also clear from the opposition's health policy that it is not serious. I table that information for the House.

Let me conclude my remarks by saying this: in the meeting that the health minister and I had with Commissioner Davies we thanked him for his report. He has done a great service on behalf of all Queenslanders. I want to publicly thank him on the floor of the parliament. Members will recall that when the Supreme Court made a decision in relation to the Morris inquiry and shut it down, we were left in limbo. Commissioner Davies accepted my invitation to head that inquiry, and I thank him for doing so.

The point I want to make is this: this report gives us a way forward. Today is an historic day for Queensland because it enables us to continue the most significant reform of the health system in the history of Queensland. No government in the history of this state has ever had the guts to do what we did. No government is nationally doing what we have done. Indeed, if we look at what Commissioner Davies has said about the need for these matters to be dealt with nationally, what needs to happen from now on is that we move from what Queensland has done and use that as a model for what should happen in each state of Australia and what should happen nationally.

Let there be no doubt in anyone's mind that if we do not get national reform of the health system we will continue to waste billions and billions of dollars of taxpayers' money. We now have a way forward, with the implementation of Peter Forster's and Commissioner Davies's recommendations, which will see the victims of Bundaberg get natural justice for what they should be and are entitled to. My government is determined to ensure that we do move forward to give Queenslanders the best health system that they can possibly expect.

My government had the guts to do this. Let us be clear about this: no-one had to set up these inquiries, and the nonsense I hear from those opposite is just that—nonsense. No-one had to set up these inquiries. The history of health issues in this country and in this state on all sides of politics has been to cover them up. We could easily have waited out the issues in Bundaberg politically and no-one should misunderstand that or underestimate that. Of course we could have. But that is not the style of my government. The style of my government is always to be open, honest and transparent. We took this issue head-on.

There has been a lot of political pain for my government. As I said this morning, there are many people in my party who thought we should never have done this, but we did it because we are open and transparent. We now have a way forward based on Peter Forster's report and Commissioner Davies's report. What we need, though, is some commonsense. We need some commonsense from those opposite. If they are genuinely interested in the reform of the health system, as opposed to simply scoring cheap political points, they will work with us. What this report says in relation to waiting lists and waiting times and all the rest of it is that both sides could have done better. Both sides of politics get criticised in this report. There is no room for anyone to be gloating about this. There is a need for bipartisanship so that we can finally move forward and give Queenslanders what they are entitled to, and that is what we will do.

I say to the opposition: do not continue to be part of the problem; be part of the solution. We now have a way forward. The inquiries are now over, but the work that we started when we set up these inquiries back in April is going to continue. We are determined to ensure that we have a health system that is the envy of Australia. I table the report from the Davies inquiry for the information of all members.

## MINISTERIAL STATEMENT

### Davies Report

**Hon. S ROBERTSON** (Stretton—ALP) (Minister for Health) (12.54 pm): I welcome today's commission of inquiry report. I will join the Premier in seriously considering each and every one of the inquiry's findings. Let there be no mistake: this report, along with the independent review we commissioned into Queensland Health's systems, will form the basis for building the safest and best public hospital system in the country. To this end, we will consider every recommendation for reform and improvement on its merits. If it is a good idea, we will do it.

However, an ongoing paradox has struck me ever since I took over the health portfolio and it is apparent in today's report—that is, the need to properly and thoroughly check the qualifications and monitor the performance of overseas trained doctors versus the need to recruit more of these doctors to help rebuild our health system. As the commission of inquiry report points out on pages 25 and 26, 'there are, in fact, fewer doctors per head in Queensland than in any other state or territory'. Then on page 33, the report says in relation to 'Area of Need Registration by the Medical Board'—

There are, in addition, related shortcomings in the manner of registrations of applicants under the provisions and its consequences.

Our government has totally agreed with the concept of having robust checks and balances in place. That is why we have already significantly strengthened the roles and capabilities of the Medical Board of Queensland and the Office of the Health Practitioner Registration Boards as well as committing to a new, widespread health commission to effectively deal with complaints. On the flipside, the report and the review made it clearly apparent that Queensland needs more overseas trained doctors because the federal government has failed to provide enough Australian trained doctors. Should anyone doubt that, then all they need to do is go to page 25. Page 25 of the report sets out quite clearly the role of the federal government in terms of the current doctor shortages impacting not just on Queensland but also Australia-wide.

Notwithstanding the dreadful acts of Jayant Patel, in many areas overseas trained doctors are the medical backbone of our health system, especially in our major regional hospitals. I take this opportunity to put on record my thanks to these doctors for their hard work and dedication. We have ramped up a major recruitment drive on several fronts but, unfortunately, we are contending with a very competitive market. Put simply, there is a chronic shortage of doctors around the world. Queensland is competing not only with other Australian states and territories but also with other countries. It is a tough market, and we need to do everything within our power to attract and retain doctors and, at the same time, ensure quality and safety. I see it as one of my primary responsibilities as Minister for Health to ensure that the community can have confidence in its doctors.

We will not walk away from our reforms. We believe they are absolutely necessary for preventing another Jayant Patel from practising in our hospitals. We make no apology for being meticulous. However, we face an ongoing doctor shortage if we do not recruit more from overseas safely. I am pleased to announce to the House today plans to establish a specialised recruitment team which will significantly speed up the time it takes to get overseas trained doctors interested in working in Queensland—actually 'working' in Queensland, treating Queenslanders.

The team will be 100 per cent focused on guiding overseas applicants through the complex maze of registration and practising requirements. In effect, this new team will case manage each suitable applicant according to their personal needs. Currently, international medical specialists are left to their own devices as they navigate through a network of up to six different bodies and organisations before being able to work for Queensland Health. Members should understand that it is not as simple as applying for registration. Yes, the doctor does have to lodge an application with the Medical Board of Queensland, but here is what else has to happen.

Queensland Health first needs to identify an area-of-need position for a specialist and find a doctor to fill the position. The Commonwealth Department of Health and Ageing needs to classify the job as being appropriate for an overseas trained doctor. This would allow the specialist to exercise their private practice option in the years ahead. The doctor's details are referred to the Australian Medical Council—or AMC—for verification. Once verified, the details are referred for assessment to the relevant specialist medical college such as the Royal Australasian College of Surgeons. The relevant college prepares a report on the doctor's qualifications and makes a recommendation to the Medical Board of Queensland on whether the application is supported.

All the information from the relevant specialist college and the AMC is provided to the Medical Board, which can process the application for registration. But that is not all: the doctor must wait to be formally registered by the Medical Board before they can apply to the Commonwealth department of immigration for a special visa to practise in Australia. Finally, once the visa is issued—a timely process in itself—the doctor can start thinking about coming to Queensland. But again, there is more.

After giving notice in their place of work and making all the necessary arrangements for relocating their family across the world, they also need to apply to the Health Insurance Commission, a Commonwealth agency, for a Medicare provider number. Even after all of this, at any point in the process a body such as the department of immigration can ask for further documentation. This can significantly delay recruitment and possibly deter doctors from working in Queensland. The whole process can take anywhere from six to nine months for overseas specialists to navigate, during which time positions in our public hospitals could remain and do remain unfilled.

Another point to consider is that doctors would find it very difficult to resign from their job in the United Kingdom if they are still unsure whether they will be allowed to work in Queensland. Put simply, it is confusing for those who know the system and almost impossible for those who do not.

The team I announced today is designed to confront these complications head-on. Each and every doctor who moves from another country to take up a position in Queensland Health will be individually case managed through the whole application, registration and immigration process. From the point where the overseas doctor lodges an expression of interest to the point where he or she treats their first patient in our hospitals, a Queensland Health employee will help them through the whole process by providing advice, direction and support wherever necessary. Queensland Health will support these doctors and personalise management plans for each of them. This will include screening and assessment to select those best able to make the transition, assistance to prepare for the Australian Medical Council examinations, preparation for employment and postpreparation assessment, mentoring and supervision in practice until gaining general or specialist registration, case management of progress to vocational practice, and career advice.

Queensland Health will establish a recruitment team that provides a coordinated and personalised response to recruitment across the state. Importantly, this will not in any way diminish the rigour of our current systems. We are not prepared to compromise on quality and safety. Rather, it will complement existing work and will particularly increase efficiency in recruitment of overseas health professionals, producing a positive outcome on staffing shortages across Queensland Health. While this team will look at recruitment issues across health professions for the medical profession, this approach will ensure that the people of Queensland have access to doctors who have been fully assessed as competent and are prepared to practise prior to employment; who have been supervised and mentored until attaining their fellowship of Australian Specialist Medical College; who have been case managed regarding registration, immigration, Medicare provider number status; who have progressed towards vocational status as appropriate; who have progressed to achieving the Australian standard in terms of medical qualifications; and who have become permanent residents on achieving general practice registration.

This new recruitment team will be critical to positioning Queensland Health as an employer of choice and will have a coordination role for its recruitment of professional staff across the organisation. I will release further details about the work of this recruitment team in the days ahead.

Members may recall the commitment detailed in the recent \$6.4 billion action plan for the establishment of a ministerial task force to investigate a number of issues. I can report that the task force is up and running, having held its first meeting on Monday of this week. The aim of this task force is to develop an integrated, coordinated quality based process. All key stakeholders are represented including the AMA, the AMC, the department of immigration, specialist medical colleges, the Medical Board and Queensland Health.

In conclusion, let me say that it is time for the federal government to come to the table and cooperate with and support our extensive reforms. Unless it does, it should be held to account by the public and the media for its failure to heed the need for it to do what Queensland has already done, and allocate its substantial surplus to addressing the No. 1 public health issue in Australia today: the demonstrable need to deliver Queenslanders and indeed all Australians with a sustainable public health system that meets the needs of 21st century Australians. This is not to suggest that for one moment we are walking away from our responsibilities here in Queensland to get it right with our public health systems. But we are not alone in the responsibilities to get it right. The federal government has a role to play.

Page 25 of the report outlines exactly the responsibilities of the federal government, and to date it has been let off the hook. Well, no longer. It is time it came to the table in a cooperative way, partnering Queensland in terms of addressing doctor shortages, addressing underfunding, addressing areas of need, and addressing the specific challenges of a dispersed population, which Queensland has. Unless it does, it should be appropriately held to account by the general public and by the media for its failure to do so. There is no longer any excuse for the federal government to ignore its role and its responsibility in partnering us to get it right for the people of Queensland.

Sitting suspended from 1.05 pm to 2.30 pm.

## MINISTERIAL STATEMENT

### Davies Report

**Hon. GR NUTTALL** (Sandgate—ALP) (Minister for Primary Industries and Fisheries) (2.30 pm): Early in my tenure as health minister, I made a ministerial statement which said—

The job of ensuring that Queensland's health system remains one of the best is not just the responsibility of one person, it is not just the job of health staff or management; it is also the responsibility of every member of this parliament on behalf of our constituents.

Clearly, I along with all other Queenslanders deeply regret that the processes put in place to prevent what happened in Bundaberg failed. It has been made indisputably clear by Commissioner Davies that there were failures in the information that was provided and not provided to me in regard to

events at Bundaberg Hospital and Dr Patel. I am not here to apportion blame. Commissioner Davies's report read in its entirety speaks for itself.

In regard to the findings against me, I stand strongly by what I have said in both oral and written briefings to the commission. At all times I acted in accordance with advice provided to me by those within the department, from the Medical Board and from the Chief Health Officer. Evidence does not warrant, and has not warranted, the making of adverse findings or recommendations against me. Neither could my actions be regarded as misleading, unreasonable or careless. On just one specific matter, evidence of what I allegedly said, according to the statement of one nurse at a meeting in Bundaberg on 7 April in regard to the member for Burnett, is contained on page 168 of the report. I reiterate what I said in evidence to the commission: that is simply not true.

The Queensland Public Hospitals Commission of Inquiry is as much about the future as it is about the past. There were system failures which this government has recognised and is already addressing. What happened at Bundaberg Base Hospital is a tragedy that should not have happened and must not be repeated. This government is determined to ensure that Queensland's health system is once again the very best in Australia. I will continue as a minister to play a role in this government's future.

## NATURAL RESOURCES AND OTHER LEGISLATION AMENDMENT BILL

### Consideration in Detail

Resumed from p. 4515.

Resumed on clause 119—

**Mr PEARCE** (2.33 pm): Before the adjournment, I was seeking clarification with regard to clause 119. The explanatory notes state—

Clause 119 amends section 123 by removing the mandatory eligibility requirement of a professional engineering qualification for appointment as an Inspector and providing that the Chief Executive may appoint a person as an Inspector only if the Chief Executive considers the person has appropriate competencies and adequate experience ...

I will come back to that. The response I am getting from some people in the industry is that they are concerned about the last sentence in the explanatory notes which states—

The previous statutory qualifications are no longer considered necessary for all Inspectors.

The guys out in the field are saying to me that that appears to be a little open ended. They have asked me to have it clarified on the record so that we all understand what it means. What we are seeking is some assurances to the coal industry's employees that the high standards set by the Mines Inspectorate are maintained not only in open-cut mines but more particularly in underground mines. I think everybody in this place is very aware of the need for experience and appropriate qualifications for anybody who is in control of a mining operation or anybody who is monitoring the safety of an underground operation.

We are concerned about whether persons operating as inspectors in the Queensland Mines Inspectorate who carry out their duties and responsibilities in underground mines will have the same competencies that they have today. What mineworkers want to know and be sure of is that those inspectors will have those competencies that currently exist. They want to be sure that the standard is maintained, because it is a high standard. It is the best in the world. We are very proud of it, and we want to make sure that it stays in place. Underground mining is a hazardous environment. It takes a long time to learn and understand what happens with respect to an underground mine. An underground mine talks to you as a worker, as a person, within the bowels of a mine. It talks to you, and you get an understanding of it. You cannot get that by simply turning up and having the responsibility without having the experience. We all believe mineworkers must have the protection of that experience, which can only be gained, as I said, through years at the coalface.

The chief executive officer may appoint a person as an inspector only if the chief executive considers the person has appropriate competencies and adequate experience. We believe those words must be set in concrete so that there is no waiving of standards when difficulties arise in filling vacancies, particularly for underground mines. It is so important that those persons who are carrying out their duties as inspectors of mines have that experience and understand the conditions which the mineworkers are working in underground. They understand the roof, the ventilation and the gasses—all those types of things. As I said before, you only get that experience by being there, by working there and by getting to know it. Let the mine talk to you so that you get to know it and you can talk back to the mine. You have to be there to understand it. That is the issue that we are concerned about: that these inspectors continue to have the same appropriate competencies and adequate experience.

**Mr PALASZCZUK**: I would like to thank the honourable member for his contribution. The honourable member was a member of the steering committee for the review of the Mines Inspectorate announced by the former minister in August last year. Therefore, I value his comments with regard to the Mines Inspectorate.

As I have already said, the removal of the compulsory requirement for mine inspectors to have engineering qualifications does not mean that the department will stop employing people with engineering qualifications. What it will do is ensure that the department can expand the skills bases of the Mines Inspectorate to include people with appropriate qualifications in fields such as occupational health and safety, and investigation.

The work practices of the Mines Inspectorate will and must change to teams of inspectors in recognition that not one person holds all the skills. This reform specifically responds to the review's deliberations. For instance, the review recommended that inspectors should as much as possible be conducted on a team basis with appropriate expertise involved. Similarly, the review recommended that differentiation between inspector and inspection officer positions should be on the basis of competency and experience in areas relevant to the work of the Queensland Mines Inspectorate, not the mining industry, with opportunities for inspection officers to progress to inspector positions by gaining additional qualifications and experience.

The reforms proposed in this bill will benefit the Mines Inspectorate and, in turn, the mining industry, the mineworkers that the honourable member is so passionate about and their families. I say to the honourable member in the strongest possible terms that the reform is not about dumbing down the Mines Inspectorate; it is all about broadening and strengthening the skills base of the inspectorate. I would like to acknowledge in this House the work of the people in the Mines Inspectorate. They do an important job. By passing these amendments today in the parliament is acknowledging this fact.

I refer the honourable member for Callide to page 79 of the report that I have in my hands, titled 'Specialisation and teamwork'. Section 4.2.4 goes through the whole issue in chapter and verse as to how the Mines Inspectorate is going to operate. I reassure the honourable member and all those with whom he mixes in his electorate and other people within the mining industry that these provisions are about strengthening the Mines Inspectorate to make mines safer for the people who work in our industry rather than, as some people suggest, winding the clock back. We are about strengthening the industry.

Clause 119, as read, agreed to.

Clauses 120 to 127, as read, agreed to.

Clause 128—

**Mr PALASZCZUK** (2.41 pm): I move the following amendments—

**1 Clause 128—**

At page 85, line 5, 'pt 8'—

*omit, insert—*

**'pt 9'.**

**2 Clause 128—**

At page 85, line 8, '8'—

*omit, insert—*

**'9'.**

**3 Clause 128—**

At page 85, line 9, '105A'—

*omit, insert—*

**'105ZP'.**

Amendments agreed to.

**Mr PALASZCZUK:** I table my explanatory notes.

Clause 128, as amended, agreed to.

Clauses 129 to 150, as read, agreed to.

Schedule, as read, agreed to.

### Third Reading

Bill, as amended, read a third time.

## ORDER OF BUSINESS

**Hon. H PALASZCZUK** (Inala—ALP) (Minister for Natural Resources and Mines) (2.43 pm): I move—

That government business orders of the day Nos 2 to 5 be postponed.

Motion agreed to.

## WATER EFFICIENCY LABELLING AND STANDARDS BILL

### Second Reading

Resumed from 25 October (see p. 3424).

**Mr MESSENGER** (Burnett—NPA) (2.43 pm): I rise to offer the support of the opposition to the Water Efficiency Labelling and Standards Bill. It is a commonly cited fact that Australia is the driest inhabited continent in the world yet Australians are amongst the highest water users in the world. On average, daily domestic water use is about 350 litres per person, a figure which has risen dramatically in recent years.

The water efficiency labelling scheme is a practical way to ensure that the community plays an active role in demand management of water usage. This scheme is an initiative of the federal government and is being implemented with the joint cooperation of state and territory governments. The WELS Scheme is designed to address domestic water usage and achieve greater national consistency through the introduction of more efficient household products.

At the outset I state that the opposition supports practical demand management strategies and acknowledges that these are an important and legitimate way to plan for a sustainable future. The federal government also acknowledges this and, thankfully, has come up with a number of practical ways to encourage the community to curb its water and energy use while continuing to plan for future growth. We in the opposition are also pleased that the state government has been pushed into participating in the WELS Scheme because it will probably go down as one of the few things that this Labor government has achieved for the environment since it came to office.

We all know that the Beattie Labor government introduced a water recycling strategy in 2001 with a lot of fanfare. However, it took four years for legislation to be changed to allow householders to recycle grey water on their gardens. We still await tangible state government support for practical recycling projects such as the Lockyer Valley pipeline. The average person on the street wants to know why our stormwater continues to run out to the ocean while water restrictions cripple many towns across the state and why the government has sat on its hands on the issue of water recycling for so many years. While the Beattie government favours inaction, many of us have introduced practical measures in our own homes to ensure that water and energy use is reduced.

Of course, there is an emphasis here on the word 'practical'. We all remember the member for Indooroopilly's suggestion a couple of weeks ago that we should all 'eat a veggie and save the world'. I am sure that the member for Indooroopilly felt like a hero the next time he tucked into his lentil burger, but for the sake of his poor constituents I hope that the minister for primary industries has taken the member for Indooroopilly aside and enlightened him as to the stupidity of his remarks.

While we acknowledge the importance of demand management strategies, we do not believe that this is an end unto itself, unlike the members opposite. The opposition believes that there is a need to adopt a two-pronged approach here—by implementing practical demand management strategies and by planning for future growth.

I disagree with the minister's comments that dams are a man thing. I repeat that: dams are a man thing. I say to the minister that planning for future growth should not be considered a gender specific bias. I think that the minister is being terribly unfair on the rest of her sex. Dams are essential infrastructure that serve a great purpose in providing for population growth and industry development.

This government has a duty to heed the cries of all those towns across Queensland that are in danger of running out of water and must plan for their future water needs. Lack of future planning aside, I am pleased to support the WELS Scheme, which is just one practical way to ensure that the community reduces its water use and increases its awareness of domestic water consumption. The products covered by the WELS Scheme include clothes, washing machines, dishwashers, toilets, showers, taps and urinals. From 1 July 2006 mandatory registration and labelling will apply to all these products.

The federal government estimates that by 2021 the community stands to save an estimated \$600 million through reduced water and energy bills and estimates that water efficient labelling will cut domestic water use by five per cent or 87,200 megalitres per year.

The WELS water rating label will have two components—a star rating that gives an assessment of water efficiency and an estimated water consumption figure. The WELS water rating is similar to the energy rating label which some whitegoods currently carry and replaces the Water Services Association of Australia voluntary water conservation labelling scheme. It consists of five stars. Obviously, this bill places an obligation on manufacturers, importers and retailers of WELS products.

The scheme places an obligation upon manufacturers to ensure that their products comply with the registration and labelling requirements. Retailers must also ensure that the products that they offer for sale have been labelled and registered as required. I also note that some particularly hefty penalties apply to retailers and manufacturers for noncompliance. Whilst I am aware that these penalties have



largely been set by the Commonwealth, I remain concerned that some small independent retailers in particular may not be aware of their new obligations come July 2006. I hope that the minister in her response can provide information as to what assistance the EPA will provide to retailers and manufacturers to ensure that they are informed of their obligations and not caught unawares.

The WELS regulator may appoint state and Commonwealth officers as WELS inspectors. I hope that the minister can provide further information to the parliament as to the estimated number of EPA officers who will be engaged as WELS inspectors and the estimated cost to the EPA of administering the scheme. In conducting my research on this piece of legislation, I consulted the excellent federal government web site—[www.waterrating.gov.au](http://www.waterrating.gov.au)—which contains a lot of useful information regarding the WELS Scheme and allows members of the public to search for information regarding water efficiency labels. I would also like to enlighten members of the House to some of this research.

A standard shower head uses about 15 to 25 litres of water per minute but a water-efficient shower head can use as little as six to seven litres per minute. There is quite a saving there. A regular shower head uses at least 120 litres of water per eight-minute shower whereas a water-efficient shower head uses less than 72 litres, or 40 per cent less, water. Installing a water-efficient shower head saves about 14,500 litres of water per household per year. Operating a standard shower head with gas hot water costs around \$1,500 over 10 years compared to only \$790 for a water-efficient shower head. That is a 47 per cent reduction.

An old-style single-flush toilet can use up to 12 litres of water in one flush but more water-efficient dual-flush toilets average less than four litres. Operating a single-flush toilet costs around \$760 over 10 years compared to only \$250 for a water-efficient dual-flush cistern, which is an impressive 67 per cent reduction. Replacing a traditional single-flush toilet with a water-efficient dual-flush toilet saves around 51 litres per person per day. Using a water-efficient dual-flush toilet reduces water use by approximately 1,000 litres per household per year.

About 60,000 new urinal stalls are installed in Australia each year. The average urinal uses about 2.2 litres per flush. The most efficient urinals reduce flush volumes to 1.5 litres per flush, a reduction of more than 30 per cent. The WELS Scheme will encourage more urinals with smart controls which reduce the incidence of unnecessary flushing. The potential water savings from using the most efficient urinals combined with smart controls could approach 40 per cent to 50 per cent. A water-efficient washing machine uses one-third the water of a water guzzler. By using water-efficient washing machines, WELS products could bring about a saving of around 25,600 megalitres of water per year. By the year 2016 that would be enough water to fill 12,500 Olympic swimming pools per year. This represents a reduction of 8.8 per cent in the water use of the clothes washers that will be sold between 2003 and 2016.

The most efficient dishwashers consume half of the water of average models. WELS could bring about a reduction in national dishwasher water consumption of nearly 12,000 megalitres per annum by 2016, which is enough water to fill 600 Olympic swimming pools each year. This represents a reduction of about 6.5 per cent in the water consumption of dishwashers that will be sold between 2003 and 2016. Typical taps discharge 15 to 18 litres per minute but low-flow and aerating models may use as little as two litres per minute depending on the intended application. Taps with an aerator or flow restrictor may reduce the flow to less than a third of standard taps. It is incumbent upon all Queenslanders to find every way to save a drop of water. Water is a precious commodity, a precious resource. For the reasons that I have just illustrated, I commend the bill to the House.

**Mr SEENEY** (Callide—NPA) (Deputy Leader of the Opposition) (2.55 pm): I rise to make a short contribution to the debate on the Water Efficiency Labelling and Standards Bill 2005. The technical side of the bill has certainly been outlined by the shadow minister in his second-reading debate contribution, which he has just completed. I will not go through the technical side of the bill. I will, however, take the opportunity to reinforce one very pertinent comment that he made. While no doubt every member of the House will support the Water Efficiency Labelling and Standards Bill, it is but one step in the process. While we should support, we should encourage and we should mandate these types of actions to ensure that water is used efficiently not just in household situations but right across the water use spectrum, it is only one part of an approach which is necessary to solve the problems that are emerging and have been emerging in the provision of a water supply to Queensland and south-east Queensland generally.

As the member for Burnett said, we have to provide the infrastructure to store and deliver water in the first place. Once we have done that, then we should use it as efficiently as possible. Once we have made the commitment to provide the infrastructure to store rainfall in an increasingly variable climate, then we can focus on such things as water efficiency and water-saving programs. Where the Beattie Labor government has failed, as previous Labor governments have failed, is in terms of the first step—that is, providing the water infrastructure to ensure that the water is available in the first place. While the proposal contained in the bill before the House certainly warrants our support, it is on its own not sufficient to ensure that Queensland has a reliable supply of water for domestic purposes into the future.

There seems to be some sort of belief within the Beattie Labor government if we listen to the contributions made by speakers in debates such as this in this House that somehow if we can focus on water efficiency and water saving programs and make everyone aware of the value of water then we will not have to build water infrastructure. That is a trap that, unfortunately, the current government has fallen into. The people of Queensland will pay the price for that simply because there is a long lead time in the provision of infrastructure. It is not something that can be built overnight. The water that is delivered from that infrastructure is not provided quickly.

The planning process for south-east Queensland that was introduced with such fanfare in the recent past is notable because of the fact that it completely ignores the need for providing water infrastructure in a timely way. It provides for water infrastructure projects that will not be delivered until 2020, well after the demand for water that will flow from the development that that planning process quite properly anticipates. It is very easy to support the bill before the House but every member of the House should, in supporting this bill, recognise the need to provide the infrastructure to provide the water in the first place.

I think this bill and the efforts that it encapsulates are certainly bringing urban water users up to a standard that commercial and rural water users have met for some years now. When I first came into this House, the only people who were interested in water were irrigation farmers. We have seen water efficiency schemes and water savings schemes in the irrigation industry for many years. We have also seen quite considerable gains made in terms of water usage and water efficiency. It is good to see the major urban users now starting to catch up in terms of those efficiency gains because now water is an issue for everybody. Now that water restrictions are being faced by urban consumers, water and water efficiency are issues for everybody.

I commend the bill to the House. I commend the member for Burnett for the examination of the bill that he made in his contribution to the debate. I look forward to the day when the Beattie Labor government actually starts to build some water infrastructure to ensure Queensland, and south-east Queensland in particular, has a reliable supply of water to guarantee its future.

**Mrs LIZ CUNNINGHAM** (Gladstone—Ind) (3.01 pm): I rise to support the Water Efficiency Labelling and Standards Bill 2005. With the changes over time to the pricing policies of water boards—and in my electorate the local governments are directly involved in water board activities—I think many consumers will welcome the labelling proposal so that they can make informed choices in terms of product purchases for their homes. With the advent of efficiency ratings on electrical goods—particularly whitegoods—I think most consumers, when they go into an electrical store, do take the time to be informed about the relative efficiencies of the various models and that is part of their purchasing criteria. I believe the same will occur with the labelling and standards that are evident on water-using equipment.

For many years, people who were reliant on collected water—whether that is rainwater tanks or dams—were automatically or by nature exercising this caution. Most people who are on septic systems or, as I said, on caught rain rather than reticulated water from a central collection point like a community based dam, have used water-efficient means to save water. They have used the brick or the filled water bottle in the toilet cistern to displace the water—to ensure there is sufficient for economical flushing but also to save as much as possible in terms of the water used. So I have no hesitation in supporting this.

I seek clarification on the mechanism that will be used to ensure any retailers who are caught by this piece of legislation will be fully informed of any obligations and responsibilities they might have. I also seek clarification on the educational program that will be put in place in terms of consumers becoming aware, firstly, of the existence of these water efficiency labels and, secondly, how to interpret them well. I commend the minister for the initiative and look forward to supporting the bill.

**Hon. DM WELLS** (Murrumbidgee—ALP) (3.03 pm): It is with great pleasure that I rise to support the Water Efficiency Labelling and Standards Bill—or the WELS bill, as it will become known. I have noticed that government rolls out an enormous number of gratuitous and unnecessary acronyms—or GUAs, as they are sometimes known—but here is one that, to me at least, finally makes sense.

I congratulate the minister on the introduction of this piece of legislation. The minister is not one—if I may say so, with great respect and diffidence—who always acknowledges the full extent of her depths of obligation to her predecessors. Indeed, I will share with the House that I was recently at a meeting where she failed to do this, but I can say that today she has shown the full extent of her contrition by naming this bill after me. I would like to thank her for her wisdom not only in pursuing this environmental initiative but also in the dedication which it represents.

I have had the pleasure of listening to the speeches of the honourable members for Burnett and Callide. While I do not wish to disturb the conclusions that they have reached on this point, I would like to address some of the argumentation that they offered the chamber. I agree with their conclusion—they are going to support the bill—and I do not want them to be put off from their determination to vote for it when I say that some of the arguments that they used to get there were a little flawed.

I will limit what I have to say about the honourable member for Burnett, who, with prepared spontaneous wit and invective, attacked my colleague the honourable member for Indooroopilly for some of the very sound things that he had said in the past. He also went on to describe this as a federal

government initiative. This is not actually a federal government initiative. By virtue of the somewhat, on occasions, unwieldy three levels of government that we have, it is necessary sometimes to have coordination meetings. Ministerial councils, including environment ministers' councils, sit together on frequent occasions in order to work out coordinated strategies. The WELS Scheme is one of the those strategies. It is not specifically a federal government initiative; it is something that arises out of the needs of the entirety of Australia. I do not think I need to thank John Howard for the WELS Scheme. I am very happy to thank the honourable the minister in this House, who is the minister for this jurisdiction, for her wisdom in introducing the WELS Scheme to this parliament.

I would like to refer very briefly to what the honourable member for Callide said, because what he said was really interesting from a philosophical point of view. He pointed out that we were short of water and therefore we needed more water infrastructure. It is not always that simple. These things do not have to be driven by the need for more infrastructure. These things should be driven by the wisdom of appropriateness. The central concept in environmental thinking is the concept of sustainability. The question is whether it can go on perpetually—whether usage can be continued at the present rate. Obviously, in different circumstances things can be done for an indefinite period of time at different rates. For example, one can go on breathing as much air as one likes, so long as it does not get contaminated with noxious chemicals that fall out from factories. Environmental regulation is needed to do that. Air is not a scarce resource unless the air gets contaminated.

In some parts of the world, water is not a scarce resource and therefore it is not necessary to take the kinds of conservation measures we have to take here. Here, on the world's driest continent—I think the honourable member for Burnett said 'the driest inhabited continent'; if one counts Antarctica as uninhabited, it is still a great deal wetter than Australia so Australia is, by any standard, the world's driest continent—we do need to take these measures.

We can achieve sustainability in respect of water without draconian changes to our lifestyle. It can be done very simply, and the Water Efficiency Labelling and Standards Bill—it requires the labelling of those devices which deliver the outcomes that we want from that water, whether those outcomes be showers, flushed toilets, washed dishes or washed clothes—addresses that very important objective of ensuring the usage of water is appropriate to the circumstances of this, the world's driest continent. It is a significant step.

I note that the honourable member for Callide said that some initiatives are not going to be complete until 2020. This is only one of a suite of initiatives on which the government is embarking. I note that the minister has many more arrows in her quiver with respect to water conservation. Might I point out in this respect that the amount of infrastructure we need does not depend only on the uses to which we put the water. For example, if we irrigate in a place where the land is not appropriate for irrigation we would be wasting water, and if we simply use appropriate farming technology we are going to save a great deal of water. Likewise, if we use appropriate gardening technology in our suburban backyard we are going to save a great deal of water. This is one of a number of different suites of activities that could be undertaken.

Where we get the water also has an effect on its sustainability. Say, for example, we choose to get a greater proportion of the water from rainwater tanks and a lesser proportion out of the dams; then obviously we do not need to build so many dams. There is a vast range of things that we can do. The fact that some of the initiatives that the minister is proposing to the House in this particular legislation are undertaken over an extended period is no matter. We need to look at the full range of what we can do.

At the end of all of this I am conscious of the fact that this is a piece of legislation that has the unanimous support of honourable members opposite. I congratulate them on their wisdom and bipartisanship in respect of that. I would say that this is something that should bring all Queenslanders together. We do together face the exigencies of an extremely dry and extremely water-scarce part of the world. We need to have appropriate technology to sustain the lifestyle that we enjoy in this beautiful but water-starved part of the earth. This is a step in the direction of delivering that technology. It is all about sustainability; it is all about what our environment can sustain. This is going to deliver something to us which will guarantee our lifestyle but sustain our environment. I commend the bill to the House.

**Mr FRASER** (Mount Coot-tha—ALP) (3.12 pm): It is my pleasure to follow a typically erudite speech by the member for Murrumbidgee in support of this bill, an eponymous bill as he rightly points out. I think that this is legislation that is entirely worthy of everyone's support and I note that it does enjoy majority support in the House this afternoon.

The important circumstance that this bill introduces is consumer awareness about the nature of water consumption by water devices and appliances in their homes. We can all remember a time when we did not have the star rating of energy efficiency of appliances. We can all see the difference we now find in consumer behaviour and, indeed, in manufacturing behaviour in terms of appliances and the energy efficiencies and the savings that have been produced by that scheme. There is not a lot to distinguish one from another as we walk along the floor in Harvey Norman. There is an element of aesthetic pleasure about the lines of a fridge, I am sure. However, sometimes it is lost on many of us.

Apart from the distinction in price, the most relevant point of distinction for many consumers is the amount of energy that the fridge might use. It is certainly the case in the parallel of fuel efficiency of motor vehicles. The most telling factor about the amount of petrol that anyone might use is not their driving habits in particular but the type of car that they drive. It is at the point of sale where that information is most relevant. That is certainly a matter that is before the select committee which I am chairing at the moment.

This scheme seeks to extend that very sound concept through to the water efficiency of appliances in one's home. I know it is certainly something that I find relevant in making consumer choices and that many other people do as well. Ultimately, there are benefits in terms of efficiencies and savings and, if people have a mind, not just for the immediate impact on themselves or their back pocket but also the impact on the broader environment and the community over a period going forward.

In thinking about these circumstances it always strikes me that I have very strong memories from my childhood of my grandfather walking around the house turning off lights the minute someone moved from the room or, indeed, if they were not moving enough inside the room at any given point. He did that by night, and by day he occupied himself by constantly shifting the sprinkler out the front to water the lawn. It was the case in those days that people paid for electricity and did not pay for water. That small story about behaviour on the part of one person tells a story about how we value the resources that we have in the world, that is, electricity use is obviously driven by price. To that end, consumers do not want to pay a lot for it and, rightfully, try to conserve it. We need to value water in that manner.

In that regard the steps we have taken in many places around the state to introduce a pricing regime for water are to be commended. This bill takes it the next step to make sure that there is an incentive within the market for consumers to purchase efficient appliances from a water use perspective. In the same way as the national energy rating scheme has driven efficiencies in the energy use of appliances, the WELS Scheme—Water Efficiency Labelling and Standards Scheme—will drive efficiency in the use of water with appliances. I think that this is entirely sensible and entirely prudent. I join with members in supporting the bill before the House today.

**Mr LEE** (Indooroopilly—ALP) (3.15 pm): The year 2003 was the United Nations International Year of Fresh Water. Prior to that, the general comment on the right to water was adopted by the International Covenant on Economic and Cultural Rights in November 2002. It is fairly clear that this was a milestone in the history of human rights because, for the first time, water was explicitly recognised as being a fundamental human right. The 145 countries which have ratified the International Covenant on Economic and Cultural Rights were from that day onwards compelled to progressively ensure that everyone had access to safe and secure drinking water and that this was available equitably and without discrimination.

I think it is incredibly sad in the history of this planet that the right to safe, secure and equitable drinking water was not recognised until 2002. It is also sad that it has taken us until today to adopt legislation such as this. That is by no means a criticism on my part of the government for introducing the Water Efficiency Labelling and Standards Bill 2005. I think it is a wonderful, important and significant but well overdue piece of legislation. That is more an admission on my part, too, that in common with all members of this parliament, I have been guilty at various times of not treating water with the respect which it actually deserves.

We live in a country where water is incredibly scarce and the climate is incredibly dry. By way of justifying some of the cultural practices that I brought to this country, I want to talk about water use in the country in which I was born, Ireland, where water was not a resource that was scarce. However, we had other issues to contend with when it came to dealing with water. I think there are some lessons to be learned from some of the things that happened in Ireland. I lived in County Cavan. Most people would not have heard of it, but in the 1960s County Cavan was famous throughout the world as being home to 365 freshwater lakes with good fishing. Tourism was a significant industry at that time. My village of Ballyjamesduff was winner of the tidy towns competition twice at that time. We were six miles from a beautiful lake called Lough Sheelin, which in about 1966 they tell me was listed as being among the top 10 fishing lakes in Europe. We in Ireland at the time had a view that employment was important. I can fully understand that people were doing it fairly tough economically at that point when we engaged in intensive agricultural development, mainly piggeries.

I have nothing against people who want to get involved in piggeries. In fact, my father was an accountant for a piggery. The problem is that the piggery industry has all sorts of waste matter that needs to be disposed of. Ireland in the 1960s was not the most environmentally sensitive place. At the time it was thought that one of the simplest things to do was for the effluent run-off to simply flow into the lakes. By the mid-1980s—just 20 years later—people simply could not eat the fish that came out of Lough Sheelin. In 20 years a lake that had contributed significantly to the economy and to tourism had changed from being a world leader to something that did not even rate in the list of the top 1,000 lakes in Europe. It was a scandalous example of what happens when people do not understand the value of the water resources that they have at their disposal.

Another issue that arose quite significantly throughout the 1980s in Ireland was as a result of industrial development occurring in other parts of Europe. It was an example of how development can have unintended consequences. I am talking about the terrible problem that occurred in the 1980s as a result of acid rain. People who had a desire to develop industries did not take sufficient care to contain emissions from chimneystacks. As a result, people in Ireland, parts of Scotland and most tellingly parts of Scandinavia paid a terrible price. From those events two lessons need to be learned: firstly, whether water is scarce or plentiful, it is a resource that we should value far more greatly than we have done in the past; and, secondly, we should acknowledge that, although our actions may be positive for us, they can have a devastating impact upon other people.

The CSIRO tells me that household water usage accounts for around 16 per cent of mains water use in Australia. That is a staggering figure and it comes behind only the amount of water used for agriculture. That means that absolutely everyone who lives in this country has a significant role to play in conserving water. Whether people live in a regional part of Queensland or whether they live in the built-up parts of south-east Queensland, they have an important role to play in conserving water. This legislation provides people with an ideal opportunity to take what I hope will not be a first step. For those people who usually do not limit their use of water, this legislation will provide them with some great guidelines by which to take the first and important step towards saving water in the future.

This issue is like recycling. When recycling was first mooted in Australia and in other parts of the world, people were very sceptical about it. People always thought that they would recycle but their neighbours would not. Their view was, 'Other people will not do it, so maybe we should not engage in it.' It takes time to change community attitudes. It takes time to change what sometimes can be bad habits. Nowadays people recycle quite readily. I suspect that 15 years ago most members of this place were not quite as good at recycling as they are today. The concept of water conservation is exactly the same. It takes time for people to understand, appreciate and develop the good habits that are associated with conserving water.

I want to refer to a couple of really good examples of water conservation. The first involves educating the community about water conservation. I want to talk about a project that is happening in the Ferny Grove electorate. I apologise to the member for Ferny Grove for raising this matter, but my young sister, Rioghnach Lee, who is a student at Ferny Grove State High School, was involved with some of her friends in developing a project. They won a community prize for it. It was called Conserve Our Water, or COW. They produced posters containing handy hints about water conservation in the same colours as Friesian cows. I thought that was a clever display. I suggest that all members of this parliament should be going out to their communities and sponsoring competitions for schoolchildren in their electorates to come up with the best community campaign to conserve water and also the best conserving water tips. I think that would be a great activity for members of this parliament to engage in. It is certainly something that I will be doing next year.

Something else that I will be doing in my electorate is organising a series of morning teas around the issue of water conservation. Recently the Minister for Emergency Services attended a seniors home safety morning tea at the Indooroopilly Senior Citizens Club Hall. We used every chair in the hall. We were absolutely delighted with the turnout. I was thrilled that the minister could come along. One of the seniors suggested to me that at the next morning tea I should talk about a pertinent issue such as water conservation. I think that is a great idea. It was a wonderful suggestion from one of the older members of my community. It is something that I will be organising.

Previously I have spoken in parliament about a resource centre in Sydney called the Watershed Sustainability Resource Centre. Its web address is [www.cityofsydney.nsw.gov.au/Environment/TheWatershedSustainabilityResourceCentre](http://www.cityofsydney.nsw.gov.au/Environment/TheWatershedSustainabilityResourceCentre). That centre does some wonderful work. It is located at King Street in the middle of Newtown. As most members would know—and I know the minister knows—a watershed is a ridge line or crest line that divides two catchment areas. In this case, one side of the road lies in one catchment and the other side of the road lies in another catchment. The Watershed runs free sustainability workshops. It is a great example of what a community working together can do. It is sponsored by not only the City of Sydney Council but also the Marrickville Council. It organises worm farming workshops, natural cleaning workshops, low-cost enviro tips workshops and composting workshops—some really genuinely useful activities for the community. These are examples of the sorts of things we should be doing in Queensland. I urge the Brisbane City Council—if it has some resourcing issues, perhaps it should work in with the state government and other local councils—to talk to the Watershed about its activities. I would like to see a similar project operating in Queensland.

I also want to talk about the wonderful work that has been done in my community by the Cubberla-Witton Catchments Network. Jutta Godwin, Lois Eden, Doreen Woolard, Rachel Griffiths, Norm Morwood and a whole heap of other people whom I am privileged to be able to call my friends do absolutely wonderful work. The catchments network is made up of bushcare and watercare groups that are involved in the catchments of not just Cubberla Creek but also Witton Creek. In my electorate of Indooroopilly I have bushcare groups like those that operate at the Indooroopilly Canoe Club, Lower Witton Creek, Moore Park and Rainbow Forest. Also, The Hut environmental association does some absolutely wonderful work.

The Cubberla-Witton Catchments Network and the people associated with it have been doing some tremendous work coordinating all of those great groups. I want to say to the parliament today that for the first time in a long time water is flowing in Witton Creek. Doreen Woolard can tell members about the days when you could kayak two abreast down Witton Creek, which runs alongside Indooroopilly State School. These days we are lucky that water is flowing in it.

Witton Creek is an example of some of the scandalous planning practices that were undertaken. I must say that the Bjelke-Petersen government was responsible for what happened in that part of the world. That government built the freeway in that part of the world and it could not have designed it better to absolutely stuff up the creek in that part of the world. The Cubberla-Witton Catchments Network and the Moore Park bushcare group are doing absolutely wonderful work. This is a group of community-minded people who get out there and plant trees and make sure that the creek banks are not eroding like they used to. I cannot speak more highly of their great work.

They also recently organised an Australian class fungi conference here in the parliamentary annexe. People who have an interest in fungi say that this was one of the best fungi conferences ever organised in Australia. Queensland does not have a particularly rich history in this area but it is beginning and I think will develop well. It is great to see Queensland leading the world. There was some wonderful feedback on that conference. I thank you, Mr Speaker, for allowing that group to organise such a great conference right here in the Queensland parliament.

I want to conclude by making reference to the opposition spokesperson's quite lethargic speech in which he made reference to my views that I had expressed in this parliament. The honourable gentleman spoke, I felt, with some scorn about a suggestion I made about people considering changing their diet. I thought he sarcastically referred to me—

**Mrs Carryn Sullivan:** Very sarcastic.

**Mr LEE:** It was very sarcastic. I take that interjection from the member for Pumicestone. He sarcastically referred to me eating a lentil burger. How dare he criticise anyone for the food they eat. I made a reasonable and sensible suggestion. I did not throw scorn upon him for his diet. I did not throw scorn upon his constituents for the diet that they choose. How dare he criticise people who choose to have a vegetable based diet at any stage. How dare he criticise people who live in my electorate who decide that they want to eat a diet that is vegetarian. How dare he criticise people who for religious reasons have a diet that is vegetarian. I do not know who he thinks he is. He is not looking at me in the face right now. Every time a member comes in here and makes a meaningful contribution to a debate, I will defend their right to do so. I will not be sarcastic. I will not be scornful towards them. I will defend my constituents for the choices that they make.

I think the member would do well to look a little bit closer to home when it comes to some of the environmental problems that exist in this country. I note that some significant criticisms this very week were made by Friends of the Earth about the federal government's failure to ratify the Kyoto protocol. We have a problem in Australia because people use airconditioning a lot. The member might be stunned to find out that that is because the global climate is getting warmer. The world is getting hotter. Global warming might be something that is news to him but it is not news to most members of this parliament.

The federal government has rejected the Kyoto protocol. We are one of the few countries in this world not to ratify the Kyoto protocol. The net result of that is that the world gets warmer—people use more airconditioners and fridges need to be turned up higher. I say to the member for Burnett that this is not rocket science. The more people use airconditioning and the more people turn their fridges up higher, the more energy they use. It also takes water to produce electricity. If the member wants to do something useful for the environment, maybe he should think about asking his federal colleagues, gutless wonders on environmental issues that they are, to ratify the Kyoto protocol. What the federal Liberal and National government is doing in this country is scandalously negligent where the environment is concerned. Frankly, the member should be hanging his head in shame as he is right now. His federal colleagues are an absolute disgrace on environmental matters and, frankly, his mob are not much better.

**Mr ENGLISH** (Redlands—ALP) (3.33 pm): It gives me great pleasure this afternoon to join the debate on the Water Efficiency Labelling and Standards Bill 2005. This bill is an extremely important piece of legislation because I believe that most Queenslanders have now come to the realisation that water is a very valuable but finite resource. That recognition is sweeping Queensland and certainly Australia. I believe that public awareness is a significant driver of government attitudes at all levels and of all persuasions towards water conservation and water efficiency.

It is a very common perception in my electorate, in the Redland Shire Council area, that the freshwater reserves on North Stradbroke Island are an unlimited resource. Unfortunately, historically—not currently—the Redland Shire Council was one of the biggest purveyors of this lie. The Redland Shire Council, along with the local media the *Bayside Bulletin*, is now actively encouraging a greater awareness of the truth surrounding our water supplies in the Redlands. It is important to understand that the north island bore fields are not an unlimited reserve.

I am going to do something now which absolutely terrifies me—that is, highlight a comment made by the member for Burnett in a speech he gave yesterday. The member for Burnett quite correctly pointed out the problems in his electorate where farmers have sucked dry the bore fields and the subsequent impact of salt intrusion. The member for Burnett pointed out that this has made the water virtually unusable for irrigation. We need to take that example from Burnett as a warning to the Redlands. The North Stradbroke Island reserves are not unlimited. If we take out too much freshwater from those reserves we will get saltwater intrusion into those freshwater reserves and that will contaminate the entire freshwater reserves and make them useless. We will then experience the crisis that other parts of south-east Queensland find themselves in.

In the Redlands shire area we need to have an informed debate, an informed discussion, about water usage and water resources. We need to have a debate about how much fresh water we can safely take out of North Stradbroke Island. I would welcome that debate. The issue is the amount of fresh water that can safely be taken out. It is not an absolute. It is not an endless resource that we can keep sucking and sucking out without any potential impact down the track. It is not a bottomless well. We have to manage this great resource that we have. We have to maintain a certain level of water in those bore fields or we risk contamination of our drinking water supply.

There are a number of impacts on the Redland Shire Council area in relation to its water supply. In the Redlands we need to fight this in two ways: the first is that I believe the state government has stepped up to the plate. It has put its head above the trenches—and some people are trying to blow it off, let me say. We have put our 2c worth in and limited growth in the Redlands Shire Council area through our regional plan. Through our regional plan we have placed very firm limits on the extent of future growth in the Redland Shire Council area. But we have to do more than that. We have to limit future growth and decrease the consumption of water per head of population. We just cannot allow rampant growth to occur across our area. That will destroy the natural beauty of the area as well as put our water supplies in an unsustainable position. So we need to limit growth and we also need to reduce the water consumption per head of population.

There are a couple of ways to go about decreasing consumption, and I will briefly discuss both of them. They can be categorised into carrot and stick approaches. I have to admit that all councils that I am familiar with are very good with the stick approach, that is, they are increasing fees and they are increasing water charges. I actually support them in doing this, but at the same time whilst increasing water fees and charges—and that is the stick, trying to charge people: 'Don't use water or we'll hit you in the hip pocket'—councils also need to actively pursue carrot strategies, and they are incentives to encourage people to decrease water consumption.

I would like to compliment the Brisbane City Council on its water tank rebate scheme. It is a very good scheme. I am advised that the Gold Coast City Council has quite an innovative scheme. Again, I am informed that, if a resident of the Gold Coast City Council area calls up and books a plumber, the resident pays \$20 and the Gold Coast City Council picks up the rest of the cost. A plumber will come out and fit low-flow heads, low-flow taps and water-flow restriction devices to their houses. So the consumer pays only \$20 but the subsequent reduction in water consumption is quite significant. The resulting money saved on infrastructure by the Gold Coast City Council should be considerable. I would like to compliment the Gold Coast City Council on a quite innovative scheme.

Whilst councils use the big stick, I think they also need to look at options to provide incentives to people to reduce water consumption. I congratulate Redland Shire Council on doing some quite innovative work on the southern Moreton Bay islands, particularly Macleay Island, which is looking at recycling sewage. On the southern bay islands there is no sewerage; there are only septic systems. The Redland Shire Council is trialling some local plants where waste is collected and treated and then reused to sprinkle the golf course on Macleay Island. On that note, I would certainly encourage any members who want a great game of golf to come over to Macleay Island and enjoy a very scenic, beautiful and low-stress golf course.

Another issue that I think councils need to address when it comes to water conservation is the significant leakage from their own systems. We saw earlier this week a major rupture on Creek Street. Some of the statistics that are now coming out of local governments in Queensland about the amount of leakage from their own systems are quite concerning. Again, I think it will get to a level where voters and residents will be very concerned about councils hitting them with a big stick and increasing fees and charges when at the same time councils are seen to be doing nothing about leakages from their own system. I guess to a degree I am putting councils on notice that I do not think their constituents will stand for it for very long. It is certainly something that they need to address as a matter of their own political priority as well as the greater environmental priority and sustainability.

This legislation that we are debating about water efficiency labelling is a parallel to the energy efficiency rating that we are all so familiar with. From my experience, that energy efficiency rating has had a huge uptake in the community. I know that when I go to buy electrical products I look to see how many stars a product has. There is a trade-off with the cost benefit—'Do I buy the more expensive product that is somewhat more efficient?' People do the sums and make very well informed decisions

on these issues. It provides a huge amount of consumer confidence that we are about to do this with devices that utilise water.

If the level of consumer uptake and awareness that has resulted from the use of energy efficiency labelling is reflected in the use of water efficiency labelling, I suspect there will be very good outcomes for our water usage across Queensland. I agree with some other members who have spoken in that it is essential that both the public and retailers are educated and informed about this scheme. Certainly, from a consumer's point of view, consumers need to know what questions to ask and they need to know what to look for.

At the same time, this is not about trying to trap retailers into committing offences. That is why I believe there is close to a 12-month phase-in of this program. In that time the consumers will be educated and so will the retail sector and manufacturers. If at that time we do catch any retailers or any manufacturers who are not doing the right thing, I think it will be fair and reasonable to assume that their ignorance is by choice. The government has taken very detailed steps to inform them of their rights and responsibilities.

I would like to thank all the environmentalists who for years have led this debate. We would not have been having this debate 30 years ago. But, because of the hard work of environmentalists across the world, throughout Queensland and in my own local area who have driven this awareness of the critical situation we are facing with regard to water, the broader population and the politicians in this House have finally listened.

I would like to thank local environmentalists Simon Baltes and Lynn Roberts for their ongoing work in my local area and across south-east Queensland in lobbying for a range of conservation outcomes and for their desire to inform and educate the broader public on these types of matters. I would like to thank the minister for introducing this bill to the House, and I would like to thank all honourable members who will be supporting this bill. I commend the bill to the House.

**Mrs MENKENS** (Burdekin—NPA) (3.46 pm): It gives me pleasure to add my contribution to the Water Efficiency Labelling and Standards Bill 2005. This is a very timely proposal—at a time of increasing water restrictions and deep concerns about the state's ability to cater for current water demand from consumers let alone our future requirements.

I do tend to disagree, though, with the honourable member for Murrumbidgee, who suggested that this is not a federal initiative. It is a federal initiative and the implementation of this will certainly fulfil the state's obligation under the National Water Initiative. This initiative has already been implemented in various other states in Australia.

The Water Efficiency Labelling and Standards Bill 2005 will replace the voluntary National Water Conservation Rating and Labelling Scheme, commonly known as the AAAAAA scheme, and will be administered by the Water Services Association of Australia from 1 July next year. This bill instead provides for the establishment and operation of a scheme to apply national water efficiency labelling and minimum performance standards to certain water use products. The aim of water efficiency labelling is to encourage the uptake of water-efficient products and appliances in domestic and commercial areas while maintaining individual choice and accounting for regional variations in water supply.

If this bill is passed, it will allow for the establishment of a framework for the introduction, administration and management of the WELS Scheme and specify the WELS standards and those products which will meet WELS standards. These specifications and standards will be standardised across Australia and will remove much of the confusion inherent in the previous voluntary scheme.

With the introduction of the new scheme, products will be required to be tested in accordance with Australian and New Zealand standards and will clearly display appropriate water efficiency labels at the point of sale. This is similar to the energy efficiency appliance labelling system. That is a system that we have become very used to. These labels identify the relative efficiencies of the products and award each item a star rating up to a maximum of six stars. We hope that a similar success will be enjoyed by this scheme as has been enjoyed by the energy efficiency labelling scheme. Energy efficiency labelling is said to have contributed to an energy efficiency improvement of 50 per cent over a 13-year period for refrigerators and freezers. There are projected improvements of 70 per cent over 25 years. Just as we have become familiar with these new household whitegoods bearing labels quoting energy efficiency, those goods that use water such as washing machines, dishwashers, flow controllers, toilets, showers and all those other appliances and equipment used in kitchens, laundries, bathrooms and so forth will have labels indicating their water use efficiency.

This will possibly be a major gain for many rural residents. Many houses in the country with their own water supply often have very limited water pressure. Finding low water use appliances prior to this has actually often been very difficult. I can speak of my own family's personal experiences. This will be a welcome addition in those limited situations.

These requirements are very welcome, but I am astounded at one of the reasons for the changes as detailed in the explanatory notes attached to the bill. Amongst other worthwhile benefits that will derive from the introduction of WELS, the notes say that the WELS Scheme will allow the government to 'defer expenditure on new water supply infrastructure'. At first I thought this might be a misprint or an



obvious mistake but then I realised that, with the track record that this government has in the planning and provision of infrastructure, it is just another means of shifting the public's attention away from its own shortcomings in this department. Instead of admitting that this government has failed the residents of Queensland completely in keeping up with the water needs of this state, it will now blame the tools and not the workmen.

So far, in response to an emergency in water storage and supply, this government has blamed farmers for wasting water and has slugged them and all other Queenslanders with new taxes, belatedly decided that maybe some new water storage and reticulation schemes are needed in the south-east, and expressed astonishment that we live in a state that has a variable climate and may experience drought from time to time.

I noted the honourable member for Redlands' concern at the pumping of underground water out of waterways. Yes, this is a concern and, yes, in certain areas there have been salinity problems noted as a result of that. I would like to tell the member about a unique scheme in the Burdekin area that is funded and managed by the farmers in the area and has been so for the last 40 years. The farmers actually pump water into the underground aquifer and recharge it to renew the water levels. That is the reason for the success of the Burdekin sugar industry, the Burdekin vegetable industry and the huge horticultural industry that comes out of the Burdekin. Farmers do manage their own resources.

What is truly beyond belief, though, is that the new taxes and charges the Premier promised he would never introduce will not go towards providing the infrastructure this state so desperately needs but will only pay for what we already have. The government seems to believe that reducing water consumption is the answer to all our woes. Under this philosophy we will see no more businesses and industries attracted to Queensland because we cannot guarantee them water. We will see no new developments or expansions within our existing industries because they will be water locked rather than landlocked. Our population growth will obviously have to stagnate as southern emigres will expect to have a supply of water to go with the new house.

It is a matter of official record that our farmers, businesses and industries are already some of the most efficient water users in the world. Studies have shown that overall water use in Queensland is already lower than that in other states and that, in fact, it is not our water use patterns that are leading to water shortages and restrictions but simply the lack of available water. I will put it very simply so that the members opposite have a chance to understand: Queensland needs more water. Water is there; it is just waiting to be harvested and stored for future use and supply, but the dams to do this are missing. I find it appalling that these dams are not even planned.

What is this government's solution to the most serious water crisis this state has seen? Whack a label on the side of a washing machine and start taxing anyone who can get away with spending more dollars on using less water. Yes, close its eyes and stick its fingers in its ears until the problem goes away. It is a joke.

There is a very good incentive within this bill. I welcome the schemes introduced in this bill, and I commend them to the House. But they will not take the place of a decent policy on water in this state that takes a true account of Queensland's current needs and puts in place measures that will give Queenslanders a future, something that is based on its present score card that at the moment this government does not have.

**Mr WALLACE** (Thuringowa—ALP) (3.55 pm): It is with pleasure that I rise to support the Water Efficiency Labelling and Standards Bill. All Queenslanders have come to realise the importance of one of our most important natural resources—water. The long dry spell that has impacted on our state over the last decade or so has changed many of the mores and attitudes whereby water and its supply were taken for granted by previous generations. This bill is another step in that education process which hopefully will help conservation measures. I am particularly supportive of any move to save water going down the drain. You see, Mr Deputy Speaker, things are bloody dry up home.

Yesterday the *Townsville Bulletin* carried a front-page article which revealed that one of Thuringowa's and Townsville's main water supply facilities, the Ross River Dam, would be dry by the end of January without further rainfall. Fortunately, due to the far-sighted actions of the Hawke Labor government and the then Labor member for Herbert, Ted Lindsay, the twin cities of Thuringowa and Townsville are able to rely on water from the mighty Burdekin Falls Dam.

**Mr Fraser** interjected.

**Mr WALLACE:** 'Eamon' call me Ted; that is right. I take the member for Mount Coot-tha's interjection. Construction of this dam in the 1980s effectively drought proofed the twin cities. It well and truly changed Townsville's tag of 'Brownsville'. If we do not get good rain in the next couple of months water will be able to be piped from the Burdekin for use by Thuringowa and Townsville.

Whilst speaking about the Burdekin Falls Dam, I again echo what I said in my maiden speech in this place in which I called for planning to start on stage 2 of this project. Continued residential and industrial growth in the twin cities and increased demand by mining interests will see greater demands on the Burdekin in future years.

I also want to comment on another project that I am working on to save water in the north. Around 30 years ago the then National Party government gave the rights to the underground aquifer along Black River to nickel refiners QNI. Since that time the population has increased dramatically along the river's catchments. Mainly, they are small land-holders. As QNI has the rights to the aquifer, these land-holders have been unable to sink bores and extract water. It is therefore difficult for them to water their parched holdings and keep alive fruit trees such as mangoes.

I have developed a plan to pipe waste water from Townsville City Council's Mount St John sewage treatment plant to the QNI site at Yabulu. This would supply the plant with an alternative water source. Previously it relied on the Great Barrier Reef lagoon. QNI agreed that it would consider giving up its rights to the aquifer and residents would be able to sink bores to extract water. Not only would this enable the residents to have a reliable source of underground water and Queensland Nickel, the region's largest employer, to have a secure source of water; it would also contribute to environmental flows into the Black River.

I especially thank the minister for the environment, local government and planning for her support for this project and also the Minister for Natural Resources and Mines for his support. I know the minister for local government appreciates the ups and downs that I have had with this particular project. I know she is fully supportive of it. I would strongly encourage both Thuringowa and Townsville city councils to join in the support for this innovative project which I believe would be an Australian first.

I also pay tribute to Black River resident Mr Bill Condon who has worked tirelessly on behalf of residents to come up with a solution to this 30-year-old problem. We in the north appreciate our water resources. We know just how valuable they are. That is why I support this bill. I commend the bill to the House, and I call on other members to do the same.

**Mr CHOI** (Capalaba—ALP) (4.00 pm): I rise this afternoon to speak in support of the Water Efficiency Labelling and Standards Bill 2005. Of all the water in the world we know that only three per cent is fresh water. Less than one-third of one per cent of this is available for human consumption. The rest is frozen in glaciers or polar icecaps or deep within the earth beyond our reach. In other words, if 100 litres of water represented the world's available freshwater resources, only half a teaspoon of it would be fresh water that we could reach.

Fresh water is essential to our existence. It allows us to produce food, manufacture goods and sustain our health. Global water consumption has risen almost tenfold since the 1900s and many parts of the world are now reaching the limits of their supply. The world's population is expected to increase by another 45 per cent in the next 30 years. Whilst freshwater run-off is expected to increase by 10 per cent it has been predicted that by 2020 water shortage will be a serious worldwide problem. For a lot of nations, including Australia and New Zealand, the water crisis is already here. It has actually been said that the third world war, if it ever comes, will be fought over black or white gold—that is, oil or water.

One-third of the world's population is already facing problems due to water shortage and poor drinking water quality. Members will recall only a few days ago a single chemical factory incident in northern China rendered the water supply system totally useless. A city of six million people is without reliable drinking water even today.

Australia is the driest continent on earth—obviously, excluding Antarctica—but we are the greatest consumers of water per capita. The average annual rainfall in this nation is only 469 millimetres per year and the global average is 764. Some 70 per cent of our continent is classified as desert or semidesert with little or no precipitation. Even though we are one of the driest continents on earth we are certainly the biggest user of water in the Western World. We use more than one million litres of fresh water per person each year, which is about 24,000 ggalitres. That is enough to fill Sydney Harbour 48 times over. About 70 per cent of this usage is attributed to agricultural irrigation, nine per cent to other rural uses, nine per cent to industrial uses and 12 per cent to domestic use.

I was born in a place where water was treated with the utmost respect. I can still remember when I was very young that running tap-water was not a God-given right but a privilege only afforded to the rich and famous. Unlike as outlined by the honourable member for Indooroopilly, we certainly did not have freshwater lakes in the city where I grew up. At times as a young lad I had to line up with two buckets in my hands and wait my turn to fill them up from the water trucks that were sent in by the government.

My chosen sport at that time was football. There were two types of football fields—there was the dust field or the blood field. The dust field was previously a playing field with grass but because of the lack of water there was no longer any grass growing on the playing field and it became a dust bowl. Due to wear and tear the dust bowl had to be levelled. Water had to be used to do that. In order to save that water they did not level the dust bowl but instead covered it with bitumen. It was then known as the blood field. If people have tried to play football on a playing field that has been covered with bitumen they would know exactly why it was called a blood field. I can reliably inform members of this House that when I was a very young goalkeeper my elbows and knees were always bandaged.

When I first arrived in Sydney some 30-odd years ago my first impression was the stunning green playing fields with automatic sprinklers spilling water in the background. As Australians we can all

identify with the image of kids playing in the backyard under sprinklers that are turned on full blast. This is as Australian as we can get. That is about to become an image of the past if we do not treat water with due respect.

There are many hidden water uses that we do not see every day. We talk about saving water from our taps. That is a very good start. But there is often a very high amount of embodied water associated with the many items we use or consume in our everyday lives. For example, it takes 500 litres of water to produce one single orange. It takes 1.3 million litres of water to produce one tonne of aluminium. It takes 50 litres of water to produce a copy of Saturday's newspapers. It takes 5,000 litres of water to create one kilogram of rice. It takes 41,000 litres of water to produce a simple kilogram of meat. If that does not turn members into vegetarians, I do not know what would.

There are many hidden effects of excessive water consumption in this nation. Honourable members opposite keep asking for more dams to be built. I think the most important thing is to conserve water before we build more dams because building more dams would have severe environmental effects such as the destruction of wilderness, the creation of greenhouse gases from rotting vegetation, the reduction in stream flows and the degradation of ecological health. It is also extremely costly to build dams.

The hidden effects of high water consumption in this nation include maintaining other infrastructure for water supply and use. This includes costly upgrades and maintenance of pipes, sewers and treatment facilities. One metre of stormwater drain costs about \$2,000 to install. There are other associated problems such as erosion and salinity. Water consumption for agriculture alters the natural water cycle in many areas of this nation. Salinity is now set to directly cost Australia over \$1.5 billion a year. I suspect that the true figure is a lot higher than that.

How do we solve this problem that we currently face and will no doubt face in the future? It depends who we are. If we are economists our concern would obviously be how much the solution is going to cost and the perceived benefits. Economists would need to take into account when considering the scarcity of water the economic costs versus the opportunity costs. For environmentalists the main concern is a method which will minimise pollution and be sustainable. For scientists the main interest would be in the processes and the possibilities and what can be done with technology. For consumers the water problem is simply that they have a continuous supply of reliable water for household use and that it is cheap enough to use. As a politician I think our concern would be a balance of all those considerations. There is simply no easy fix to this problem but we must do our part.

I am pleased to advise the House that one of the primary schools in my electorate, Hilliard State School, has certainly taken the lead in this regard. Students in years 6 and 7 have embarked on a water-saving exercise in their school. They collect rainwater from their massive roof in the school so that they can recycle the water. I want in this House to commend the students and teachers of Hilliard State School for taking a lead role in showing the community what can be done in order to conserve water.

As we have efficiency labels for a lot of things in our lives, such as for cars with their petrol consumption and for electronic and electrical goods, it is only fitting that we have efficiency labels for water-using devices. I certainly think that this is a commonsense approach. I take this opportunity to thank the minister and her team for introducing this legislation. I commend the bill to the House.

**Mrs CARRYN SULLIVAN** (Pumicestone—ALP) (4.09 pm): As everyone in this chamber would know, as chair of the government's environment committee I am very keen to support anything that would help with water conservation. Therefore, I am pleased to rise to speak in support of the Water Efficiency Labelling and Standards—or WELS, as it has been called—Bill 2005. This bill introduces a new national water efficiency labelling scheme that will go a long way in assisting people to choose water-saving products and devices. This could have an immediate impact on reducing water bills. I live in the Caboolture shire and it charges water as it is used. It is a user-pays scheme, so obviously the less water that one uses the less they pay. The WELS Bill introduces mandatory water efficiency labels on such things as showers, toilets, domestic washing machines, dishwashers, urinals and some taps as well as voluntary efficiency labels on flow-control devices. I know how popular electrical products are when they show three stars or more, and I have no doubt that people will stop and shop for water efficiency products in the same enthusiastic way.

It has been brought to our attention in no uncertain terms that our water supply is finite. We have seen many advertisements about how dry Australia is and the fact that we need to do everything we can to conserve water for the future. This bill will at least help in this regard, but it is only one way. As the minister knows, I am a very keen advocate of rainwater tanks and believe that we need to do more to encourage people to have one. I ask members to put their hands up if they have one. It is good to see the number of members who have put their hands up. I am very pleased, because I have had a tank for 20 years. We continue to use rainwater for drinking and for a final rinse cycle in the washing machine. It is pretty difficult to measure the amount of town water that my family has saved over that lengthy period, but I would suggest that it would be considerable. I am very pleased to see that there are some members in this House who think along the same lines.

The objectives of the bill are to conserve water supplies by reducing water consumption, to provide information for buyers of water-use and water-saving products, and to promote the adoption of efficient and effective water-use and water-saving technologies. On the new labels stars will represent how water efficient a product is. The more stars, of course, the more water efficient, just like an electrical product—the more stars the more efficient use of electricity. Six stars will be the best. The labels will display the amount of water consumed per minute and, for those who want more information on how this labelling system will work, they should visit—and I would encourage them to—the web site at [www.waterrating.gov.au](http://www.waterrating.gov.au).

We use enough water to sustain double the existing population in many areas. Therefore, we need to change our attitude to water and how we use it. We have the technology now to conserve water better, and I would encourage everyone to try harder to do so. Certainly, there is plenty of information out there with tips and hints on how to conserve water on a daily basis. I will be holding a seminar early next year on water recycling and I hope to get a good turnout to better inform people on how to do just that. The state government has recently passed legislation allowing councils to license people to use grey water in certain and appropriate circumstances, and this is a positive step and another way to help conserve water. By buying appliances displaying more stars that simply means that people will be using cleaner, greener and, of course, more environmentally friendly products. This new WELS Scheme will replace the voluntary water conservation rating and labelling scheme, usually referred to as the 5A scheme. I must confess that people knew very little about it. However, the new WELS Scheme will be very publicly advertised and there will be plenty of information about it. People will be better informed.

The water saving on some appliances is huge. By simply choosing a more efficient shower rose, the average household could save as much as \$100 per year on a water bill. Annual water savings from a single household could run into the hundreds of megalitres. I am told that there will be five-star rating washing machines available as early as July next year and there should be some six-star flow-control devices for taps. Householders will be able to purchase three- or four-star products for every application with the exception of showers, which will remain at three stars until a comfort test has been finalised.

Many environmentalists have driven the debate on water and how best to conserve it, for a long time and their message to inform and educate has been listened to. The state government must be recognised for this initiative, because the less water we use in our appliances the less impact it will have on the environment. For example, more water-efficient appliances will reduce water and effluent discharge to waterways, which in turn could lower water supply and sewage treatment and pumping costs for local councils, which has to be good news. There are many more advantages, including less demand on water catchments, thereby deterring the building of new dams and other costly water infrastructure. But we need to be very serious about water conservation. I congratulate the minister and her staff for this initiative. We both know that it is not the be-all and end-all of water conservation, but I think it is a great step in the right direction. I commend the bill to the House.

**Mr CALTABIANO** (Chatsworth—Lib) (4.15 pm): I am delighted to rise to contribute to the debate on the Water Efficiency Labelling and Standards Bill and, in doing so, want to extend my congratulations to the Lord Mayor of Brisbane for Brisbane City Council's initiatives. Earlier today in this chamber we heard members opposite mention the water tank rebate scheme. It is also important to place on record that when Lord Mayor Campbell Newman came to office in March 2004 that scheme had been scrapped by the Labor Party in the city of Brisbane. The Lord Mayor of Brisbane was the one who had to reinstate and enhance that scheme so that many families in Brisbane could avail themselves of the opportunity to install a water tank, which they did in their hundreds—in fact, almost in their thousands.

This is also a great opportunity to advise the chamber that that scheme and in fact other schemes in the city of Brisbane are operating very well with our sporting clubs and community groups. The council has many great initiatives with those particular organisations to assist them with the management of their facilities to save water on behalf of our whole community. The next challenge, I suppose, for the state government is to assist local governments in the management of our grey water—that is, grey water use and reuse in our new homes moving forward and particularly in developments like the one at Rochedale where a dual circulation system is proposed. The state can provide tremendous support to local government in getting the standards right and providing assistance.

It would be remiss of me in speaking to this bill, given some of the previous comments by some members opposite in relation to bushland, not to mention some of the magnificent features of bushland in the electorate of Chatsworth. In particular, the Oates Hill bushland site owned by the Department of Housing comes to mind, as does the Weekes Road site owned by Education Queensland. These sites have been earmarked publicly for environmental purposes and preservation, and the government is to be commended for that. The next step in the process is to transfer those lands to the Brisbane City Council and put them perpetually into a conservation classification so that they can be protected from development in the long term. Leaving doubt in the minds of the public and those local residents regarding the certainty surrounding the use of that land and its inappropriate ownership, as it stands now, must be resolved. Both of these sites add tremendous value to the inner-eastern suburbs of Brisbane and play their roles in the biodiversity of the local area.

The Weekes Road site at Carindale was formerly school land and was recently declared green space by the Premier during the by-election campaign. This decision now needs to be locked down and the land transferred to the Brisbane City Council at the earliest opportunity, and I call on the minister for education to take a proactive role in the transfer of this land at the earliest opportunity. Once it is in council ownership, the community can then take an active role in rehabilitating the creek corridor and using the land for recreational activities. This site provides a magnificent linkage between Whites Hill and Belmont Hill and into the Brisbane koala bushland. It provides an important corridor, particularly for birds, and allows the enhancement of the adjoining watercourse to benefit Bulimba Creek and ultimately Moreton Bay. The other site at Oates Hill at Carina, which abuts Phillips Creek, a tributary of Bulimba Creek, is far too steep for any sort of sensible development. The former member for Chatsworth, the Hon. Terry Mackenroth, has on many occasions presented to local residents in writing the fact that this land would remain undeveloped and held for environmental purposes.

It is one thing saying it, but it is another thing doing it. The doing exercise requires the minister for public works and housing to transfer that land in toto to the Brisbane City Council, which will again add it to the land register. The local catchment group, the Phillips Creek Catchment Group, will then take care of that particular part of our urban bushland in Brisbane—part of the urban fabric of our city which makes it livable. As these two areas of land stand today, they have not been maintained and are a source of weeds that infiltrate our local creek system that then negatively impact on private land further downstream.

The bigger issue, of course, is that of community trust. The community does not trust government, particularly when it relates to open space land that has a potential for future development. Whilst this land is in state government hands and the classification of the land allows for development, the community is very uncomfortable. When that land is transferred to the city of Brisbane in a conservation zoning area classification, the community's mind will be put at ease and we can get on with the real opportunities of green space preservation.

The great work of the Bulimba Creek Catchment Coordinating Committee in the electorate of Chatsworth is a true testament to what local volunteer communities can do to enhance our local environment. The B4C, as it is known, was formed just after 1996. I came to office as a councillor in the city of Brisbane in 1996 and was presented by the local community with a dilemma of three or four local groups working in little parts of the catchment. Some of them came to me with Michael Petter from BREC—the Brisbane Region Environment Council—and asked, 'Why don't we coordinate everything that happens in the catchment?' I said, 'What a great idea.' From those seeds of ideas came the Bulimba Creek Catchment Coordinating Committee, which has been a magnificent organisation and a collector of knowledge and environmental support in the eastern suburbs of Brisbane for the best part of a decade.

This particular local group won the recently awarded Riverprize, a very prestigious national prize, competing against nine other catchment groups from across Australia and it received \$50,000 in prize money. I offer my heartiest congratulations to the team of B4C, particularly the wonderful volunteers led by Wayne Cameron, Heather Barnes, John Evans and coordinator Luke Dieltz. The B4C has stated that it will earmark the prize money to create a sustainability centre on the south side of Brisbane, which is a magnificent goal and one about which I have been speaking to the group for many years. It is likely that this will be achieved with the assistance of Powerlink, which has actually dedicated a piece of land for this group. It will put its money into the building of a sustainability centre. The educational experience that it will offer to south-side residents, schoolkids and the general community will not only deal with the green environment but also the conservation and management of some of the brown environmental issues that any urban community has.

The success of this particular environment group has been the great support that it has received over many years from the local community and, more particularly, recently from the Brisbane City Council. Lord Mayor Campbell Newman in his first budget put in funding for a permanent and full-time catchment coordinator for the three catchments across the city of Brisbane. That has really allowed this catchment group to flourish. The award is hard earned and well deserved after many years of improving the local bushland environment on the inner south-eastern suburbs of Brisbane. I extend my congratulations once again to them.

There also resides in the south-eastern suburbs of Brisbane Greening Australia. It recently won a Volunteers Australia award of \$7,000 on which I congratulate it.

On a final note, I would like to extend my condolences to the Vickerman family. Mr Eric Vickerman was one of the long-term residents of the south-eastern suburbs of Brisbane—in fact, he lived on Belmont Hill until he passed away. His was one of only two residences in this bushland environment. One of the very first conservation agreements signed in the city of Brisbane was signed by Mr Vickerman. He is survived by his daughter Nancy and partner Jonathon, who actually live on Belmont Hill as well. I send my condolences to them and reflect on his major contribution to the environment of the south-eastern suburbs of Brisbane and the water quality outcomes that he has achieved personally in the Bulimba Creek and Moreton Bay areas.

**Ms MOLLOY** (Noosa—ALP) (4.24 pm): I am proud to stand in the Queensland parliament representing the people of the Noosa electorate as we acknowledge the vast improvement in understanding water issues as well as taking a firm stand on steps to address water conservation. I say congratulations to the minister and her staff on introducing this legislation.

The objectives of the bill are to conserve water supplies by reducing water consumption, and this is the pointy end of the issue. I think people in my community will embrace the scheme, which has now started nationally. It is great to see the Environment Protection and Heritage Council agree to support the introduction of a national Water Efficiency Labelling and Standards Scheme. The scheme is designed to facilitate improved urban water use efficiency labelling at the point of sale. The labelling scheme will apply to the use of designated products in residential, commercial and industrial buildings. In future, all washing machines, dishwashers, toilets, showers and some types of taps and urinals will carry a star rating according to their water efficiency, with six stars being the most water efficient.

Recently, I took a look at the cost of lighting and found to my pleasure low electricity usage lights. Similarly, I use shower rosettes that are lower in water distribution. Both the water efficiency labelling and the electricity labelling depicting lower electricity usage are popular among the building sector who enjoy providing the latest and best-quality advice and service. Many of the builders I know take pride in their work and part of that service incorporates an improved and more educated building industry. We are all aware of the building industry's awards for design and environmental benefits. So it is in the best interests of the industry to be conversant with and offer the best cutting-edge management of resources available.

When purchasing a new home or renovating, the consumer today is generally well informed and not prepared to purchase a guzzler because they know quality products are more efficient. As far as the comments from the conservatives on water reticulation and conservation are concerned, they continue to dump on this government clearly because they fail to understand the complexity involved in water conservation. To grow cotton in this arid country is a joke. Ask the farmer to grow a crop that does not guzzle our resources and his face will explode. What makes these conservatives so antiwater conservation and so antiwater charges? Who do they think pays for the infrastructure in this state? We all know that many farmers are well informed and do work closely with government, just as we know many urban residents are water conscious as well. Let us not lose sight of the fact that this legislation is necessary. I know my constituents will embrace it.

I would like to note that the threat to man on earth is not terrorism, as 'Jackboot Johnny' would have us believe, but is the demise of the environment—global warming, melting of the icecaps, hurricanes, dust and thunder storms and unpredictable weather occurrences. Natural disasters such as the tsunami in Phuket and the floods in Pakistan and India are not going to go away. Rather, they will increase. I say: Come, on, Mr Howard, get with the real program and help save the earth; sign up to the Kyoto protocol if you have the ticker. I commend the bill to the House.

**Mr BRISKEY** (Cleveland—ALP) (4.27 pm): I am very pleased today to be able to speak in support of the Water Efficiency Labelling and Standards Bill 2005, better known as the WELS bill. The WELS bill will contribute to the introduction of a new national water efficiency labelling scheme that will help Queensland households reduce water consumption by up to five per cent and save money on water bills. The objectives of the bill are to conserve water supplies by reducing water consumption, to provide information for purchasers of water use and water saving products and to promote the adoption of efficient and effective water use and water-saving technologies.

The scheme is designed to facilitate improved urban water use efficiency through a mandatory requirement for products to display the relevant water efficiency label at the point of sale. What a wonderful idea! Under this legislation, Queenslanders will be able to clearly see which appliances offer the best water savings to help them buy clean, green, environmentally friendly products.

I am pleased to say that local industry reaction to the WELS Scheme has been enthusiastic. Public information meetings for the WELS Scheme have been run in all states this year. The number of industry participants attending the Brisbane meeting in July this year far exceeded that recorded in other capital cities.

A company with a long-term relationship with water efficiency is the whitegoods manufacturer Fisher and Paykel, which has a refrigeration manufacturing plant at Cleveland in my electorate.

**Mr Pearce:** Very good products.

**Mr BRISKEY:** They have excellent products. Fisher and Paykel Appliances is a New Zealand based, international company that designs, manufactures and markets a range of innovative household appliances. It has a strong environmental commitment to energy and water efficiency in its plant operation and product performance. Naturally, it is not refrigerators but Fisher and Paykel's range of water-efficient washing machines and dishwashers that will be subject to registration under the national WELS Scheme. I must advise the House that our Fisher and Paykel washing machine does a lot of work with a family of six at home.

**Mr Palaszczuk:** Mr Briskey, are you aware that in 1986 I opened the Fisher and Paykel services in Queensland?

**Mr BRISKEY:** I was not aware. I thank the minister. I have visited its plant on a number of occasions. It does a good job and its workers are very happy to work for that company.

Of course, many other innovative Queensland companies have a strong stake in the WELS Scheme. They include Caroma Industries, whose parent company GWA International Ltd is based in Brisbane, and Con-Serv Corporation Australia, which is based in Kedron. GWA International is a Queensland based company. It owns several plumbing product ranges such as Caroma and tapware brands Dorf-Clark, Fowlerware, Irwell, Stylus and Starion. Caroma pioneered the development of dual-flush toilets in Australia and is continuing to develop technology to further increase water savings. For example, the newest toilets use only 4.5 litres for a full flush, which is down from 11 litres a few years ago. Caroma Industries design, manufacture, import and distribute domestic and commercial sanitaryware and bathroom products. Caroma is at the forefront of product innovation and is the market leader in reduced-flush, water-efficient sanitaryware.

**Mr Neil Roberts:** You'd make a great salesman for that company.

**Mr BRISKEY:** I was thinking that myself. Dorf-Clark Industries manufacture taps and accessories under several brands and have a Brisbane branch and design centre. As large companies in their own right, both will operate under the Commonwealth legislation rather than the Queensland legislation. Caroma and Dorf-Clark, along with other product ranges, are keen supporters of the WELS initiative. Caroma has secured the first product registration under the national WELS legislation. Caroma now boasts WELS product registration No. 0001, and the first two WELS product registrations for its Leda close-coupled cistern and pan, a four-star product, and its Leda electronic urinal suite, a three-star product.

The plumbing based companies under the GWA umbrella, such as Caroma, have for several years been involved in testing and developing the two Australian standards that underpin the WELS Scheme. Con-Serv manufacture household plumbing fixtures and fittings. Con-Serv flow-control valves and water-efficient shower heads were awarded the Australian plumbing industry magazine's 2004 GreenPlumbers Water Efficient Product of the Year award. I congratulate them on their efforts.

The Water Efficiency Labelling and Standards Scheme will support local businesses to compete nationally and internationally. The presence of a nationally recognised WELS label will give consumers easily understood information about the relative water use of the range of water appliances covered by the WELS Scheme. This will enable the consumer to make a choice about water use and water-saving products that is not based only on the purchase price.

As the WELS Scheme is the first of its kind in the world, Queensland manufacturers and exporters will be able to market a WELS labelled product to international markets as an accredited water-saving product. This will help to establish and support overseas markets, as well as to provide Queensland companies with a headstart if overseas governments introduce similar legislation. I commend the bill to the House.

**Mr HOOLIHAN** (Keppel—ALP) (4.34 pm): Following on from the member for Cleveland and his salesmanship for Caroma products, I would like to deal with the Water Efficiency Labelling and Standards Bill.

**Mr Briskey:** And Fisher and Paykel

**Mr HOOLIHAN:** I take that interjection. I commend the minister for this bill.

One point that has not come through strongly this afternoon is the fact that this is part of the National Water Initiative. In actual fact, the Commonwealth has passed a Water Efficiency Labelling and Standards Bill that deals with large corporations. The Queensland legislation will deal with unincorporated businesses and sole traders and is only a small part of the overall standards and labelling requirements.

As I grew up and during my youth, the lack of water in my home town was an issue. At the time I grew up Longreach had three types of reticulated water—river water from the Thompson River, bore water and tank water. Today, my parents' home still has two large water tanks which carry about 9,000 litres. That is used for drinking. It still makes the best tea. However, there was always a background of water shortage owing to the fact that Longreach is a very dry area.

We heard from the member for Capalaba about fresh water. We live in a world where three per cent of the water is fresh and only 1½ per cent of that is available. We really need to look at how we either save water or avoid water usage. That is the basis of this bill.

As we have heard, this system will have a star rating. We are all aware of that star rating system from electrical appliances that we have purchased over recent years. Any water products will be tested in accordance with Australian and New Zealand standard AS/NZS 6400:2005. That gives us a value for the water-saving capacity or efficiency of individual equipment.

Our homes have washing machines and dishwashers, which are labour-saving devices. However, how many people really stop to think about the amount of water used by automatic washing machines or dishwashers? Once upon a time, washing machines were fully encapsulated. You would put the water in and pump it out after it had washed two or three loads. Today, every load in an

automatic machine uses around 22 litres of water. It is similarly the case with dishwashers. The water is not recycled in any way.

We heard from the member for Cleveland that dual-flush toilets now use only 4.5 litres of water. The Pacific Hotel in my electorate has urinal equipment which uses no water. The Capricorn Coast has real difficulties with water. For many years, water has been pumped from Water Park Creek and Sandy Creek, north of Yeppoon. Every time there is a downgrade in the amount of rain, we have very severe restrictions, as we do at the moment.

Queensland will benefit from this legislation. This came out of the regulatory impact statement that was released by the Commonwealth in March 2004. Through reduced water and energy bills, particularly water heating, Queensland will save \$147.7 million. Also, a reduction in domestic water consumption will save 18,836 megalitres per annum and a cumulative water saving over a period of time of 131,700 megalitres.

The member for Burdekin made some quaint claim about saving water for each capital city. One thing that came out of the RIS—and it is not from the Queensland government—was that the projected reduction in annual water demand from the WELS Scheme is equivalent to one year's growth in water demand over the four-year period to 2001. That would be the equivalent of delaying new infrastructure in each capital city by one year. When we take into account the amount of water that Brisbane uses in one year, that is a remarkable saving.

One of the issues that comes out of the Commonwealth act is that at present there is voluntary registration in labelling only as from 1 July 2005 but it will be mandatory from 1 July 2006. Due to the lack of water in Australia, governments are now being forced to look at water as a very valuable commodity, which it has always been but people had a tendency to trivialise it because, hopefully, it would continue to rain. But our rainfall has, in fact, halved over the last 15 years. In some areas it has gone down more than that, so water has become a commodity which is probably worth its weight in gold. The scheme will provide people with the ability to buy water-efficient equipment for their homes. I commend the bill to the House.

**Dr LESLEY CLARK** (Barron River—ALP) (4.40 pm): It is with great pleasure that I rise this afternoon to join the debate on the Water Efficiency Labelling and Standards Bill 2005. As we have heard, it is going to be contributing to the new—

**Ms Nelson-Carr:** Do you have the waterless urinals as well?

**Dr LESLEY CLARK:** No.

**Mr DEPUTY SPEAKER** (Mr Wallace): Order! Member for Mundingburra, you will resume your seat if you wish to interject.

**Dr LESLEY CLARK:** Having accepted the interjection, I do not have that particular water-saving device, but this afternoon I will be speaking about some that I do have.

This is a very important piece of legislation because it is estimated that it will help Queensland householders reduce water consumption by up to five per cent and save money on water bills. It is estimated that by 2021 Queensland will be saving some \$147 million in terms of its water bills and saving some 19,000 megalitres of water, which equates to about 9,500 Olympic sized swimming pools. This labelling scheme will make a very important contribution. I was very pleased to discover that this is a world first for Australia. In many respects we really cannot hold our heads very high given that we are the driest continent but also the most profligate in terms of the way that we use water. It is good to know that we are actually in the lead on this issue.

We are all very familiar with the energy star rating scheme, which has been in existence for some 12 years. I think it was very sensible to follow on with that scheme and replace the five As with the six stars so that we have consistency in the rating schemes for both energy and water. I think that will certainly help consumers focus on what we are trying to achieve by educating them to look for the appliance that has the most number of stars. The labelling scheme will apply to the use of designated products in residential, commercial and industrial buildings. In future, all washing machines, dishwashers, toilets, showers and some types of taps and urinals will carry a star rating according to their water efficiency, with six stars being the most water efficient. I note that flow-control devices for taps will be covered on a voluntary basis rather than be compulsory, but that again is a very important measure.

As I said earlier, water conservation is something I have campaigned for for a long time and it is not just something I have a theoretical interest in. In my own home we have a front-loading washing machine, we have dual-flush toilets and we have water-efficient shower heads. We do not have a dishwasher. We have the Aqua Clic product on our taps. That is a local product—and I commend that company in Cairns. Aqua Clic products are water flow-control devices. They are marketed by a company in Cairns by Peter McCormack. It is actually a Swiss product. The water-flow device has these lovely images of fish or water droplets or anything else you want to have on it. They make an attractive as well as a very effective contribution to water conservation. We also have in our backyard a big rainwater tank—some 6,000 gallons that we use to water the backyard. We have certainly noticed a significant saving on our water bill. I must admit that we are always looking for ways to save water. We



have not yet used the washing machine water on the garden. The grey water legislation has now been passed through this parliament, and we are waiting for the Cairns City Council, as with other councils, to decide how it is going to take advantage of the ability of people to legally use grey water.

Everybody can make a contribution to this. That is what is so important about this particular piece of legislation. Every single individual can, by their actions, now take advantage of this particular scheme and buy the right product and in that way make a very significant contribution to conserving water.

The debate this afternoon has been good insofar as there has been bipartisan support for the actual legislation but it has also revealed, once again, the divide that exists in the views of people in relation to the wider issues of water supply. We have had people consistently on the other side calling for more dams to be built. I would like to use this opportunity to again put on the record my own view on this. In Cairns we do have a mayor who calls for dams to be built. We have had very long debate with regard to this. The chamber of commerce is of a similar view. We have had the least-cost water planning study, which identified future water supply for our community from the Barron River and the Mulgrave aquifer to be explored. We certainly are not going to be needing to build a dam any time soon. In fact, I do not believe we are ever going to build a dam because the future is the reuse of water and the recycling of water.

I commend the mayor of Toowoomba. I say to Di: just hold your nerve; you are doing the right thing. People have responded in what I regard as a very emotional way, unfortunately, to the concept of reusing treated sewage. That is very unfortunate, because they should actually see themselves as leaders in this field. They could actually be the first community to initiate very innovative solutions in this regard and be the leaders in the use of recycled water. It is the future and they should not be so concerned. In far-north Queensland one small community will take their water from the Barron River, treat it to secondary level and then put it back into the river. That same water flows down river and another community takes that water out, uses it, treats it and puts it back in the river. We are using treated water that is diluted then into a water body. It is not as if this is rocket science; it is used throughout the world. There is no doubt that that is the future. That will play a very important part in terms of how we manage to meet our water supply needs in the future.

In Cairns the council has adopted a 10-year water efficiency strategy under the least-cost planning study. I am keenly watching to see how that is implemented. The council does have 20 per cent of its water unaccounted for. At least half of that is leaking out of the system because of the very high pressure. I just hope that the council will take advantage of some of the funds that are now available from the state and federal governments to do something about that and reduce that percentage of leakage. I hope, too, that the council will take the opportunity to encourage people to use rainwater tanks. At the moment on the council's web site the council gives every reason why people should not have a rainwater tank, which I think is unfortunate given that the reasons given include the possibility of dengue fever, when modern rainwater tanks do not expose people to that risk whatsoever because we cannot have the breeding of mosquitoes. There are very good reasons for having rainwater tanks. I wish a developer would come to Cairns council and say, 'I want on my new subdivision to have rainwater tanks attached to every home,' and show that they can take some leadership.

**Mr Briskey:** Hear, hear!

**Mr Pearce:** That's a good idea.

**Dr LESLEY CLARK:** I take those interjections from my colleagues because there are other developers that are doing this around Queensland. It would just be so good if we could have somebody showing that leadership and initiative in Cairns. It is, indeed, commonsense. I think the sooner we can realise that we have to make better use of the water that falls out of the sky the better off we are going to be in terms of managing our growth and using water in a very sensible and appropriate way. With those few words, I commend the bill to the House.

**Mr O'BRIEN** (Cook—ALP) (4.49 pm): It is a great pleasure to rise to support the Water Efficiency Labelling and Standards Bill, which is before the House. I certainly commend the minister for bringing this initiative into the parliament this afternoon. It is great to see the government making sure that communities, wherever they are in Queensland, have the ability to better plan for their water supply and to take the initiative and introduce a range of measures aimed at ensuring the water supply into the future.

I think if we listened to members opposite on these matters we would think there was only one way to secure the future water supply in Queensland, and that is to build dam after dam after dam. They fail to realise that we need much more complicated strategies to address those sophisticated infrastructure needs as we move forward into the 21st century. We need to ensure that we are not just building dam after dam, because they have significant environmental impacts. We need to be much smarter in the way that we use water and in the way that we buy products that use water for our everyday life. We need to ensure that we are not putting environmental destruction all over vast areas of Queensland in this seemingly mindless vendetta to build more dams. The solutions are much more complicated than the National Party would have us believe. The bill before the House this afternoon certainly tries to get to the heart of the complicated matters that we find before us today.

I certainly commend the member for Barron River for her contribution here this afternoon. I generally take my riding instructions on these matters and how they pertain particularly to the city of Cairns from the member for Barron River. She has been a tireless advocate for sensible water planning in the Cairns region for many years. We have a mayor in Cairns by the name of Kevin Byrne, a National Party member. From what I gather, he is a failed Senate candidate for the National Party on one or two occasions. He is a failed National Party candidate for the seat of Leichhardt on one or two occasions. He is certainly steeped in the National Party doctrine of building more dams, wherever they may be, whether in north Queensland, the Burnett or wherever. The member for Barron River has taken up the fight to the small-minded mayor of Cairns and has dragged him kicking and screaming all the way to bring sensible water planning to that city. It was her single-mindedness that made the council bring in a least cost planning study—something as simple as that. It has the ability to save not just the council and the state government considerable amounts of money but consumers themselves. It will ensure that water is not wasted.

We are very lucky in Cairns. I would say that we have the best water supply in all of Queensland. It comes directly down from the rainforests in the tableland areas. Most of it is fed from Behana Creek. It is absolutely beautiful water. It hardly needs to be treated before it gets to consumers. The secondary water supply comes from the Copperlode Dam, and it is really there as an assistance to the main supply that comes from Behana Creek. Because it comes down from those hills and Cairns is a low, flat area, it comes down at quite high pressure. Obviously the infrastructure under the ground that supports the delivery of the water was built at such a time that the water is delivered at such a high pressure, and that causes leaks, wastage and inefficiencies within the system. The council had to be brought kicking and screaming by the member for Barron River to put systems and processes in place to reduce the leakage in that water supply.

What I think the least cost study found—and the member for Barron River will correct me if I am wrong—is that up to 20 per cent of water in Cairns is being wasted. So here we have a mayor who is calling for more dams which will lead to great environmental destruction—like most or all of the members of the National Party—and at the same time he is administering a water supply system that runs at 80 per cent efficiency. I think it is an absolute crime—that is, the attitude of the National Party and the mayor of Cairns.

The member for Barron River has been able to demonstrate that, with sensible planning, with planning that has a look at the infrastructure in place and by putting some simple and inexpensive measures in place, we are able to make a real difference and hopefully put off building infrastructure as long as we can. I hope that the member for Barron River is right and that we can put off the construction of a second dam for the water supply of Cairns indefinitely. I suspect that in the long term we probably will have to build another dam, but I think we need to put off making those sorts of infrastructure decisions as long as we possibly can to conserve the environment and to make sure that we are spending money on infrastructure that is just as important—hospitals, roads, schools and the like.

I commend the member for Barron River for her leadership on this issue. She has been supported ably by the minister and the member for Cairns, who funded half of the least cost planning study. They are to be commended for their leadership. The bill before the House is going to improve not only the lives of people in Cairns; I think people in remote and regional parts of my electorate will also benefit from the sterling initiatives contained in the provisions of this bill. They have the electric wire out there in many of those communities now. They never had it under the National Party during its 32 years in office, but thankfully when the Labor Party came to power in 1989 they ran the electric wire out to many of those Aboriginal and Islander communities that make up the bulk of my electorate. They did not have phones. They did not have electricity. They did not have a decent water supply, either. Thankfully, we have put that infrastructure into those communities. Those people do not just go down to the creek and wash their clothes anymore. They use washing machines and other infrastructure that relies heavily on water.

**Ms Nelson-Carr** interjected.

**Mr O'BRIEN:** Dishwashers are probably not as common in those Indigenous communities as things like washing machines are.

**Mr Briskey:** Fisher and Paykel make good ones.

**Mr O'BRIEN:** Fisher and Paykel products are certainly popular in those communities. I would certainly recommend to my constituents a Fisher and Paykel product. In fact, I have a Fisher and Paykel product in my house in Cairns, and I certainly recommend those products.

Aboriginal communities will benefit from the provisions in this bill, so they can make a choice. Just like everybody else throughout Queensland, they will be able to make a choice. I think last week in this House opposition members highlighted that in some of those communities there are severe water shortages at the moment. It is important that people in those communities are also able to make important choices about products and services that will reduce the consumption of water in those communities.

**A government member** interjected.

**Mr O'BRIEN:** I will talk about Brisbane Water another time—perhaps when debating the fluoridation legislation.

I commend the minister for her continuing leadership on this matter. I think we need initiatives like this and the many things that the member for Barron River talked about—for example, the use of dual-flush toilets, the introduction of rainwater tanks, shower roses that inhibit the flow of water, washing up dishes by hand at night, which I do when I am at home, and the Aqua Clic product that she spoke about as well.

The more these products become available and the more widely we use them, the easier it is for us to defer the environmental destruction that comes from the National Party's preferred position on this matter, and that is the construction of dams. In Cairns the preferred site for the second dam is Flaggy Creek which is, of course, in the electorate of Cook.

**Mr Pearce** interjected.

**Mr O'BRIEN:** No, I am pretty sure that the catchment area for the dam would also be in the electorate of Cook. It is on the boundary of the two electorates.

**Mrs Reilly:** It's on the boundary of Barron River.

**Mr O'BRIEN:** It is on the boundary between Cook and Barron River. I thank the member for her assistance on that. The traditional owners in that area are very concerned about the environmental destruction that would be caused by a possible dam should the National Party and the mayor of Cairns get their way on this matter.

**Mr Briskey:** What does the member for Barron River think about this?

**Mr O'BRIEN:** The member for Barron River is vehemently opposed to it, as am I. If members consider the matter from the point of view of the traditional owners of this area, obviously if the area is going to be dammed they are going to lose vast tracts of their land to the dam. That would be a terrible thing to inflict on those people unnecessarily. With those few words, I commend the bill to the House.

**Ms NOLAN** (Ipswich—ALP) (5.01 pm): I recently had the pleasure of speaking to the year 7 class, about 100 young people, at Silkstone State School. I asked them what they regarded as the big issues facing Ipswich and Queensland. The first child put up his hand and said that it was water. He said that we waste too much water and that we do not have enough. The second child put up her hand, and she said it was our lack of care for the bush including the rubbish that lies in the bush that surrounds Ipswich. The third child suggested that it was petrol prices. If these children's parents had been asked the same question their responses would have been very different. They would have said the things that consistently come up in public opinion surveys—health, education, transport, law and order and financial management.

This is not a one-off event. It is a sign of significant generational change. The generation who follow those of us who sit here today will live in bigger cities than do we. They will face the environmental problems we are leaving behind, and they will use natural resources such as water, power and fuel far more cautiously than do we. We are seeing a process to which I have referred in the House before and to which the member for Mount Coot-tha referred to earlier. We are seeing a process of attitudes to natural resources coming full circle.

Our grandparents were enormously cautious about natural resources such as water. Many of us will have heard stories of grandparents or parents and, in some cases, people in the House who grew up on farms and who had a tank and when the tank ran out that was it. These people continue to run around the house turning off taps and lights and being very cautious about the use of our resources. My grandfather never drove a car. He did not have a sprinkler on the garden. If the garden needed watering he would hose it by hand. He would absolutely turn off the light when he left a room.

Then came the next generation, the baby boomers, who grew up in a period of enormous abundance and who generally believed that technological change would prolong the use of those resources. That generation's attitudes to those natural resources is enormously different from those of the generation that preceded them.

What those children at Silkstone State School show, as do those at any other primary school in Queensland, is attitudinal change coming full circle. The generation that follow us will be much more cautious about the power they use, the petrol they use and the water they use than are we.

This bill is an important step in that journey. It is a step in the journey from the past, from the generational view that continues to be represented in here by the National Party, to the point of the future. Water reform has been one of the major Australian policy trends of the last decade or more—opposed, I note, at every step of the way by the National Party. The trend of that reform process has been the movement towards water pricing as a mechanism for valuing water and hence for water conservation.

Only 23 per cent of Queensland's water use is for urban purposes compared to 65 per cent for irrigation. While urban users generally do pay much more for their water than do irrigators, those urban users have still been somewhat limited in their ability to make informed choices about water use because the information available to people as consumers is simply quite poor. This bill addresses that information deficit by providing a star system that ranks household appliances such as shower roses, dishwashers and washing machines according to their water use.

As I have said in the House before, there is enormous capacity for south-east Queensland households to reduce water usage below the 350 litres per person per day which is our current average. Do consumers know, for instance, that the average washing machine uses 150 litres per load but that better models, particularly front loaders, use much less water? I have heard, for instance, that front loaders use something more like 40 litres of water per load. It is an enormous difference but, quite simply, it is not something that most of us or most of our constituents would be aware of. Do people know of the vast water savings that can be made by using a AAA rated shower rose? Do people know how much water it takes to turn on the dishwasher for a small number of items? The water efficiency labelling scheme will give people that information.

While I have made all these points, I am not so naive to think that we are somehow riding a wave of new-found rectitude when it comes to resource management. Despite a debate about water savings, we have not lost our enthusiasm for backyard swimming pools and hardly anyone gets their kitchen done up without installing a dishwasher.

There has been a very strong response to the current water-saving measures in south-east Queensland, but I think we as legislators are all very well aware that as soon as our own emphasis on those matters drops off, as soon as we stop talking about these things and as soon as we stop running ads, we will very easily return to our traditional methods of water use in south-east Queensland. In urban areas we are in the middle of a process of generational change and a process of attitudinal change, but we are not quite there yet.

We are not there yet on other areas of natural resource use, either. We talk a lot about conserving power, but there is a massive explosion in household airconditioning, which, of course, is eating up enormous amounts of power and, for most of us, is quite simply adding to our home power bills. While we say that we love the idea of fuel efficiency, four-wheel drive sales in Australia grew from about 3,000 vehicles a month in 2004 to 15,000 vehicles a month in May this year, although sales have fallen off slightly since the petrol price hike.

I am not proposing interference in these consumer choices. I do not think we can go from an environment where these things are not talked about very much at all to an environment where there is a major clampdown and we start telling people what they can and cannot do and what they can and cannot buy. I think it is very appropriate for government to be leading the debate and for government to be informing consumers about the resource use choices available to them. With those comments about the importance of water use efficiency, I commend the bill to the House.

**Mr McARDLE** (Caloundra—Lib) (5.10 pm): I rise to make a short contribution to the debate on the Water Efficiency Labelling and Standards Bill. Water is becoming the rare commodity of tomorrow. Its preservation, use and storage will exercise not only the minds of those in this parliament but also the minds of many in the future. This is the start of a debate that needs to be had right across Queensland and, in fact, right across this country.

Water is actually the main ingredient of life. Without it we will die within a very short period of time—certainly a much shorter time than from a lack of food. Our whole society is dependent upon this resource. We can forget about all our minerals, we can forget about all our resources, but if we do not have water, all that falls by the wayside. Water comprises a major component of industry development as it is a major part of our lives.

We on the Sunshine Coast are luckier than those in many other areas of the state. Our dam levels are high and we have continued to receive good rains. The Sunshine Coast has worked hard to achieve these goals. It started a number of years ago by fitting water meters to all houses. This is a practice that has now been taken up right throughout Queensland. We on the Sunshine Coast can certainly say that we were one of the forerunners of that process.

The Caloundra City Council actively pursued water conservation by encouraging the use of water tanks and devices to control the strength of the flow of water from taps and other devices. The future of the Sunshine Coast is ultimately tied to water both as a tourism resource and a resource to sustain us. Real threats lie ahead. We need to plan long-term strategies and look hard at all options to see if they can be part of the overall solution. It would, in my opinion, not be in our interests to remove any potential option as part of the overall strategy.

Simply because an issue is not looked at as part of a solution in itself there is nothing to stop that individual option being part of the overall solution. We should not, because of our fear concerning one option, eliminate that option from the package. That in my opinion is a dereliction of the obligation that we have. We start the process with this bill today but we have a long way to go. We also have the knowledge that unless we take the hard steps now the future will indeed be bleak for this state.

**Mr TERRY SULLIVAN** (Stafford—ALP) (5.13 pm): I rise to support the Water Efficiency Labelling and Standards Bill 2005, the WELS Bill. Water efficient technologies combined with clear consumer labelling will help to ensure that we are using water wisely and not wastefully and will benefit consumers, the economy and the environment. The Water Efficiency Labelling and Standards Scheme will also help to underpin sustainable building initiatives in Queensland.

I am pleased to say that local industry reaction to the WELS Scheme has been enthusiastic. Public information meetings for the WELS Scheme have been run in all states this year. The number of industry participants attending the Brisbane meeting in July this year far exceeded the number recorded in other capital cities.

A company with a long-term relationship with water efficiency is Con-Serv Corporation Australia, based in Glentanna Street, Kedron, in my electorate. Con-Serv manufactures household plumbing fixtures and fittings. Con-Serv flow-control valves and water-efficient shower heads were awarded the Australian plumbing industry magazine's 2004 GreenPlumbers Water Efficient Product of the Year Award. I congratulate this local firm on its efforts.

There are, of course, many other innovative Queensland companies with a strong stake in the WELS Scheme. Such companies are Caroma Industries, whose parent company GWA International Ltd is based in Brisbane, and the whitegoods manufacturer Fisher and Paykel, which has a manufacturing plant at Cleveland and about which my colleague spoke previously. GWA International is a Queensland based company and owns several plumbing product ranges such as Caroma, Dorf Clark tapware and Fowlerware as well as Irwell, Stylus and Starion tapware brands. Caroma has pioneered the development of dual-flush toilets in Australia and is continuing to develop technology to further increase water savings. As an example, the newest toilets use only 4.5 litres for a full flush, which is down from 11 litres a few years ago.

Caroma Industries design, manufacture, import and distribute domestic and commercial sanitary ware and bathroom products. Caroma is at the forefront of product innovation and is the market leader in reduced flush water-efficient sanitary ware. Dorf Clark Industries manufacture taps and accessories under several brands and have a Brisbane branch and design centre.

As large companies in their own right both will operate under the Commonwealth legislation rather than the Queensland legislation. Caroma and Dorf Clark, along with other product ranges, are keen supporters of the WELS initiative. Caroma has secured the first product registration under the national WELS legislation. Caroma now boasts WELS product registration No. 0001 and the first two WELS product registrations for its Leda close-coupled cistern and pan, a four-star product, and its Leda electronic urinal suite, a three star product.

The plumbing based companies under the GWA umbrella, such as Caroma, have for several years been involved in testing and developing the two Australian standards that underpin the WELS Scheme. The Queensland Brassware Industry Advisory Panel, which represents Queensland's brassware and plumbing manufacturing industry, is also represented on the technical committee that produces the Australian standards. The testing procedure for Australian standards that support the WELS initiative has been developed through extensive consultation with Australia's plumbing and manufacturing sector. Queensland's manufacturers are well represented in the process. The WELS Scheme is a boon both nationally and locally, helping our local industries innovate and grow and our community save precious water.

On the local scene it is difficult trying to get teenagers and young adults to be water wise. For some reason a 20-minute shower is a necessity for teenage boys. What we really have to look at is water use by industry. I believe that one of our biggest users of water in Brisbane is just a few kilometres from a major sewage treatment plant and could use recycled water. I believe steps have been taken by this government to work with that industry to use recycled water.

Leaking taps are a major source of water loss. The cost of repairing taps is sometimes seen as too much yet the cost to society of lost water is far too much. I appreciate the steps this minister has taken. I congratulate her on the work that has been done. I support the bill before the House.

**Hon. D BOYLE** (Cairns—ALP) (Minister for Environment, Local Government, Planning and Women) (5.17 pm), in reply: I thank all honourable members who have contributed to the debate this evening. Because it is good news it is unlikely to get widespread coverage in the media. We all agree that this is an appropriate and further step in the water story in Queensland. As we all know, our increasing water consumption is one of the most critical environmental issues we face. Despite recent rain, we are still in drought and Brisbane is currently in stage 2 of water restrictions.

This bill will contribute to the introduction of a new national Water Efficiency Labelling Standards Scheme. There are only a couple of matters that I would like to particularly address. These relate to some comments by some local members, particularly those opposite, who it appears have either not done their research or have mistaken some of the information in the supporting notes and thereby wrongly attributed credit for this initiative in fact to the Commonwealth government.

That the Commonwealth has taken up the initiative and so have other states as well and that some of those states are ahead of us in putting in their legislation is to their credit, but it does not bear in fact on where this initiative came from. I am pleased indeed that this bill will ever after be known as the

WELS Bill. It should be so given my predecessor plus one's work in this portfolio. The Hon. Dean Wells as minister for the environment did take this forward and achieved a level of support amongst his colleagues at the Commonwealth and state levels.

We have ministerial councils from time to time and there are those ministers—I amongst them—who sometimes bemoan the time and travelling involved and wonder whether there is true value in such meetings. This is one such project taken to MINCO by that minister and which has had, of course, great benefits and been well received around Australia. However, there is an even earlier chapter in terms of where the credit for this initiative should go. It goes back some years to the year 2000 when the Queensland Environmental Protection Agency hosted a national forum on the greenhouse gas and water savings from showers and related issues. That was a very well attended forum at the time—an initiative that was not as common then as it would be these days.

That particular forum was well attended by federal, state and territory governments and the report on the benefits of various water efficiency measures was well received. It was in that report and following that forum that Queensland staff of the Environmental Protection Agency came through with the water efficiency labelling notion for Queensland in the first instance and for Australia. In particular, I pay recognition to Allan Mayne. He is one of the eminent staff in the Environmental Protection Agency and he particularly deserves credit for putting this initiative on the EPA's agenda and then, through Minister Wells's effort, on the state and national agenda. It is a Smart State initiative and we can—all of us, on both sides of the House—be proud of that.

I would also like to respond particularly to some issues raised by the member for Gladstone. I welcome her support for this bill. She did ask about education for retailers. In fact, there has already been extensive industry consultation and I am pleased to report to honourable members that industry is supporting this initiative. Further, there will be promotion of this initiative through housing journals and through our sustainable housing program. There is a widespread program of education and consultation across Queensland which, I am pleased to inform honourable members, starts tomorrow. This initiative and the other sustainable housing initiatives, which take effect on 1 July next year, are well known to people so that they have plenty of time to prepare for it.

Incidentally, not only is industry pleased with the initiative that we are taking; it is already indicating to us that there may be significant benefits for business. This is an initiative that will be the first in the Western World. Interest has been demonstrated already in what we are doing with this water efficiency labelling set of standards by other international interests. It is likely that they will follow similarly the pattern that we have established. Industry is indicating to us that it places Australian products—dishwashers, washing machines and the like—well at the forefront in terms of hopefully increased export sales in the years to come.

A lot, too, is being carried out under the heading of 'Community Education' and we see that this is no particular effort. The community is well aware of the importance of water and its efficient use—hungry for information on how it can do best. We have no doubt that those many people who go out to make major whitegoods purchases, such as dishwashers and washing machines, will not only purchase on considerations of price and reputation and reliability but also will be looking closely at the new labels that reflect on water efficiency and recognising the important contribution they can make by choosing the best item available to them in that regard.

This is the kind of move that government is taking of which we can all be proud. By setting higher standards—sensibly and after much consultation with industry—and by educating the community, what we come to is a no-cost option for the taxpayer and for our constituents that improves the standards, increases water saving and benefits the environment. I commend this bill to the House.

Motion agreed to.

### Consideration in Detail

Clauses 1 to 77 and schedule, as read, agreed to.

### Third Reading

**Hon. D BOYLE** (Cairns—ALP) (Minister for Environment, Local Government, Planning and Women) (5.25 pm): I thank members for the unanimous—it would appear—support for the bill. I really do thank all of the members on this side of the House who have spoken about the initiatives in their own areas and spoken about their councils which have done such a good job. I recognise also the contributions of the opposition and of the very good work done by the Brisbane City Council over many years in terms of water related initiatives. I again thank the Environmental Protection Agency and all who have worked on this bill over many years within the department, and my own staff.

I move—

That the bill be now read a third time.

Motion agreed to.

## HEALTH SYSTEM

**Mr SPRINGBORG** (Southern Downs—NPA) (Leader of the Opposition) (5.27 pm): I move—

That this House condemns the Beattie Labor government for its failure to effectively administer the public health system in Queensland which now threatens the very existence of our free public hospital system; and further expresses this House's sympathy for those patients and their families that have been killed or injured as a consequence of this neglect.

This government's mismanagement of Queensland's health system has been a sordid affair. If the member for Stafford thinks it has not, he should read some of the history of the events that led up to the Bundaberg Hospital crisis. He should read about the way that this government and other people castigated the member for Burnett, Mr Messenger; the way that the government, through its various agencies, castigated and marginalised nurse Toni Hoffman and those other people who tried to blow the whistle. Fortunately we have brave people who were prepared to go through and brave people who were prepared to stand on their dig.

Look at the misery that was created because of this government's maladministration and neglect of its fundamental duty and obligation to the people of Queensland and its fundamental duty and obligation to the people of Bundaberg. There are other areas that have been identified but which will never be exposed because this government would not accede to the request of Commissioner Davies.

On behalf of the opposition in this place I express our sympathy, our empathy and our thoughts to all of those people who have suffered as a consequence of the government's maladministration and neglect of Queensland's health system—to those people who have had their loved ones injured or maimed or even killed as a consequence of the maladministration of the health system under this government and those people who have personally suffered as well. However, look at the indignity that other Queenslanders have had to go through. They now have to pay for this government's neglect with an attack—an overt attack—on our free public hospital system by the threatened introduction of copayments and means testing. We know what the Prime Minister has had to say about that.

Let us turn to page 197 of the report which was released today by Commissioner Davies. It is a damning indictment of this government's maladministration and neglect. It is the way forward, but it also demonstrates the appalling track record of this government: the maladministration, the lies and the incompetence which have gone before us over the past few years. One very important paragraph on page 197 states—

I would also pay tribute to Mr Messenger, the Member for Burnett. He provided a voice for staff concerns when no others seemed to exist and, although it has not been the subject of this report, he was forced, in the course of so doing, to endure animosity from a number of quarters—

and from a number of interest groups and from this government in this parliament. Instead of investigating the concerns, the former minister castigated the member for Burnett, Mr Messenger, for the concerns which he raised in this place. If those concerns were not ventilated in this place they would never have come to light and the true extent of the misery and death under this government would never have been known.

This is a government which has been concerned about only spin and image. We have heard it all before. I say to the Premier that Queenslanders are saying, 'We've heard it all before.' We have had enough of this 'we have a world-class health system'. We have had enough of 'we have the best health system in Australia'. Today he is saying, 'We are going to build the best health system in Australia.' So the language and the rhetoric change.

This has been about a government more interested in protecting itself than protecting the patients in Queensland hospitals who have been victims of this government's neglect. It has been more interested in glossy brochures, spin and putting out hundreds of press releases saying that it is fixing the problem and not actually fixing the problem. Look at the amount of money which has been expended and promised by this government not only in the last few weeks and months but also in the weeks and months before the last state election and the months and the year or two following the state election when the government made a number of announcements. They were covered in all sorts of rhetoric such as, 'Today is the day that we fix the Queensland health system,' 'We recognise we have a problem,' and, 'It is going to be just around the corner.' But the waiting lists get worse. The issues in our health system worsen, and people are simply saying that they have heard it all before.

Let us look at what Commissioner Davies said in his report today about the former minister for health. It is a damning indictment on the former minister for health. How anyone can say that this is justified and requires no action is beyond me. It is a matter now of public record. On page 494 he says—

Minister Nuttall's choice of language at the meeting was poor. I find it reprehensible that he was prepared to say at the meeting, in effect, that Dr Fitzgerald's report would remain incomplete because Dr Patel would not have a chance to put his side of the story. If that is what he was told by Dr Buckland, or his staff, then he was at best naive and at worst disingenuous in his asserted acceptance of that advice. To a politician of Minister Nuttall's obvious experience, any such advice would obviously be nonsense.

He goes on to say—

Minister Nuttall commissioned a wide ranging review on 9 April 2005. He did so on the advice of Dr Buckland. Minister Nuttall's evidence was to the effect that it was not until some days after 9 April that he came to know of reports of Dr Patel's adverse clinical history in the United States. Dr Buckland says that he informed Minister Nuttall to this effect on 8 April. I accept Dr Buckland's evidence in this respect.

He further goes on to say—

The statements made by Minister Nuttall at the meeting show a disposition to conceal adverse information.

**Mr Nuttall:** Read the whole report!

**Mr SPRINGBORG:** They are not my words; they are the words of Commissioner Davies. If the former minister for health had any integrity he would resign or the Premier would have the courage to sack him.

It appears that this government has absolutely no standards when it comes to appropriate ministerial conduct. We have heard the Premier today making some sort of sublime and ridiculous comment through the media that there was no recommendation that the minister be sacked or stood aside—no adverse recommendation, no recommendation along those lines. I say this to the Premier: when do fundamental ethics, fundamental respect and doing the fundamentally right thing come into his vocabulary? They do not. There were no adverse findings to say that Liddy Clark should resign, either. She did not do the right thing but subsequently did because he did not have the guts to do the right thing.

Let us take our minds back to the so-called dark ages in the 1980s that members opposite talk about. I remind them of the events surrounding Vic Sullivan and Ken Tomkins when they were on a fishing trip that they should not have been on. There were no adverse findings made by anyone against them. There was no criminality. There were no adverse findings made against them by anyone, but the Premier of the day, Sir Joh Bjelke-Petersen, saw that they were judged in the court and jury of public opinion.

It seems that unless there is proven criminality this Premier's ministers can do anything. They can have a disposition towards concealing adverse information. They can say anything; they can do anything. Basic credibility and basic ethics matter zip and zilch to him. They matter absolutely nothing to him.

**Mr Reeves** interjected.

**Mr SPEAKER:** Order! Member for Mansfield.

**Mr SPRINGBORG:** As the Premier feigns some sort of dignity and tries to cover himself in a veil of accountability and some sort of virginal white veil about how open, accountable and honest he is, I am afraid he is condemned and he is judged by his actions and not his rhetoric.

**Mr Reeves** interjected.

**Mr SPEAKER:** Order! Member for Mansfield!

**Mr SPRINGBORG:** If that is a standard that the Premier is prepared to accept—a minister who has a disposition towards concealing adverse information and all of the other things that went before—then it is a sad indictment on him. It must at least play on his conscience, if he has one, that the only people who were sacked were Dr Scott and Dr Buckland. We have an acceptance by Commissioner Davies that Dr Buckland told the truth and the minister did not, and who got sacked and who did not? That is something that must weigh on the Premier's conscience, if he has one.

Look at the covering up of the secret waiting lists which the Premier himself said did not exist. They all indignantly said they did not exist. There are 108,000 Queenslanders on those secret waiting lists. I am telling the Premier that it is not good enough and this motion should be passed.

**Mr Reeves** interjected.

**Mr SPEAKER:** Order! Member for Mansfield, I warn you under 253.

**Mr QUINN** (Robina—Lib) (5.36 pm): I rise to support the motion moved by the member for Southern Downs. The member for Southern Downs has quite clearly explained the issue regarding the responsibility of ministers of this government and their part in the unfolding drama that has become known as the Patel tragedy. The issue about ministerial behaviour—who in cabinet knew of misleading information being put forward by former minister Wendy Edmond—is quite clearly explained in the report. There is no doubt that the cabinet itself had the anterior lists, the so-called secret waiting lists, at the same time that Wendy Edmond was issuing false and misleading press releases.

**Mr Beattie:** What?

**Mr QUINN:** That is a statement in the report itself. If the Premier does not believe me, he should go to the pages and read the report. Davies makes it quite plain that the cabinet knew that the minister was issuing false and misleading reports.

The issue I want to tackle is the issue of funding. This gets back to the nub of the problem within Queensland Health. Commissioner Davies on page 347 makes it quite plain that there has been an ongoing problem in terms of funding for Queensland Health over a period.

**Mr Wilson** interjected.

**Mr SPEAKER:** Order! Member for Ferny Grove.



**Mr QUINN:** This is not a recent a problem; it is longstanding problem spanning successive governments. The member opposite is right. Since I have been in this parliament there have been six governments—five ALP and one coalition—and there have been 16 budgets—14 ALP and two coalition. If the member wants to look at where the overwhelming responsibility lies to provide funding to fix the longstanding neglect and deficit in terms of funding for health, he should look at the ALP. It was in government five or six times to the coalition in terms of the time span or the budget periods. That is where the responsibility lies. This issue of 'it is both of our problem' just does not withstand scrutiny when we apply the test of the statistics and the time frames. That is the real issue here: who had responsibility to fix the problem? The Premier has been talking about being part of the solution. He has had the solution in his hands for 15 of the last 17 years and he comes in here and says, 'We're all part of the problem.' That is the reality here.

Chapter and verse on page 347 shows how the ALP has continually failed to improve funding for Queensland Health over a long period of time. Even more recently, the per capita funding is falling away. Look on pages 347 and 348. Go to the independent report on the state of our public hospitals or to the Productivity Commission. One has only to look at the last couple on pages 348, 616 and 617. The June 2004 report claims that Queensland's recurrent expenditure per person on public hospitals in 2001 was the lowest in Australia at \$322 per capita—13 per cent lower than the national average of \$371 per person. Remember, that is a 13 per cent gap. If we go to the next report for the 2004-05 financial year we find that the position has not changed. We were still the lowest in Australia at \$440 per person compared to the national average of \$522 per person. However, the gap had risen from 13 per cent to 20 per cent.

In terms of funding per capita compared to the national average, under the ALP we were actually going backwards. However, what we were hearing in the public arena was 'a record budget in Queensland' and 'better funds than ever before'. The reality was that, if there was one more dollar than the previous year, this government was claiming it to be a record. However, when one looks at the reality, as exposed by Commissioner Davies, on a per capita basis compared to the rest of Australia this state was going backwards. We were going backwards yet the government had the temerity—the hide—to go into the public arena and say that it was fixing the problems in Queensland Health. That is the real indictment here. This government can talk about ministerial responsibility—who knew what and who covered up what—but, in reality, the problem was an ALP government problem. It made it, it had time to fix it, it did not fix it and it hid it all the time. At the same time, the government was trying to convince the public that it was honest in terms of trying to fix the problem.

Time expired.

**Hon. PD BEATTIE** (Brisbane Central—ALP) (Premier and Treasurer) (5.41 pm): I move the following amendment—

'That all words after 'House' are deleted and the following parts inserted:

1. Expresses its sympathy and support for the victims of Dr Patel, and notes that the Government established a special process to facilitate the determination of reasonable compensation claims;
2. Notes the Queensland Government's proactive decision to establish the Forster Review of the Queensland Health System and the Morris and Davies Commissions of Inquiry in order to ensure Queenslanders have the best possible health service;
3. Notes the 37-page summary provided to Parliament today, outlining the major improvements which the Queensland Government has made since establishing the Review and Inquiries, including October's Health Action Plan and associated increase in funding of \$6.4 billion over five years; and
4. Draws the attention of the Federal Government to the comments of the Forster Report and the Davies Report in relation to the need for Federal reform of the Australian health system and calls on the Prime Minister to hold an urgent inquiry into the Federal health system.'

The first part of that amendment deals with expressing sympathy and support for the victims of Dr Patel. We held an inquiry to discover exactly how Jayant Patel was appointed to the Bundaberg Hospital and exactly what he did while he was there. As a result of that inquiry, the appropriate people responsible will now feel the consequences of the commission's recommendations.

When the first inquiry was shut down we opened a second inquiry. We have had sympathy and support for those victims. The minister, the Deputy Premier and I met with and briefed Beryl Crosby today; we have explained the report. My government has demonstrated its ongoing commitment to providing all the support necessary to the former patients of Dr Patel. In fact, we have gone beyond that and we will continue to do so.

The government has put in place a special process to ensure that speedy and just outcomes are delivered. The government has set aside more than \$3 million to support the implementation of this process. So far, the government has provided assistance to 620 former patients of Dr Patel at a cost of nearly \$1.2 million. In addition to that, the Queensland government has provided \$90,998.27 so far for travel expenses and reimbursement of costs to members of the Bundaberg Patients Support Group to help them attend both inquiries and hold their regular meetings. In addition, at the commissions of inquiry, fees paid to Carter Capner Solicitors to represent the patients totalled \$362,150, including costs of counsel, and there were costs of \$1,833 for related patient travel expenses and three witnesses.

Further, as yet uninvoiced legal costs are estimated at \$66,000. Importantly, the government does not intend to constrain people's rights at law. If people choose not to go through the special process, they can make claims under other legislation—that is, the Personal Injuries Proceedings Act 2002 and the Civil Liability Act 2003.

The next part of the amendment relates to the inquiries and the review. We called the inquiries and review. Tony Morris was fiercely independent and so was Commissioner Davies. When Tony Morris's inquiry failed, it appeared that it might have been the end of the inquiry process. We took advice and we started another inquiry with another fiercely independent commissioner. We did not stop there. We also decided to hold a comprehensive review of every aspect of Queensland Health. Our opponents have falsely alleged that we were dragged kicking and screaming to the inquiry. That is simply not true. At the end of the day, cabinet makes these decisions. The National Party way was to cover these matters up. We did not do that. We faced up to it head-on. We intend to continue to do that.

I tabled this morning a 37-page summary of improvements in just six months. The parliament debated and passed the Medical Practitioners Registration Amendment Bill and we allocated record funding. If people look at what we did in the mini budget on 25 October they will see that we have set out \$6.4 billion in just over five years to help build the best public health system in Australia. We have allocated moneys accordingly.

The real issue now is that we need federal action. Peter Forster recommended it and Commissioner Davies recommended it. In the contribution by both the speakers before—the mover and the seconder—they made no reference to it. Why? Because they do not really want to resolve this. They just want to play politics. They are not interested in patients and any suggestion that they are is a nonsense. The fact is that, if they were serious about patients, they would be part of our call for a national summit on health because we had the two inquiries that found the same thing—there needs to be a national approach. But not one word from those opposite. If they were serious, why are they not out there talking to Tony Abbott or the Prime Minister? They are not serious, so let us not deal with any more nonsense.

I heard the nonsense from one of those opposite about what had happened in days gone by. They conveniently ignore what Commissioner Davies said about the previous coalition governments. Both Mr Springborg, the Leader of the Opposition, and Mr Quinn, the Leader of the Liberal Party, sat in that cabinet that hid those coalition waiting times. No guilt. They come in here and say the most extraordinary things, as if they were playing Pontius Pilate. The fact is that both sides of politics have nothing to be proud of. We are the only side of politics that is being honest about it.

Let me turn to the findings in respect of the former minister for health, Gordon Nuttall. Commissioner Davies has provided us with a rigorous and detailed report which recommends specific action to be taken against a number of individuals. Despite making some criticism of Minister Nuttall's behaviour at a meeting of staff at Bundaberg Hospital, the commissioner makes no recommendation of any action against him. That is on page 495. Let me be very clear: the report of the Davies commission of inquiry makes no recommendation for any action whatsoever against Minister Nuttall. Minister Nuttall has written to me today responding to this matter and I table his letter for the information of the House. I urge the Leader of the Opposition to read it.

Time expired.

**Hon. AM BLIGH** (South Brisbane—ALP) (Deputy Premier, Minister for Finance and Minister for State Development, Trade and Innovation) (5.47 pm): I rise to second the amendment moved by the Premier. I do so because when I reflect on the motion moved this morning by the Leader of the Opposition I cannot help but be struck by the fact that it is deeply mired in the past. It is a motion that looks backwards and it looks backwards with a degree, I have to say, of unseemly delight. You can almost hear and see the opposition rubbing its hands with political relish, because that is what this is about. This is about trying to wring just one more little bit out of the health crisis on its behalf; trying to milk just a little bit more political mileage, just one more ounce. In stark contrast, the Premier's amendment, which I second tonight, is focused entirely on solutions to what has been a very difficult problem. The Premier's amendment notes the various actions, the very future focused actions, that our government has been committed to.

We have outlined a comprehensive, five-year action plan. We have heard barely a comment from the opposition about that action plan. We have certainly seen no commitment whatsoever from the opposition that if it was in government it would maintain the actions in that plan. It will be interesting to see when it goes to the election next year—or the year after, sorry—whether it will be prepared to commit to the—

**Opposition members** interjected.

**Ms BLIGH:** You get ready for it. When we go to the election will it be prepared to go to the people of Queensland and tell the truth? That is, the opposition is not committed to this five-year action plan. If the opposition were given an opportunity to be on this side of the House, it would abandon it. It is not prepared to fund it; it is not prepared to make the hard decisions to ensure that we have the revenue in the out years to sustain the increased staff and the increased services.

The Premier's amendment also speaks to the question of compensation. Yes, many people who were patients at the Bundaberg Hospital and patients of Dr Patel have had very, very painful experiences. I am very pleased to second an amendment that recognises those difficulties and that pain and to express the sympathy of this parliament for those victims. I do think it is important that we recognise that compensation should go to those people, that those people are owed some recompense for what they have experienced.

This issue is one which has required a very, very serious effort on behalf of government. As the Premier outlined in a great deal of detail this morning, our government has taken this issue very seriously and we have done so because it is a serious issue. It is one that has demanded a very serious response and that is what we have given it. We have delivered a serious five-year, fully funded \$6 billion plus response, and our response is one that is fully funded not only this year but for the next five years on the whole roll-out of the plan. It is part of a total comprehensive policy and it comes on top of the funding that we have delivered to Queensland Health since we have been in government. Since 1998 health funding in Queensland under our government has increased by a staggering 109 per cent.

I listened to the comments of the Leader of the Opposition and, most notably, the Leader of the Liberal Party. We have heard a lot in the past week or so about the so-called decency and integrity of the Leader of the Liberal Party. I have to ask him: where was it tonight? Where was that decency tonight? Where was his decency when he was asked to accept some responsibility for some of the circumstances that have given rise to the problems in Queensland Health? It was completely absent. I have rarely seen such a display of absolutely shameless hypocrisy. A conservative cabinet—not just a cabinet that had a Liberal Party component to it but a cabinet that the member for Robina was a senior member of—was the cabinet that decided to hide all information about surgical waiting lists.

The Leader of the Liberal Party tonight was without shame and, most importantly, he was without responsibility. One of the differences I think between this side of the House and that side of the House is that when there is a problem we own it. They shirk it and we own it. It was not us that said that they had to share some of the blame; it was the findings of a commission of inquiry. It was Commissioner Davies who said, on the evidence, that all sides of politics have some share of the blame in this.

Every solution to every problem starts with the same first step—that is, owning the problem. You cannot find a solution and you cannot work to find a way through it unless you own the problem. That is what we have been prepared to do as a government. The second step is to take the issue seriously and give it our best commitment. They have failed on the other side of the House to take this seriously. They have failed to accept their share of responsibility for it. They have failed to give any commitment to maintain the health action plan. On all of these counts they stand condemned. Their motion is one that is mired in the past, and I urge all members to focus on the future.

**Dr FLEGG** (Moggill—Lib) (5.52 pm): In speaking to this motion and the government's amendment one needs to look no further than the report of the *Queensland public hospitals commission of inquiry* that was tabled in this place today. It is a litany of failure and shame at every level affecting every hospital that Commissioner Davies was permitted to examine by his terms of reference. Commissioner Davies made it very clear that it was a failure of the system in delivering health care that has failed Queenslanders. He also makes it abundantly clear that the responsibility rests with this state government. We have seen a disgraceful effort to try to blame everybody else except this government to escape responsibility for its own actions. What happened here in Queensland was not a failing of the federal government. It was a failure of this government to control its own department, its own resources and in some cases its own ministers.

The other thing that is blindingly evident from this report is that, whilst the government's chronic underfunding was a substantial contributing factor to what we have seen, it was by no means the major factor—nor will simply throwing money at this broken system fix that Commissioner Davies has described. Had Commissioner Davies been permitted to continue examining the Prince Charles Hospital, the Royal Brisbane and Women's Hospital, the Princess Alexandra Hospital, the Gold Coast Hospital, Nambour Hospital, Cairns Base Hospital and so on, the findings would have been exactly the same.

The report also makes it abundantly clear that a national shortage of doctors was not the principal factor. In fact, it describes in detail how so many good medical staff were lost because of maladministration and how in many cases fully qualified staff wishing to work for Queensland Health were refused jobs. It describes in detail the government's attempt to cover up what was happening from the people of Queensland and not just in terms of data that has subsequently been legislated for publication but in terms of reports and other findings, such as the Miller report, the cardiac reports and so on—some of which have still not been released publicly by this government.

Queenslanders should be shocked that we chose to employ unqualified doctors for budget reasons, not because of shortages. But, going forward, what is very evident from the government's response is that the government has not faced up to the failings in the health system or its responsibility for them. The increased funding that has been announced is welcome, but it will not deliver as much high-quality health care as it would in a system where the administration was properly organised.

Take the Prince Charles Hospital as an example. Evidence was given that district manager Debbie Podbury threatened the most experienced cardiac surgeon in the state with a code violation for requesting life-saving equipment for children. Evidence was given that she threatened to sack the director of the catheter lab because he considered it clinically necessary to use a costly life-saving device. Then, district manager Gloria Wallace took over the Prince Charles Hospital and slashed the cardiac services in a way that was described as totally unacceptable, unconscionable and likely to condemn to death patients waiting for heart tests. Both administrators are adversely mentioned by Commissioner Davies and yet they have been promoted into senior administrative positions in Queensland Health. There is just no political will whatsoever in the government to tackle the problems of administration, to tackle the excess bureaucracy, to tackle the excess layers of bureaucracy. It is always the simple fix—throw a few dollars at it and tell the people of Queensland that it will be okay.

Even the Premier himself was given a briefing on the crisis in cardiac services and yet he chose to do nothing. That is at paragraph 5.276, if members want to have a look at it. The state government was clearly held accountable for these problems and Commissioner Davies highlighted not just the enormous underfunding of health care per capita in the state but also the fact that per capita funding was actually declining over the course of this government, despite its promises to the people of Queensland. Yet in this government's response we have seen it trying to make a virtue out of a partial catch-up of these years of funding neglect. The previous two health ministers, both personally appointed by the Premier, are roundly criticised.

What we have seen here is that the government's administration right across Queensland Health, up to the highest level, was appalling and cost the lives of many Queenslanders. Furthermore, the government's much touted response is inadequate. It is unwilling to make the hard decisions that are necessary to change the sort of culture—

Time expired.

**Hon. LD LAVARCH** (Kurwongbah—ALP) (Minister for Justice and Attorney-General) (5.57 pm): I rise to support the amendment moved by the Premier and seconded by the Deputy Premier and, in particular, express sympathy and support for the victims of Dr Patel. I want to talk about the special process that has been put in place to facilitate the determination of reasonable compensation claims for the victims of Dr Patel.

The Beattie government has been responsive to those who have been adversely affected by Dr Patel. We have shown our concern and compassion by putting in place a special process to determine reasonable compensation claims for those injured by the actions of Dr Patel. The details of this special process were set out by me in a statement to the House on 6 October this year. I also announced on that day that patients could start lodging claims or have current claims progress without further delay. There has now been a notification of 225 claims for compensation by victims. I can also advise that offers to settle on behalf of two victims have been put to the state's legal representatives, and they are currently being considered. Claimants still have until 26 February 2006 to lodge claims.

I remind the House that the special process is based on the mediation of claims through the Health Rights Commission. I stress that this special process is not compulsory. Claimants can choose not to take advantage of the special process and they can assert their rights in the courts instead of through the Personal Injuries Proceedings Act 2002 process, underpinned by the Civil Liability Act 2003. They can also go to court if agreement is not reached through the special process. We are not taking away any legal rights of those persons adversely affected by Dr Patel. However, we have taken into consideration their unique circumstances. We have also listened to the patients support group and to its members' lawyers in relation to their needs in pursuing their compensation claims.

We have allocated over \$3 million to fund the special process. This special process includes the cost of funding a medical report valued at around \$2,000 for the claimants. It also provides funds for legal representation and for the services of mediators. It should also be noted that within the mediation process the government has made the concession that it will not be arguing liability. This means that one of the two core issues in a claim before a court, namely establishing liability, is not required for an agreement to be reached through the special process. Compensation will be based on information made on the medical reports and informed by the injury scale values, but not constrained by it. This will mean substantial time savings with the special process and also there will be economies of scale because cases may have common legal features.

Lawyers representing the former patients of Dr Patel have been consulted about the special process. I can confirm that the principal lawyers for the Bundaberg Patients Support Group have made representations to me in relation to the special process, including the amount of legal fees being offered. In contrast, other lawyers representing victims of Dr Patel have not raised any issue with me, including the level of legal fees. Nonetheless, I am mindful that there are differing matters and differing levels of complexity, and I am anxious to ensure that the process operates fairly.

Following on from the submission of the principal lawyers, I have again met with them and discussed the issues further. They made further representations that I am currently responding to. I can confirm that I have reassessed the level of legal fees offered in light of further submissions and have put a further offer of \$4,000 per legal claim. That is a reasonable estimate of costs incurred by a senior

partner settling a matter through the special process. Our special process is about just compensation for victims. It is not about maximising profits for lawyers. Whether or not a matter settles in the special process, the legal fees of \$4,000 will be paid. We have been compassionate, sympathetic and reasonable at all times in responding to the injuries caused by Dr Patel. Our special process for compensation is strong evidence of our concern for those harmed by Dr Patel.

I take the few seconds remaining to put on the record my acknowledgment and recognition of the work of Commissioner Davies; David Groth, secretary to the commission of inquiry; Tony Stella, who led a team of Crown lawyers assisting the commission; Jarrod Cowley-Grimmond, who assembled the evidence with respect to Townsville, Charters Towers and Rockhampton hospitals and did a considerable amount of work on the roles of the various complaint bodies; and Clare Murphy, who did a great deal of research on complaints and procedures within the hospitals.

Time expired.

**Mr MESSENGER** (Burnett—NPA) (6.03 pm): I rise to support the motion of the Leader of the Opposition and reject that of the Premier. The Premier got it right once this afternoon when he tabled the Davies royal commission report and said, 'Today is an historic day for Queensland.' Everything he said after that was a Labor Party spin doctor's fairytale.

Never before in the history of Queensland, indeed Australia, have we had a royal commission investigate so many deaths and see such serious charges brought against health professionals employed by a government. This morning the Premier gave himself a pat on the back when he said that this government had the courage to thoroughly examine the health system in a very public way. Toni Hoffman had courage. Patel's victims had courage. The Premier's statement is just more evidence of the arrogant, dictatorial and delusional approach that this Labor Party has towards governing Queensland.

Never before in the history of Queensland have we seen a Premier and a government show such cowardice in the face of so much avoidable human misery. It was the Premier who allowed Queensland Health to be underfunded for 7½ years. Now we have to play catch-up with a Health budget on the Bankcard and 1,200 extra pokies, and we kill off our free health system.

It was the Premier who allowed the numbers of nurses, doctors and specialists in our public hospitals to decline. He did not pay them enough. In my election adds I told the Premier that we needed more doctors, nurses and specialists, not more excuses. Only now, after a \$6 million royal commission, is he starting to twig to the idea of increasing clinical staffing levels. That is after Commissioner Morris pointed out that 80 per cent of the Health wages budget is spent on administrators and 20 per cent on clinicians. The Premier had a policy of fiddling with the area of need so that even though we had Australian trained doctors available he directed his yes-men to hire overseas trained doctors because they were compliant and cheap.

This morning, in tabling this document, the Premier was full of excuses, blaming everyone including the opposition, the federal government, the Medical Board, the yes-men and Dr Patel for the crisis in Queensland Health. Yes, Dr Patel thrived and carved a tale of misery, but only in a sick health system that was created and nurtured by this Premier and this Labor government.

It was the Premier who ordered the then minister for health to Bundaberg on 7 April to deliver the news that there would be no investigation into 'Dr Death'. The Premier wanted to kill off the investigation into 'Dr Death'. He did not want this damning 538-page report. It was the Premier who skulked like a dingo on the edge of a camp fire for 31 days before he was shamed into visiting Patel's victims and their families. It was the Premier who said this morning that the government tackled this issue head-on. He and his Labor government have tackled it head-on the way a stunned roo, caught in the high beam of a headlight on the Burnett Highway, tackles a B-double semi.

The Premier's response to the needs of my constituents, 'Dr Death' victims, their families, the crisis in Queensland Health and this commission of inquiry smells like nine-month-old road kill. This Labor government's attitudes and actions stink of corruption and cover-up, and this royal commission is proof.

Commissioner Davies has recommended serious charges against Patel and a number of the Premier's yes-men. The last thing that this Premier and this government would like to see happening in 2006, which has just been confirmed as an election year, is 'Dr Death' standing trial in Queensland for the misery and butchery that he has caused. The last thing that this government would like is 'Dr Death' or the yes-men on the witness stand explaining under oath just who authorised his one-way ticket to America.

It is only proper that I pay tribute to nurse and whistleblower Toni Hoffman and her colleagues, whose courage in speaking out saved countless patients' lives. How many people would have died if she had not decided to blow the whistle? Patel would have continued to thrive and kill in Peter Beattie's sick health system. It is also only proper that I thank *Courier-Mail* journalist Hedley Thomas, who uncovered and published the facts of Patel's past. If Mr Thomas had not been so diligent, Toni Hoffman and I would have been in adjoining psychiatric seclusion rooms. As Toni Hoffman said, there but for the grace of Google go I.

**Hon. NITA CUNNINGHAM** (Bundaberg—ALP) (6.08 pm): I rise to support the Premier's amendment. The opposition's suggestion that this government has failed to effectively administer the public health system in Queensland is just not credible following the findings of the Davies report, which clearly acknowledges that the problems within the health system have been there over successive governments, both Labor and coalition. However, today the big difference between the government and the opposition is that the Beattie Labor government is facing up to those problems. We are not hiding them. We have not put inquiries into place that would stretch on for years without having to make any decisions. We are not making rash promises. We are doing something positive about those problems and we are doing it in a transparent way.

It is just eight months since the complaints against Dr Patel were made public. In that time, this government has put in place both the Forster and Morris/Davies inquiries, and both have now been completed. We have passed a mini budget to fund the changes that are needed. We have put firmly in place the major improvements summarised in the 37-page report provided to parliament this morning. This government has made a firm commitment to give Queenslanders the best possible public health system in Australia. In a positive way, we are moving forward to achieve that.

When the opposition talks about 'a free hospital system' it needs to be transparent as well. Exactly what is it referring to? Is it free for everyone? Which of the services would it retain? Would it cut services that are currently available or stifle any further growth of services? The people of Queensland deserve the same transparency from the opposition as they are getting from this government.

This evening we should be acknowledging the wonderful services we already have in Queensland provided by the 65,000 people currently employed across the state by Queensland Health. I have personally experienced health care in the public system at the Royal Brisbane and Women's Hospital, and I cannot speak more highly of the care at its oncology unit. At the Bundaberg Base Hospital alone, for the last 12 months 27,451 inpatient days were recorded and 188,137 outpatient treatments and appointments were attended to. That is just one example, but it is an indication of just how many people are being treated in the public health system in Queensland every day.

My electorate of Bundaberg has taken the brunt of the criticisms throughout these past eight months. This evening I would like to commend our government on the work it is doing to fix the problems that have clearly been in our hospital for many years. We already have in place an acting manager, Monica Seth, and a director of medicine, Dr Beresford, who are both working very hard. A new obstetrician is starting in the new year, and we will have a full staff of dentists by January. Recruitment is going well and with it confidence is growing.

Support for Dr Patel's patients has been exemplary. Already the government has provided \$1.2 million of assistance to 620 former patients of Dr Patel for things including their accommodation, surgery, doctor fees, medical investigations, travel costs, meals, medical consultations and family counselling. To date we have provided \$90,988 for the patients support group to help them attend inquiries, hold regular meetings and cover phone expenses. \$362,150 has already been spent on solicitors and another \$66,000 has been spent on legal costs. A patient liaison service was established in March. In the first 13 days over 500 patients had been supported. Formal letters have been sent to 1,500 patients treated by Dr Patel, and counselling has been provided for patients, families and staff.

This evening I would like to pay tribute to all of the dedicated staff at our hospital in Bundaberg. They have been working in an extremely stressful situation for the past eight months but they have continued to work to the best of their ability providing top-quality services 365 days of the year, 24 hours a day. On behalf of our community, I thank them all for their dedication and their professionalism and assure them of my continued support and this government's commitment to building a better health system.

In conclusion, I say this: the inquiries are over. The mini budget is providing the funds to implement the changes and we are not going to wallow in the past. We are moving forward to overcome the problems of the past, to provide justice for those patients and families who have suffered and to provide all Queenslanders with a better system.

I believe all communities have heard enough. They know there are problems. They just want them fixed, and they see that this government is moving quickly to do just that. It is up to the opposition now whether it wants to move forward with us in a positive way for Queensland or continue to hide behind negativity, insults and blame games.

**Mr COPELAND** (Cunningham—NPA) (6.13 pm): I rise to support the motion moved by the Leader of the Opposition and to speak very strongly against the amendment moved by the Premier. Once again, tonight we have seen, as we have seen time and time again in this parliament, the Premier come into this chamber and move a self-serving, cynical amendment to give himself a pat on the back. He does not deserve a pat on the back. His government does not deserve a pat on the back. He deserves to be condemned for what has happened in Queensland Health. The member for Bundaberg and the Deputy Premier say that we are wallowing in the past and that we are trying to wring political mileage out of this. That is not correct. We are quite rightly trying to bring this government, which has performed so badly when it comes to the health system, to account. It has been absolutely abysmal in

its performance with the successive now former health ministers and a Premier who has presided over it. We, as the opposition, will not allow it to try to sweep this under the carpet, try to deflect blame to everyone else except itself and to try to say that it is going to move forward and fix it. They are the ones who have wrecked it. They are the ones who have created the situation that we see now.

For years the opposition has been raising issues but this government and the former ministers have denied that there have been any problems whatsoever and denied there were hidden waiting lists. It was only when the royal commission was put in place that we scratched the surface of the problems, yet this government has denied those problems. This government deserves to be condemned for its maladministration. I refer to the conclusions drawn by Commissioner Davies in his report. At 8.8 he says—

... there were five deficiencies which together contributed to the unfortunate situations examined by this Inquiry in Bundaberg, Hervey Bay, Townsville, Rockhampton, Charters Towers and Prince Charles Hospitals. It may be reasonably inferred that they contributed to similar problems in other hospitals.

I am sure they did, but Commissioner Davies was unable to examine those other hospitals. This government did not want him to be able to examine those other hospitals because it did not want to see these problems being identified right across Queensland. The very first point that Commissioner Davies said contributed to similar problems in other hospitals was an 'inadequate budget defectively administered'. It cannot be any clearer than that. The other situations were—

- (b) A defective administration of area of need registration;
- (c) An absence of credentialling and privileging or any like method of assessment of doctors;
- (d) A failure to implement any adequate monitoring of performance or of investigation of complaints;
- (e) A culture of concealment by Government, Queensland Health administrators, and hospital administrators.

This report is damning. This government stands condemned for what has happened on its watch since it has been in power for seven years. Not only is the report damning in general of the government but also it is damning in particular of the two former health ministers, ministers Edmond and Nuttall. I draw to the attention of the public that Minister Nuttall is still under investigation by the CMC for allegations of misleading a parliamentary committee. Commissioner Davies said that he did not accept his evidence in respect to statements made in the inquiry and that his conduct was misleading, unreasonable and careless. I ask the Queensland public whether it finds that that is acceptable behaviour from a minister. It is not just Minister Nuttall; it is also former minister Edmond who is found to be absolutely negligent in her performance as minister for health in the time that she was minister.

This has been a gut-wrenching year for everyone involved in the health industry and the Health portfolio. For the government to say that the opposition has been revelling in this is an absolute disgrace. For anyone who has had any dealings with the victims of Dr Patel and other problems within the health system it has been gut-wrenching. I think the most damning indictment on this government is on page 537 when Commissioner Davies says—

The view, which seems to be that of Queensland Health, that substantial adverse publicity is as serious a consequence as multiple deaths is shocking.

It is a disgrace that that is the case. It has happened because of the public relations focus of this government. I refer to a statement from Premier Beattie to the commissioner. It says—

I am prepared to act to continue my Government's record of openness and accountability.

To that Commissioner Davies says—

The opening sentence of this extract is inconsistent with the facts as I have related them pertaining to elective surgery waiting lists and Measured Quality hospital reports.

This government covers things up. It is more involved with public relations and does not care about the lives of people.

**Hon. S ROBERTSON** (Stretton—ALP) (Minister for Health) (6.18 pm): The Queensland government has been up front in dealing with the problems in our health system. We set up the commission of inquiry and the health systems review because we are fundamentally committed to health reform. Yes, we have a good health system in Queensland, but we are determined to make it the very best. Our commitment to reform is not just rhetorical. Change on a major scale is already being delivered and will go on being delivered. These reforms are detailed in the recently released action plan and are underpinned by the biggest single injection of health funding in Queensland's history.

While Commissioner Davies has identified inadequate hospital budgets as a key issue, I remind members that the government has committed an extra \$6.4 billion to Queensland Health commencing now and over the next 5½ years to 2010-11. This funding will underwrite a range of measures which will address issues raised by both Forster and Commissioner Davies. Our increased funding includes an extra \$547.6 million this financial year to boost a range of service delivery initiatives including an additional \$42.2 million for effective surgery, \$21.1 million for cancer services, \$37.4 million for emergency departments and \$30.9 million for intensive care services. It will also fund the implementation of medium- and long-term strategies which are needed to maintain and improve health delivery and sustainability.

In just over five years we have committed to an extra \$463.7 million for cancer services, \$280.3 million for emergency departments, \$259.7 million for elective surgery, \$229.8 million for intensive care units, \$210.9 million for cardiac services, \$210 million for mental health services and \$127 million for workplace training. Our new commitment means the Queensland Health budget will have increased by 109 per cent in the 10 years to 2008-09 while the cost of living will have increased by about 35 per cent.

In broader terms the changes we have announced will see comprehensive structural reorganisation of the department, greater clinician involvement in decision making as recommended by Commissioner Davies, a new Health Commission for a better complaints process and improved processes for better safety and quality in our hospitals. All of these issues have been examined by Commissioner Davies and are being addressed by the government.

We are also moving on the need for more staff. We are actively recruiting more doctors, nurses and allied health professionals. We are recruiting overseas and here at home. We have moved to pay our staff more with a funding package of an extra \$633 million over the period to 2008-09 for an enterprise bargaining agreement with Queensland Health medical officers and \$100 million for VMOs. Funds have also been allocated for an initial four per cent wage increase for nurses and other staff. This means that we are now better placed to retain our existing staff and to attract new staff.

Over the last three months there have been a raft of reforms rolled out by this government in response to the Morris inquiry, the Forster review and now the Davies inquiry. One of the things that disturbs me is that, even given our comprehensive response to the challenges that we are facing in Queensland with respect to our health system, rarely does the debate—and we witnessed this again tonight—get above the personal slights, accusations, insults and allegations.

The alternative health minister for this state in his contribution tonight once again used parliamentary privilege to attack public servants in Queensland Health. I point out to the people of Queensland that the selective quoting of excerpts from the Davies report once again highlights how unfit he is to be minister for health. Yet again he used this place to attack public servants who are unable to defend themselves. He named them. As he always does he attacked and named them deliberately. Of all the things in this report that he could have talked about, he chose a section that deliberately named and attacked public servants who cannot defend themselves.

Where are the great ideas? Where are the policies? Where is the debate in this place about the challenges we face in Queensland Health? Consider for a moment page 363 of this report, where Commissioner Davies nails the Leader of the Opposition. He observed—

When the Queensland Government raised the possibility of co-payment for some services, both the Australian Health Minister and the Leader of the Opposition stated that all Australians were entitled to a free health system—whatever that may mean. But neither questioned what it would really cost to provide all of the free health services, now promised to all Australians, at a level which is reasonably adequate and safe; or whether indeed it is realistically possible. That is a question which is beyond the scope of this Commission.

Now is the time for ideas, not the continuation of the accusations and personal attacks that the member for Moggill is noted for.

Question—That the Premier's amendment be agreed to—put; and the House divided—

**AYES, 47**—Attwood, Barton, Beattie, Bligh, Boyle, Briskey, Choi, L Clark, Croft, N Cunningham, English, Fenlon, Finn, Fraser, Hayward, Hoolihan, Jarratt, Keech, Lavarch, Lawlor, Livingstone, Lucas, Male, McNamara, Mickel, Molloy, Mulherin, Nelson-Carr, Nolan, Nuttall, O'Brien, Pearce, Pitt, Poole, Reilly, Reynolds, Robertson, Schwarten, Scott, Smith, C Sullivan, Wallace, Welford, Wells, Wilson. Tellers: T Sullivan, Reeves

**NOES, 25**—Caltabiano, Copeland, E Cunningham, Flegg, Foley, Hobbs, Johnson, Knuth, Langbroek, Lee Long, Lingard, McArdle, Menkens, Messenger, Pratt, Quinn, Rickuss, E Roberts, Rowell, Seeney, Springborg, Stuckey, Wellington. Tellers: Malone, Rogers

Resolved in the **affirmative**.

Question—That the motion, as amended, be agreed to—put; and the House divided—

**AYES, 53**—Attwood, Barton, Beattie, Bligh, Boyle, Briskey, Choi, E Clark, Croft, E Cunningham, N Cunningham, English, Fenlon, Finn, Foley, Fraser, Hayward, Hoolihan, Jarratt, Keech, Lavarch, Lawlor, Lee Long, Livingstone, Lucas, Male, McNamara, Mickel, Molloy, Mulherin, Nelson-Carr, Nolan, Nuttall, O'Brien, Pearce, Pitt, Poole, Pratt, Reilly, Reynolds, E Roberts, Robertson, Schwarten, Scott, Smith, C Sullivan, Wallace, Welford, Wellington, Wells, Wilson. Tellers: T Sullivan, Reeves

**NOES, 19**—Caltabiano, Copeland, Flegg, Hobbs, Johnson, Knuth, Langbroek, Lingard, McArdle, Menkens, Messenger, Quinn, Rickuss, Rowell, Seeney, Springborg, Stuckey. Tellers: Malone, Rogers

Resolved in the **affirmative**.

Sitting suspended from 6.35 pm to 7.30 pm.



## DRUG LEGISLATION AMENDMENT BILL

### First Reading

**Hon. LD LAVARCH** (Kurwongbah—ALP) (Minister for Justice and Attorney-General) (7.30 pm): I present a bill for an act to amend the Drug Rehabilitation (Court Diversion) Act 2000 and Drugs Misuse Act 1986, and for other purposes. I present the explanatory notes, and I move—

That the bill be now read a first time.

Motion agreed to.

### Second Reading

**Hon. LD LAVARCH** (Kurwongbah—ALP) (Minister for Justice and Attorney-General) (7.31 pm): I move—

That the bill be now read a second time.

On 23 November 1999 the Beattie government introduced pioneering legislation called the Drug Rehabilitation (Court Diversion) Bill. This bill was a first for Queensland because it signalled the trial of a new way of dealing with drug related offending—the drug court. It was a new way of tackling drug related offending by providing a way of breaking the cycle of drug dependency and offending. Drug courts have been operating in Southport, Beenleigh and Ipswich since 2000 and in Cairns and Townsville since 2002. Since that time 169 participants have graduated from the program.

The drug court is supported by a range of government and non-government organisations which provide support and assistance to drug court participants. It helps participants to overcome drug dependency and equips them with life skills to help them make the transition to law-abiding citizens. The court makes orders that help offenders to give back to the community through restitution payments and community service. The drug court is responsible for many intangible benefits to the community through crimes that are not committed while offenders are on the program and afterwards allows families to be reunited and lives placed back on track through a return to employment and the community.

For these reasons, I am proud to announce that the drug court will now become a permanent sentencing option in Queensland. The valuable work of the court has been backed up by two positive evaluations of the pilot by the Australian Institute of Criminology, the AIC. Recommendations arising from reviews of the drug court have been implemented in this bill such as:

- allowing the court to impose more community service hours for breach of an order instead of custodial sanctions;
- limiting the amount of time that can be ordered to be spent in prison for a breach of an order at any one time to 22 days;
- changing eligibility requirements which, with consent, may permit an offender facing a four-year sentence being referred to the court, and the drug court currently is limited to imposing a suspended sentence of up to three years imprisonment; and
- allowing the court to take into consideration when an offence involves violence.

The Drug Rehabilitation (Court Diversion) Act 2000 currently provides that an offender cannot be referred to the drug court if a charge for a disqualifying offence is pending before a court. The definition of 'disqualifying offence' includes an indictable offence involving violence against another person. The bill amends the act so that the provision applies to both indictable and summary offences. The bill also makes important amendments to the Drugs Misuse Act 1986.

We all acknowledge the serious effects that dangerous drugs such as methylamphetamine, commonly known as speed, have on our community. Queensland has the largest number of recent clandestine laboratory, or clan lab, seizures in Australia. With the increase in the number of these labs, there has been an increase in the amount of forensic testing required. An average clan lab will contain between 30 and 50 items, including precursor substances, apparatus and by-products. In order to prove that these items have been used for the production of methylamphetamine, forensic scientists have been required to test a large number of the seized items to prove the processes for the production of methylamphetamine. These tests take a substantial period of time and delays caused by the backlog of testing have resulted in delays in matters being finalised in court.

This bill introduces a new indictable offence for the possession of prescribed substances or items for the production of a dangerous drug. This offence is aimed at the developing market for persons who supply illicit methylamphetamine manufacturers with chemicals and apparatus but who do not personally engage in the manufacture of the final dangerous drug. The maximum penalty for this offence will be 15 years imprisonment. In order to discourage this emerging market and to avoid creating more work for the forensic scientists who analyse the substances, it will be the gross weight of the tablets or liquid suspensions containing the controlled substances that will be the subject of the offence,

not the pure weight. The forensic tests conducted on clan labs regularly detect the same sets of precursors, chemical substances and apparatus in unconnected cases.

The bill introduces a new offence provision that makes it a crime to possess a prescribed combination of items for the production of a dangerous drug, with a maximum penalty of 25 years imprisonment. The effect of the provision is that, when a clan lab is located and the prescribed combination of items is identified, the remainder of the items seized will not need to be forensically tested as the prosecution will not be seeking to prove that production has occurred. The bill provides a number of new evidentiary aids to remove the requirement for forensic testing of sealed pharmaceuticals and alleged clan lab equipment unless challenged by the defence.

New section 131A provides that, in the absence of proof to the contrary, the court may accept that medicines, poisons and veterinary chemical products that are in labelled sealed containers with barriers to tampering are what they are alleged to be unless the defence issues notice of a challenge. New section 131 is a new provision that allows the court to accept, in the absence of proof to the contrary, that seized equipment has been used for the production of a dangerous drug if there is no notice of challenge from the defence. This provision means that, if, for example, the defendant is not disputing that the equipment was used to produce the dangerous drug but is disputing who it was that was producing the drug, the forensic scientists do not need to test the equipment and the court can focus on the real issue of the case rather than the scientific tests performed.

The notice provisions for these sections require the police to advise the defendant within 28 days of being charged that the police are going to rely on these provisions. The defendant then has 28 days to serve a notice of challenge on the prosecution advising them that the defendant disputes the evidence. If the defendant does challenge the evidence, the prosecution will still be required to prove their case in the usual way. I commend the bill to the House.

Debate, on motion of Mr McArdle, adjourned.

## JUSTICE AND OTHER LEGISLATION AMENDMENT BILL

### Second Reading

Resumed from 8 November (see p. 3747).

**Mr McARDLE** (Caloundra—Lib) (7.37 pm): It gives me pleasure to rise to talk to the Justice and Other Legislation Amendment Bill 2005. I start by thanking the Attorney for arranging the two briefings I had from her staff and apologise for requiring the second briefing as the first was cut short by divisions in this House and other matters going on during the day.

I say at the outset that the opposition will be supporting the bill but there are a number of questions I will put which I would ask the Attorney to address in her reply. The bill itself is fairly straightforward in that it amends a number of existing acts—in fact, 31—and repeals two acts. It is given that the Attorney-General is responsible for a wide range of legislation, and certainly there are many circumstances across that range of legislation that occur requiring amendments to maintain the legislation's relevance to our community. In addition, amendments improve the practical operation of acts and take into account changing circumstances brought about by such items as technology.

There are a significant number of amendments in the bill that are procedural only, but there are a number that do have some substance and it is to those that I wish to make some comments. The Bail Act is amended by part 5 of the bill. Perhaps the most important change is the insertion of the new section 11(4) which grants a Magistrates Court the power to impose as a condition of bail that a defendant undertake a program prescribed by regulation but only after having regard to certain matters, including the nature of the offence, the circumstances of the defendant and the public interest.

The second-reading speech of the Attorney refers to referral of the defendant to Q-Merit, which stands for the Queensland Magistrates Early Referral into Treatment Program. The program which is to be introduced into Queensland will deal with drug matters and, again from the second-reading speech of the Attorney, referral to the program can only occur where a drug problem is related to the person's offending behaviour.

The Q-Merit program will be based on that operating in New South Wales and the CREDIT program in Victoria. It will take between 12 and 16 weeks to complete. Those who undertake the treatment will do so at the direction of the caseworker, with a variety of options being made available. Importantly, the program will contain progress reports to be given to the court. I note that under clause 37 of the bill, if a person on the program fails to comply with the terms of the program, that cannot result in revocation of bail but may lead to the bail being varied. This is a commonsense result given that attendance is voluntary and the Q-Merit program is, I assume, aimed at the long-term rehabilitation of the person, not so much as a term of bail as that term would normally be used in these circumstances. Finally, successful completion of the program may be a consideration by the court in determining sentence if a conviction occurs.

I note that the bill deals with the Civil Liability Act and that clause 44 appears for comment in *Alert Digest No. 30 of 2005* in the context of whether the date of 1 March 2005 or the latter date of 11 March 2005 is the correct proclamation date. Clause 44 of the bill nominates 1 March as the correct date and thereby resolves any ambiguity. This certainly appears to be a commonsense approach. If the provisions were in fact enacted by the proclamation on 1 March 2005 then they cannot be re-enacted on 11 March 2005. Irrespective, any ambiguity has been resolved.

The Corrective Services Act is amended so that section 95 now makes it an offence to 'assault or obstruct a Corrective Services officer'. The term 'assault' has the meaning given by section 245 of the Criminal Code. Prior to this, the only offence was to 'obstruct' a Corrective Services officer. Again, this is an amendment that is simplistic in intent. However, it is very important, given that the words 'assault' and 'obstruct' can have distinct and very different meanings in individual circumstances. The bill goes on to amend section 340 of the Criminal Code to make an assault of a Corrective Services officer a crime, and a person who is convicted is liable to imprisonment for seven years.

The amendments contained within the bill dealing with the Criminal Code are perhaps the most obviously important within the document and are contained in part 10 of the bill. The Attorney in her second-reading speech correctly identifies this bill as establishing new offences to address the voyeuristic observation of people in circumstances where they would expect to have their privacy and modesty protected. In essence, the bill moves a number of amendments to the code, including the insertion of new section 227A, which creates two offences concerning observation or recording of a person and a third offence in relation to observing or recording of a person's private parts. The offences are misdemeanours and they carry a maximum penalty of two years imprisonment.

The research brief prepared by the library—No. 24 of 2005—provides an excellent overview of this portion of the bill. The new provisions are, in fact, part of a wider issue dealing with the use of technology and, more importantly, its misuse in public or private places though, of course, this particular bill deals only with private places. There is a wider public concern stemming predominantly from photographs or video recordings being taken secretly and then being used for purposes other than what would be called appropriate by mainstream society.

A number of recent incidents have raised concerns and led in August 2005 to the Standing Committee of Attorneys-General releasing the 'Unauthorised photographs on the internet and ancillary privacy issues' discussion paper to examine photographs being placed on the internet which were not authorised and looking at ways nationally to attack a problem that continues to grow. It is clear that technology has enormous benefits to give to the community, yet it is the misuse of that technology that presents the problems with which we are dealing here today and with which we will need to deal on an ongoing basis. It is an enormous concern that technology which can achieve so much good can also be so destructive of innocence. Those who use technology for such purposes are the lowest type of vermin and must be dealt with in a manner commensurate with the way they destroy innocence.

Returning to the bill, to achieve protection in private situations a number of acts have been amended, as I said, particularly the Queensland Criminal Code, by the insertion of new sections 227A to 227C making it illegal to film or observe a person in private circumstances. As I said, we need to bear in mind that the current legislation has to date failed to adequately protect those people subjected to such abuse. We can all clearly recall that in January 2005 a man was discovered taking photographs of children in wet clothing at South Bank Parklands and in the end it was found that he possessed 7,000 such images. Unfortunately, charges could not be laid under state or federal legislation because the existing laws do not deal with those particular circumstances, as neither child pornography nor publication of the many images could be established.

Other examples of such behaviour exist, including photographs taken in Victoria of schoolboys involved in various sporting activities in 2002 and placed on web sites. In these and other cases it was found that the existing law failed to provide adequate protection or an appropriate penalty for certain actions, including a Brisbane podiatrist who was caught secretly filming clients of the physiotherapist next door to his rooms through a crack in the wall. The law was insufficient at that stage and he could not be charged with secret video recording of the women in the physiotherapist's room.

There have allegedly been some attempts by organisations to ban the taking of photographs of children entirely. One that was reported, I believe incorrectly, was by the Queensland Surf Life Saving Association stating that photographs of nippers could not be taken during training or surf carnivals. Taking the principle of a comment and not the individual report, this form of ban would be extremely difficult to police and it would also be grossly unfair to parents who traditionally have kept photo albums or, in this day and age, DVD albums of their family as they grow. It will be removing from them a very important portion of their child's life in not being able to record their growth and change as the years pass by. Indeed, these records become even more important as our children grow and leave home to start their own lives.

Of course, the abuse of technology is one issue that the law will continue to face as time goes by. The use of technology, particularly the internet, enables information and images to be transmitted simultaneously all over the world, thus making it even more insidious in the wrong hands. Also the ability

to download these images behind the closed doors of the perpetrator's own home makes it much more difficult to catch these types of people. Having said that, it is very important to recognise that technology is used to enormous benefit by the overwhelming majority of the population.

Irrespective of that, there is a clear recognition that Queensland legislation at this point does not offer the full protection required, and these amendments are one step further down the track to stem what is becoming a major problem in our society. As I stated, this bill deals with acts in private; the greater issue of public acts will need to be dealt with in the near future. The existing Queensland legislation, whether it be the Criminal Code, Invasion of Privacy Act or Summary Offences Act, simply does not cater for the circumstances outlined in this bill.

Returning to the bill, the proposed new sections 227A to 227C seek to address existing concerns and aim to protect adults and children from being observed or filmed in private places and further provide protection for adults and children while engaged in private acts without their consent. It further protects adults and children from the practice of up-skirting and similar conduct in a private or public place without their consent and protects adults and children from the distribution, without consent, of visual recordings of their being in a private place or engaging in a private act, or of the genital or anal region being photographed and then distributed.

It is very important to acknowledge that these provisions deal with a private act as defined in clause 54 to mean showering, bathing or using a toilet or engaged in an activity when a person is in a state of undress or engaged in an intimate sexual activity which is not ordinarily done in public. In addition, the person in certain cases must be in a private place, which is defined to mean a place where a person might reasonably be expected to be engaged in a private act.

The clause also goes on to define what is a state of undress and that is to mean a person who is naked or the person's genital or anal region is bare or, if the person is female, the person's breasts are bare or the person is only wearing underwear or the person is wearing only some outer garments so that some of the person's underwear is not covered by an outer garment.

The offences of observing or recording under new section 227A(1) occur when a person observes or visually records another person where a person would expect to be afforded privacy and where that person's consent was not obtained and where the person is in a private place or engaged in a private act and the observation or visual recording is made for the purpose of observing or visually recording a private act. An example of the circumstances where a reasonable adult would be afforded privacy may be changing in a public change room. Here the person, although they may be observed, would not expect to be recorded or photographed.

New section 227A(2) deals with recording or observing a person's genital or anal region in circumstances where a person would expect to be afforded privacy. For example, using a mobile telephone in a public place to take photos of a woman's underwear under their skirt without their consent would, in these circumstances, be a misdemeanour with a maximum penalty of two years imprisonment. It is important to understand that the genital or anal region, under the terms of this bill, incorporates a region being covered by underwear or bare.

New section 227B deals with distributing prohibited visual recordings and again incurs a maximum two years imprisonment. There are very wide definitions dealing with the terms 'distribute' and 'prohibited visual recording'. As I said, these provisions deal with acts done in private. The real challenge will be to prepare legislation for those who take photos or images in public places for purposes or motives that society finds repugnant. The questions there will not be clear cut, nor the solutions simple, unless the legislation is very carefully drawn. In fact, there is real concern that, unless the legislation is drawn in a very tight manner, it may be very difficult to prosecute.

I note that the bill also provides exemptions from criminal responsibility for a person who is a law enforcement officer as defined under clause 54 of the bill. Specific exemptions from the provisions are contained within section 227C(1) and (2) and include law enforcement officers and observations or visual recordings of a person who is in lawful custody or subject to a supervision order.

I say to the Attorney-General that the provisions contained within the bill certainly add to the armoury that we need to deal with people of this nature. As I said, however, the real challenge will be to draw together legislation that is workable to achieve the same result for people taking photographs in the public arena for reasons that are frowned upon by mainstream society. That is a challenge that we have to take on board, because more and more of these people are finding their way to places that we thought to be safe when we were growing up but are now no longer seen in that vein. It is a challenge that both sides of the House must work together to meet. At the end of the day, the children this legislation will protect are, in fact, our children and our future.

The bill amends the Dangerous Prisoners (Sexual Offenders) Act 2003, extending the return date of a preliminary hearing to within 28 business days after the filing of the Attorney-General's application. Section 8 of the act is amended to give the power to make an interim order for supervision, while new section 9A gives the court power to adjourn the hearing for final orders. It may then make an interim supervision or detention order, pending the final determination of the division 3 orders.

The Attorney-General is acutely aware of the public's concern about prisoners being released from prison, particularly those who have been involved in heinous or significant sexual offences of all types. It is a real concern and one the public is expecting more and more accountability on. The judicial system is being called to account with greater frequency than at any other time—and so it should be. Our society is moving forward and we are demanding from all officials, elected or otherwise, a full and open disclosure of what they do and justification for their actions. Nowhere is this more evident than when dealing with the criminal justice system in this state or, in fact, any other state. There will be ongoing calls for transparency. Governments of all colours need to be acutely aware that people are questioning, more and more, the role of courts in our society. More importantly, the community needs to have a greater say in the court system.

The Evidence Act is amended in part 12 of the bill. The amendment derives from the Court of Appeal decision in *R v GR* delivered by the court on 10 May 2005. The basic question in this case was whether a complainant's statement to police on 16 April 2003, when she was 17 years of age, was admissible under section 93A of the act at the trial when she was 19 years of age. Section 93A provides that in proceedings where direct oral evidence of a fact would be admissible any statement tending to establish the fact contained in the document is admissible if the maker of the statement was a child and that child is available to give evidence at the proceedings.

It has been commonly accepted that if at the time the statement was made the person was a child then, irrespective of the age of the person at the date of the hearing, the statement would be admissible as evidence. The Court of Appeal determined that that was not the case and the person had to be a child at the date of making the statement and at the time of the proceeding. In essence, this amendment confirms that the relevant age is the age of the witness at the date they made the statement. The age of the witness at the date of the proceedings is irrelevant, thus maintaining what may be termed the status quo.

The obvious consequence is whether or not a right has been removed by this amendment. I would like the Attorney-General's comments in relation to this issue, bearing in mind that it is a critical step to amend legislation as a consequence of a court decision. In essence, this is retrospective legislation which could remove rights that currently exist. As a general principle, the opposition opposes such legislation. However, I ask the Attorney-General, in her reply, to address the reason for this amendment being brought forward in the bill.

I am also acutely aware that the pain suffered by children or, for that matter, any young person in criminal proceedings before a court—a jury and those who are wigged and gowned, including the judge—can be horrific and should be kept to a minimum at all times. I understand that that may well be the basis of the amendment coming before this parliament.

The bill amends the Justices Act by increasing the penalties for contempt within civil and criminal jurisdictions by a significant amount. In fact, the current penalty for contempt is two penalty units or \$150 or imprisonment for 14 days. Clause 109 of the bill inserts a new maximum penalty of 84 units or \$6,300 or imprisonment for one year. These are significant increases. However, I note that this brings the contempt provisions of the Justices Act into line with those applying to civil proceedings in the Magistrates Court under the Magistrates Court Act. As a consequence, it will be fair and equitable for similar penalties to apply in these circumstances.

This section of the bill also deals with the use of video link facilities in proceedings. In particular, I note that current sections 178B to 178F are to be repealed and new sections inserted. Section 178C deals with proceedings involving a Magistrates Court. I ask the Attorney-General to confirm that these provisions apply only in relation to proceedings in a Magistrates Court.

The section goes on to state that if a person is in custody and the appearance before the Magistrates Court is by way of bail or remand hearing, then the proceedings must be by way of video link proceedings if such devices are available in the facility in which the person is housed. In other circumstances, the court—in this case, the Magistrates Court—may order proceedings to be conducted using video link facilities, but only if all parties consent. New section 178D, in essence, ensures that whatever takes place by way of video link forms part of the court record and that persons who appear by way of video link are in fact deemed to be appearing before the court. New section 178F states that the same link must be made available for communication between the person at the facility and that person's lawyer. It also guarantees legal privilege for such communication.

Clauses 113 to 116 deal with the amendment of the Juvenile Justice Act. It allows the court or a police officer to take into account submissions from a community justice group concerning certain matters in deciding whether or not to grant bail to Aboriginal and Torres Strait Islander children. This is a positive step which allows cultural considerations concerning Indigenous people to be incorporated into the decision-making process. This can only be a step forward and is to be commended.

I had intended to discuss the Professional Standards Act 2004 and the amendments proposed within the bill. However, I have read the amendments to that bill by the Attorney-General and I note that she has removed references to 'fee includes tax'. As a consequence, we have no concern with regard to that particular bill. I thank the Attorney-General for proposing the amendment, which she will move at an appropriate time.

Part 13 of the bill deals with amendments to the Freedom of Information Act 1992. In particular, clause 100 amends subsection (f) of section 52A(1) by deleting the current paragraph (ii). That subsection provides that a person is aggrieved by the decision if the decision relates to an application made by the person and is to the effect that the applicant considers that a processing charge and access charge should be waived because the applicant is in financial hardship and, if the agency is a department, the applicant gave the agency an objection notice claiming the charges should be waived due to financial hardship. Attorney, is it now the case that that will not be a ground to deem a person as aggrieved under the terms of the act—

**Mr DEPUTY SPEAKER** (Mr O'Brien): Order! The honourable member will direct his comments through the chair, please.

**Mr McARDLE:** Mr Deputy Speaker, I apologise. Through you, Mr Deputy Speaker, to the Attorney, will it now be the case that that will no longer be a ground to deem a person as aggrieved or it is the case that that will be taken up elsewhere in the act? I would like to hear the Attorney's comments on that point, again, because removing a right under the legislation is a serious matter and we need to understand very clearly what the intention is behind the amendment. As I stated, the opposition will be supporting the bill, and I ask the Attorney to address the issues I have raised. I also indicate that I have read all the amendments proposed by the Attorney and there is no objection by the opposition to the contents of the amendments.

**Ms NELSON-CARR** (Mundingburra—ALP) (7.59 pm): An incident of concern was brought to my attention after a big community event took place in a Townsville park earlier this year. A middle-aged man who was quite clearly there by himself was observed doing an extraordinary amount of videoing of children performing on stage. In particular, he was zooming in on young girls dressed in short skirts who were wearing brief costumes for the occasion. It was so blatant apparently that some parents approached a security guard who questioned the man who, as it turned out, happened to be a tourist. He angrily said to the guard that he was not breaking the law and could film the children as much as he liked. When asked why he wanted so much of the type of footage he was taking, his answer was that it was nobody's business. What he was doing might have been quite innocent, but to those who were concerned about his actions—parents in particular—they seemed anything but harmless. Who knows where those shots could have ended up? Hopefully they did not find their way onto a paedophile web site.

While it is already an offence to take or record an indecent visual image of a child under 16, the man who caused so much concern by his actions could correctly argue that he was not taking indecent images. Had the Justice and Other Legislation Amendment Bill been passed at that time, perhaps it may have been seen as an offence under the Criminal Code to do with voyeuristic observation or recording of another person. I accept that there may be occasions where people can legitimately be the subject of observation or visual recording without their consent, such as where law enforcement officers are undertaking legitimate surveillance operations or surveillance for safety reasons in correctional institutions and mental health facilities.

Not being someone who is partial to gambling, I have read with interest the definitions of 'conduct', 'occupier', 'place', 'public place' and 'unlawful game' and note that the modernised definition of 'unlawful game' in this bill reaffirms the community standard than unauthorised gambling games are unacceptable in public places.

**Mr Reynolds:** Does that include unders and overs?

**Ms NELSON-CARR:** Absolutely. With so many forms of legal gambling available these days I am surprised that people would even bother with illegal gambling games. There hardly seems to be much point. That being said, I wonder how the time-honoured game of two-up on Anzac Day will be handled from now on in Queensland, or is two-up part of a fading tradition?

I appreciate the bill's amendment to the Juvenile Justice Act 1992 which clarifies that a court or a police officer may take account of submissions of the community justice group in deciding whether to grant bail to an Aboriginal or Torres Strait Islander child. Community justice group volunteers are a dedicated lot. I can speak with some knowledge of those in Townsville. They know many offenders who appear in juvenile court, just as they know the families of offenders. They work for the good of young people who have stepped outside the law and their opinions are valued.

Justice can mean many different things to many people. It all depends on how the carriage of justice may affect individuals and their loved ones in any given situation. Interpretation can be broad and, depending on your point of view, sometimes very confusing. It is the government's role to oversee fair and equitable justice for everyone as much as it possibly can. I commend this bill on its objective to improve the system and its overall operation.

**Mr LANGBROEK** (Surfers Paradise—Lib) (8.03 pm): I rise to speak on the Justice and Other Legislation Amendment Bill. From the outset there are a number of aspects of the bill that I support. I support the amendment to the State Penalties Enforcement Act 1999 to enable driver licence suspension to be used more efficiently as an enforcement method where a court order, as well as an

infringement notice, involves an offence in conjunction with a motor vehicle. The part of the bill I strongly support is the measures to prevent the inappropriate observation or recording of another person. More and more we read about peeping Toms and stalkers in our newspapers. With the aid of new technology, these sociopaths now have the ability to inappropriately photograph or record videos of other members of the community who are going about their private business and who should not have any reason to suspect that they may be being watched by other members of the community.

This legislation provides a clearer definition of offences that relate to inappropriately recording or observing another person and means that police will be armed with better laws when it comes to enforcing these laws and punishing those who perpetrate these grubby offences. According to the annual statistics report of the Queensland Police Service for 2004-05, the number of public nuisance crimes was up by over 300 per cent. This would indicate that there are people out there in our community willing to engage in activities that are a menace to us. These amendments will help stop upskirting and recording and observing of citizens unlawfully.

I support amendments to the Suppression of Gambling Act 1895 which will modernise the definition of an 'unlawful game' and will hopefully quash some more of the illegal gambling that occurs in this state. As someone who is interested in racing and an opponent of the Tasmanian government's introduction of online betting agencies with bad track records into Australia, especially considering that they return nothing to the industry, I think the Queensland government is right to show that it will be tough on any form of illegal gambling.

I also think that the Q-Merit program will enable magistrates to send defendants who are on bail to programs that can help them in the long term. This program could potentially help defendants with drug problems and, as an end result, hopefully see those defendants not end up before the courts in Queensland again.

The main crux of this bill will hopefully mean a sharper set of teeth for our police to combat those in our community who seek to inappropriately record and observe private citizens involved in private acts. This is an important priority for me, as I am sure it is for all members of the House and all citizens of Queensland.

**Ms JARRATT** (Whitsunday—ALP) (8.06 pm): I rise in support of the Justice and Other Legislation Amendment Bill 2005. It is important that I take this opportunity to make a brief contribution to this bill, particularly in relation to the voyeurism offences that are addressed in the bill. I do not know whether it was last year or the year before but a constituent came to me greatly distressed that she had been the victim in a workplace where her employer had secretly installed a camera in the female toilets and she did not know how long that camera had been in place. There was a TV in the corner of the office that staff were told just did not work, and it was not until one day when one of the admin assistants in the office was bored and was looking for something to do and turned the TV on, only to find that it was actually displaying a picture of the female toilets in their office, that the whole affair came to light of what their employer had been doing to them.

At the time I took the case to the then Attorney-General and was assured that measures were being looked at to address criminal acts like this because, up until that point, the justice system had very little teeth to address them. So I am very pleased tonight on behalf of my constituent to support this bill. I congratulate the Attorney-General for bringing this in. It will give great comfort to my constituent in particular, but I hope it will make other people think more than once—in fact, more than twice—before undertaking such heinous acts in the workplace and, indeed, anywhere. With those few words, I support the bill.

**Hon. LD LAVARCH** (Kurwongbah—ALP) (Minister for Justice and Attorney-General) (8.08 pm), in reply: I am pleased to sum up this debate, and I thank all members for their contributions. The Justice and Other Legislation Amendment Bill 2005 is the end product of a comprehensive legislative maintenance exercise conducted by my department and amends 30 pieces of justice portfolio legislation as well as several other acts administered by my ministerial colleagues.

Whilst the majority of the amendments are minor, technical and miscellaneous in nature, I would like to conclude this debate by highlighting the more significant reforms progressed under this bill: the new voyeurism offences. I thank the members for Caloundra, Surfers Paradise, Mundingburra and Whitsunday for their support for these new measures. I say to the member for Whitsunday that I can only imagine how distressing it must have been for her constituents to find that they were being filmed in a private place without their consent.

I am pleased to acknowledge the community's overwhelming support for these new offences, which are intended to address the inadequacies of our current laws in relation to the voyeuristic observation or recording of another person. It is clear that the community welcomes a contemporary criminal law response to unacceptable behaviour that infringes an individual's right to privacy.

In summary, the bill creates four new offences under the Criminal Code, all of which carry a maximum penalty of two years imprisonment. The first is observing or visually recording a person in a private place such as a bathroom, toilet, bedroom or change room. The second is purposefully

observing or visually recording a person who is actually engaging in a private act such as showering or bathing, using a toilet, or another activity where a person is in a state of undress or in an intimate sexual activity that is not ordinarily done in public, regardless of where those activities take place. The third offence is the up-skirting offence: observing or visually recording another person's private parts without their consent in circumstances where a reasonable adult would expect not to have that part of themselves observed or recorded. The fourth offence is knowingly distributing recordings made in the above circumstances without the person's consent.

It is important to remember that the key element to these offences is that the observation or visual recording must have been made in circumstances where a reasonable adult would have expected to be afforded privacy. This reinforces the intent of these new offence provisions to target objectionable conduct that any reasonable person would find breaches accepted notions of privacy and where a person would rightly expect their privacy to be protected.

In its *Alert Digest No. 13 of 2005*, the Scrutiny of Legislation Committee raised a number of issues that I would like to address in my summing-up. The committee raised two issues that were also raised by the member for Caloundra. In responding to the issues in the Alert Digest, I may well answer the member's questions about the Civil Liability Act and the amendments to the Evidence Act.

The Scrutiny of Legislation Committee raised the question of whether provisions were retrospective in relation to clause 44, the insertion of new chapter 5, part 4 in the Civil Liability Act 2003. I can say that as, indicated in paragraph 6 of the committee's response, it is the fact the commencement date may well have been 1 March 2005 that necessitates the amendment to the Civil Liability Act 2003. It is appropriate that the ambiguity as to the commencement be removed for such a fundamental change to the rules of liability.

In relation to clause 95, there is the insertion of new part 9, division 4 in the Evidence Act 1977, the transitional provision for the amendments to section 93A. In paragraph 12, the committee acknowledges that, although significant, the amendment to section 93A relates to procedure rather than substantive law. Nevertheless, the committee referred this issue to parliament.

The transitional provision contained in clause 95 confirms that the amended provision is to apply to any proceeding commenced after the amendment comes into effect. In the absence of any indication to the contrary, a procedural statute is to be construed as retrospective, that is, it can apply to past events. This bill will effect a procedural change rather than a substantial alteration in rights.

The High Court considered the issue of procedural statute in *Rodway v The Queen* (1990) 169 CLR 515, where it held that—

... ordinarily an amendment to the practice or procedure of a court, including the admissibility of evidence and the effect to be given to evidence, will not operate retrospectively so as to impair any existing right.

In *Rodway*, the High Court considered the abolition of the corroboration warning and held that the abolition applied regardless of the fact that the rule was in place at the time the offence was committed. In other words, despite the fact that the warning was required to be given at the time the offence was committed, it did not have to be given at the trial and the accused had not been deprived of a substantive right.

Similarly in *R v Truong* (1999) QCA 21, the Queensland Court of Appeal held that changes to the sentencing principles contained in section 9 of the Penalties and Sentences Act 1992 which imposed stricter sentencing guidelines—imprisonment no longer a last resort for an offence of violence—were procedural provisions only in that they set out the way in which a judge is to approach the facts and the manner to proceed when passing sentence. Consistently with this general principle, new section 144(1) provides that the amendment of section 93A applies to any proceeding, including a committal, a preliminary hearing, a trial and any rehearing, retrial or appeal that starts after the amendment commences. New section 144(2) provides that any statement that was admitted into evidence in a proceeding before the amendment commenced, that is admissible under the amended section 93A, is taken to have always been admissible. The purpose of this section is to ensure that statements admitted into evidence before the decision in *R v GR* can no longer be challenged on the basis of that decision.

In the absence of new section 144, under the general principles discussed above, the amendment will take effect from the date it commences. This means that any proceedings started after the commencement, including an appeal or a retrial ordered because of the GR decision, will operate under the amended provisions. The purpose of the transitional provision is to remove any doubt that this is the intention.

In relation to clause 152, insertion of new section 174 in the State Penalties Enforcement Act 1999, the objective of the amendments contained in clauses 149 to 152 of the bill is to clarify that sections 24 and 25 of the Statutory Instruments Act 1992 apply and have always applied to infringement notice offences prescribed under the State Penalties Enforcement Act, thereby enabling differential penalties to be prescribed for individuals and corporations for infringement notice offences. As outlined in the explanatory notes, the effect of these amendments is to clarify the accepted interpretation as to the effect of section 165(4) of the State Penalties Enforcement Act 1999, that is, that it was confined to



camera detected offences and did not indicate a contrary intention under sections 24 and 25 of the Statutory Instruments Act. I note the Scrutiny of Legislation Committee's acknowledgment that any potential adverse impact of the retrospectivity, if any, of these amendments is limited to corporations. These amendments do not adversely affect the rights and liberties of individuals.

Clauses 53 to 55 of the bill amend the Criminal Code by inserting new voyeurism offences. The committee raised the question of whether these provisions have sufficient regard to the rights of persons who conduct the relevant practices. In paragraph 18, the committee notes that the obvious imperative in legislating for this subject is to create provisions which, whilst appropriately protecting people's rights to privacy, do not render another person liable to prosecution for an indictable offence. The committee points to the offence in section 227(1)(b)(i) of observing or visually recording another person in a private place without their consent and in circumstances where a reasonable adult would expect to be afforded privacy. The committee refers to parliament the question of whether these provisions, while protecting a right to privacy, have sufficient regard to the rights of people who conduct the relevant practices.

As is noted in the explanatory notes, the objective test—that in the circumstances a reasonable adult would expect to be afforded privacy—ensures that the offences are directed at conduct which any reasonable person would find breaches accepted notions of privacy and where a person would rightly expect their privacy to be protected by criminal law. As is also noted in the explanatory notes, the offence in section 227(1)(b)(i) does not require the person under observation to be engaged in a private act at the time of observation. It is the government's view that a person who is in a private place such as a bathroom, bedroom or toilet expects that they will not be under observation without their consent regardless of whether they are in the process of engaging in a private act. By their very nature, these places attract an expectation of privacy because they are places where private acts are likely to occur. The government does not believe that a person in such a place should have to be engaging in a private act before the protection of the law is triggered.

The offences in section 227(1) are consistent with those contained in section 162 of the Canadian Criminal Code. I am satisfied that these provisions have sufficient regard to the rights and liberties of persons undertaking this type of conduct.

Clause 109, an amendment of section 40 of the Justices Act, relates to the penalty for insulting or interrupting justices. The objective of increasing the maximum penalty for contempt of criminal proceedings under the Justices Act 1886 is to achieve parity of penalty for contemptuous conduct committed in the civil and criminal jurisdictions. I note that, having regard to this objective, the Scrutiny of Legislation Committee does not consider the penalty increase to be objectionable. The maximum penalty of 84 penalty units or \$6,300 is an appropriate deterrent to disruptive conduct that ultimately results in delay and increased costs of proceedings under the Justices Act.

The final question is: does clause 136(1) allow the delegation of legislative power only in appropriate cases and to appropriate persons? In view of the committee's concerns about the proposed definition of 'fee' in the Professional Standards Act 2004, I intend to move an amendment during consideration in detail of the bill in accordance with the committee's suggestion. The amendment will clarify that fees payable under the act are able to be set at levels that cover the costs of processing an application and enforcement or audit of a scheme as well as covering the costs of the Professional Standards Council conducting its ancillary functions and objectives under the act. I thank the Scrutiny of Legislation Committee for bringing these issues to my attention.

The member for Caloundra raised three questions. One was in relation to video conferencing under the Justice Act. He asked whether this applies from court to court. Yes, it does. Currently criminal proceedings can only be conducted under the Justices Act from a Magistrates Court to a correctional centre. The amendments to part 6A of the act will allow a Magistrates Court to make use of the technology to ensure that the provisions are designed to ensure that the rights of the defendant, including the right to private consultation with a lawyer, are protected. This will mean that the magistrate can sit at one court and the defendant can appear at another court. This will provide greater flexibility for members of the community, especially in regional areas. I can advise the House that Magistrates Courts with video-conferencing capabilities exist in Brisbane city including the arrest court, Brisbane Children's Court, Beenleigh, Caboolture, Caloundra, Cairns, Hervey Bay, Ipswich, Mackay, Maroochydore, Southport, Thursday Island, Toowoomba and Townsville. The Magistrates Courts in Rockhampton, Emerald, Roma and Petrie will receive video-conferencing facilities this financial year.

In relation to the member for Caloundra's questions on the amendments to the Freedom of Information Act and the scheme for waiver on the basis of financial hardship, I can advise that the scheme of the fees and charges regime is to require that applicants who want to claim a waiver on the basis of financial hardship do so when a preliminary assessment of charges is issued or, if the applicant is an individual, they can do this before receiving the assessment simply by sending a copy of their concession card with their application. If the claim is rejected, the applicant has the standard rights of internal and external review. The objective is to have these claims resolved before the agencies continue to process the application.

**substituted decision-making review** means the review of particular matters under this Act and the *Powers of Attorney Act 1998* referred to the commission by the Minister on 14 October 2005.’

**'Part 13B Amendment of Judicial Review Act 1991****'107D Act amended in this part**

'This part amends the *Judicial Review Act 1991*.

**'107E Insertion of new pt 7**

'After part 6—  
*insert—*

**'Part 7 Transitional provision****'58 Transitional provision for Justice and Other Legislation Amendment Act 2005**

'It is declared that the insertion in schedule 1, part 1 of item 6AA does not affect an application for a statutory order for review lodged with a registry of the court before the commencement of this section and not heard or decided at the commencement.'

**'107F Amendment of sch 1, pt 1**

'Schedule 1, part 1—  
*insert—*

'6AA *Small Claims Tribunals Act 1973*, section 19'.

<sup>1</sup> *Law Reform Commission Act 1968*, section 9 (Specialised assistance)

<sup>2</sup> *Law Reform Commission Act 1968*, section 9 (Specialised assistance)

I table the supplementary explanatory notes. Clause 1 amends the Justice and Other Legislation Amendment Bill 2005 by inserting after clause 107 parts 13A and 13B. Clause 107A provides that part 13A amends the Guardianship and Administration Act 2000. Part 13A amends section 112—publication about proceedings or disclosure of identity—to recognise the Queensland Law Reform Commission's review of aspects of the substituted decision-making regime. This is a very important area of the law and touches upon the lives of adults with impaired capacity, their families, friends, health professionals and support networks. It is in an area that is in need of review as it has been in operation for a number of years.

The commission has requested that statutory amendments be made to ensure that people who make submissions to the review and the members and staff of the commission itself do not commit offences against the current section 112. This section prevents the publication of information about a proceeding or the disclosure of the identity of a person involved in the proceedings before the Guardianship and Administration Tribunal. The purpose of this provision is to protect the privacy of those involved in such proceedings, especially the interests of an adult with impaired capacity. It is an extremely important provision in upholding the rights of an adult with impaired capacity to confidentiality of information. For the purposes of assisting the review, a limited exception will be made to section 112 to allow information about a proceeding or the disclosure of the identity of a person involved in a proceeding to a reviewer. A reviewer will be able to publish information about the proceeding for the purposes of a review but not the identity of the person involved.

Amendment agreed to.

Clauses 108 to 126, as read, agreed to.

Insertion of new clause—

**Mrs LAVARCH (8.25 pm):** I move the following amendment—

**2 After clause 126—**

At page 60, after line 22—

*insert—*

**'Part 17A Amendment of Powers of Attorney Act 1998****'126A Act amended in this part**

'This part amends the *Powers of Attorney Act 1998*.

**'126B Amendment of s 74 (Preservation of confidentiality)**

'(1) Section 74(1), after 'an attorney'—

*insert—*

'or reviewer'.

'(2) Section 74(2)—

*insert—*

'(f) for the substituted decision-making review.'

'(3) Section 74(4)—

*insert—*

'**commission** means the Law Reform Commission established under the *Law Reform Commission Act 1968*.

**consultant** means a person engaged under the *Law Reform Commission Act 1968*, section 9.<sup>3</sup>

**reviewer** means a member of the commission or its staff, or a consultant, involved in the substituted decision-making review.

**substituted decision-making review** means the review of particular matters under this Act and the *Guardianship and Administration Act 2000* referred to the commission by the Minister on 14 October 2005.'

<sup>3</sup> *Law Reform Commission Act 1968*, section 9 (Specialised assistance)

Clause 2 inserts part 17A in the bill that amends the Powers of Attorney Act 1998, section 74, to recognise the review of the substituted decision making by the commission and to apply the obligation to preserve confidentiality of information upon a reviewer which is defined to include members, staff and a consultant of the commission.

Agreement agreed to.

Clauses 127 to 134, as read, agreed to.

Clause 135—

**Mrs LAVARCH** (8.26 pm): I move the following amendment—

3 **Clause 135—**

At page 64, after line 17—

*insert—*

‘(4) Fees payable under this Act may be set at a level that is sufficient to cover the costs of administering this Act and funding the council in the performance of its functions.’.

The third amendment relates to clause 135 of the bill, which establishes the power of the Governor in Council to set fees under the Professional Standards Act 2004 by way of regulation. The amendment provides that the level of fees authorised is able to be set at a level that covers the costs of administering the act and funding the council in the performance of its functions.

Agreement agreed to.

Clause 135, as amended, agreed to.

Clause 136—

**Mrs LAVARCH** (8.27 pm): I move the following amendment—

4 **Clause 136—**

At page 64, lines 19 to 21—

*omit.*

Amendment No. 4 amends clause 136 of the bill by deleting the proposed definition of ‘fee’.

Agreement agreed to.

Clause 136, as amended, agreed to.

Clauses 137 to 167, as read, agreed to.

Schedule, as read, agreed to.

### Third Reading

Bill, as amended, read a third time.

## ADJOURNMENT

**Hon. LD LAVARCH** (Kurwongbah—ALP) (Minister for Justice and Attorney-General) (8.28 pm): I move—

That the House do now adjourn.

### Hail Storm, Granite Belt

**Mr SPRINGBORG** (Southern Downs—NPA) (Leader of the Opposition) (8.28 pm): On 24 October a devastating hail storm struck the Granite Belt causing some \$20 million worth of damage to fruit and vegetable crops and the protective hail net for many of the farmers on the Granite Belt. Quite severe hail storms are not an unusual occurrence on the Granite Belt. What was a little bit unusual was the extent of them. This storm has been rated as probably a one-in-20-year hail storm.

One of the difficulties for growers in the Granite Belt is that they are not able to get crop insurance. They were able to get it until the early part of the 1990s when this state government abolished the hail insurance subsidy scheme which made insurance affordable and practical for the underwriters. When the scheme was abolished the growers were resolute in making sure that they could be as self-sufficient as possible.

They went through the quite significant process of installing hail nets. These hail nets cost between \$40,000 and \$50,000 per hectare. The greater irony is that there is no longer insurance available for those hail nets. There is a double whammy with the insurance companies threatening to pull out of insuring hail nets.

One of the real concerns the growers have following the devastating hail storm on 24 October is what practical assistance can be made available from the government. The minister turned up there and made some commitments. He said that the government would put a coordinator out there to look at the issue of accessing scarce agricultural services. The minister said there would be farm financial counsellors who could assist with the preparation of paperwork for carry-on loan assistance.

The reality is that the majority, if not all, of those farmers who were affected by this devastating storm will in no way be able to be assisted because of the restrictions contained in these guidelines. We are talking about practical people who want to be as self-sufficient as possible. What they have done is responded to what the government has always said to them: 'You be self-sufficient. You look after your own interests. You make sure that you are able to protect yourselves as much as possible and we will stand there with you.' They have done that. Not only have these farmers actually lost their hail nets—some 700 acres of them; several million dollars worth—but in many cases they have completely lost their crops and their fruit trees for the future.

Tonight I call on the state government to step in and make sure that the process which it set in train following those hail storms is properly carried through because there is an element of frustration out there at the moment. The other thing is that the state government needs to really drive the issue of hail insurance. It needs to make sure that we can stand with the insurance underwriters and stand with the industry to try to put in place a hail insurance scheme which can work to assist these growers in the future.

### **Roads, Conondale**

**Ms MALE** (Glass House—ALP) (8.32 pm): I rise this evening to talk about the wonderful residents of Conondale. This is one of the smaller communities in my electorate, but a very active one at that. The school community has spent many years campaigning for road safety for the young people who attend the local school and have been successful in obtaining major road safety benefits for the students and for writing school bus safety manuals.

The Rural Fire Brigade has trained hard and is well ready to do its life-saving tasks over the summer season, as are the Kenilworth first responders and all of the other emergency services personnel in the electorate. The Conondale pool committee has worked hard to get the pool ready for the summer season. I am happy to announce that the Minister for Public Works, Housing and Racing will assist them after this season to upgrade the pool with a grant of about \$30,000.

This morning I presented a petition to parliament sponsored by the Conondale forum which called on the government to upgrade the road between Conondale and Little Yabba Creek on the way to Kenilworth. This petition had 404 signatures and I have supporting letters here from: Adrian and Sonja Fleiter; the Conondale Rural Fire Brigade; the Maleny local ambulance committee and the Maleny ambulance service; the Conondale group of the Queensland State Emergency Service; Baker's Coach Charter of Maleny; Chris Brooker, who is part of the Maleny RSL and lives at McCarthy Road Maleny; Mary Valley Milk; the Save the Upper Mary Valley Association Inc.; Lin Ferriday; the Combined Caravan Clubs of Queensland Inc.; Boxsells, the real estate group out there; Rightmix Concrete, Sand and Gravel; West Moreton Milk Suppliers Co-operative Society Ltd; Pacific Petroleum; Rodwell Enterprises of Kenilworth; Youngs Livestock Transport; and ABJ and JM Grainger from Amamoor.

Yesterday the Minister for Transport and Main Roads announced the most recent roads improvement program which incorporates an additional \$8 million to upgrade the Maleny-Kenilworth Road from Fritz's Gully to Jager Drive and Cambroon Creek to Booloumba Creek Road. This will replace a substandard single-lane road to a reinforced double-lane road with appropriate road markings. It will improve the safety of residents quite significantly. This is a good start, but I do not believe it is enough. There is still another five or so kilometres of this section of road that need to be upgraded from single lane to double lane.

The residents of Conondale and Kenilworth deserve an upgraded road which is safe for them and their families to travel on. The many visitors to Conondale, Kenilworth and the national parks also deserve the same. Tonight I call on the minister to review the new roads improvement program to look at ensuring the entire length from Conondale to Little Yabba Creek is upgraded. We need a fully functional two-lane road to service our communities safely. We will settle for nothing less. I understand that this funding is provided in the 2007-2010 financial years. This gives the Conondale community the chance to get the funding allocated and the work done. I look forward to seeing it done in the future.

### **Christmas in Redcliffe**

**Mr ROGERS** (Redcliffe—Lib) (8.35 pm): On Monday I was honoured to attend a morning tea at the Redcliffe Neighbourhood Centre to help launch the centre's annual Christmas celebrations. For the past three years the Redcliffe Neighbourhood Centre Association, better known as the RNCA, has been uniting the people of the Redcliffe peninsula for a free Christmas Day event. The RNCA coordinates this event for those facing Christmas alone and those families that are facing hardship. Last year almost 100 guests attended the event and this year the centre believes the number will increase.

Volunteers, church groups and community organisations such as Help-Force, led by Pastor Steve Riley, and the Tuesday Club are bringing resources and donations together to make the event a reality. Planning is well under way and the Redcliffe Neighbourhood Centre is asking community members for their assistance to ensure that everyone who wants to be there can be there. This event will provide an opportunity for one and all to enjoy the special day together.

This year the Christmas Day event will be held from 11 am to 2 pm at Webb Hall in the Redcliffe showgrounds. The event will provide a location for families to celebrate Christmas, a free Christmas lunch and festive activities. The Redcliffe community's goodwill and Christmas spirit is evident in this charitable event and I am excited to be a part of such an incredible activity.

I would like to recognise Daryl Passmore, the Redcliffe Neighbourhood Centre's president, and Ros Thomsen, the community Christmas coordinator, for all of their efforts not only in the creation of such a scheme but also in their enthusiasm to continue the event, making it bigger and better for everyone each year. Robert Bruce, the volunteer event coordinator, is passionate about the event and looking forward to playing his role as Santa on the day. The Uniting Church, led by Reverend Peter Armstrong, has arranged the donation of presents for children who attend the event in order to make the day extra special.

I commend the community for its kindness and generosity and encourage my constituents to continue to support this terrific event. Read that as donate food. I will be donating Christmas puddings and cakes for the luncheon purchased from my Rotary Club, the Rotary Club of Redcliffe city, another fine Redcliffe organisation that demonstrates constant support for the peninsula. I will be visiting Webb Hall on Christmas Day to participate in this joyous event. The staff and volunteers at the Redcliffe Neighbourhood Centre have played a vital role in the community for more than a decade. The association provides a wide range of support services for families and individuals living on the peninsula. Today, the Redcliffe Neighbourhood Centre is the first point of call for thousands of Redcliffe residents seeking information and assistance. The centre also allows people in the community to participate in social, educational, recreational and life skills activities.

At this point I would also like to convey my best wishes to Ken Cosgrove, a tireless community worker who, despite his own personal difficulties, cares for a wife with mobility problems and is active in the Redcliffe Neighbourhood Centre and Redcliffe Opportunities for People's Enhancement, better known as ROPE. This Saturday I will be privileged to launch ROPE's new respite centre, which will play an essential role in giving carers and parents of people with disabilities a short-term break from their full-time care roles. My final words are: do not forget our rail to Redcliffe.

### Road Funding

**Ms CROFT** (Broadwater—ALP) (8.38 pm): In mid-2004 construction began to widen a 2.2 kilometre section of Oxley Drive, a road that is taking the burden of growth in the northern Gold Coast with current traffic volumes ranging from 18,000 to 25,000 vehicles per day. This project ensured that a high-quality four-lane road from Columbus Drive, Paradise Point to Lae Drive was built. This \$11.5 million project reached practical completion in September and was last week officially commissioned by the Minister for Transport and Main Roads, the Hon. Paul Lucas. This was an exciting day for the local community as it celebrated the end of nearly two years of community consultation by the Department of Main Roads and another year of inconvenience and interruption for local residents and business caused by roadworks, and the delivery of one of my election commitments.

This road upgrade project involved the employment of 43 construction and management personnel from Aramira Civil Engineering, SinclairKnightMertz, RoadTek Design and Main Roads. The road's close proximity to Pine Ridge Conservation Park required the Department of Main Roads to work closely with a number of community groups to preserve cultural heritage and protect local flora and fauna, including working with the traditional owners during the planning and construction of the road. The project provided a joint initiative by Green Corp and Greening Australia, the Society for Growing Australian Plants, Bush Nuts Native Nursery and the Queensland Parks and Wildlife Service that incorporated the collection of, propagation and transplanting of seedlings to preserve local flora. I want to take this opportunity to thank all those groups and other community stakeholders for supporting this very important project. A big thankyou goes out to the Main Roads staff who responded to all inquiries and, of course, complaints during the construction phase very efficiently. I know that the road was a long time coming, but I am pleased that it has now being delivered.

At the commissioning of Oxley Drive the minister also responded to my constant lobbying regarding the state of Hope Island Road by announcing funding of \$80 million over five years to progress four-laning of Hope Island Road between Oxenford and Santa Barbara Road at a total cost of \$19 million and between Santa Barbara Road and Lae Drive at a total cost of \$93 million. I am really pleased that the minister has announced this funding and I look forward to informing groups such as Hope Island Rotary, the Boykambil residents association and residents of Santa Barbara about this funding because they have been talking to me over many years about how the road needs to be upgraded. I am delighted that I have been able to deliver for them. The minister also announced \$33 million over five years for four-laning of the Gold Coast Highway between Robert Street and Government Road at a total cost of \$57 million. I am delighted that I have worked very closely with the member for Southport, Peter Lawlor, to ensure that money was brought forward to enable this project to happen. I look forward to delivering these projects to the residents of Broadwater.

### Teaching Allocations, Charters Towers

**Mr KNUTH** (Charters Towers—NPA) (8.41 pm): Tonight I want to raise a serious issue in relation to cutbacks in teacher aide and teacher allocation at the Charters Towers State High School and the Charters Towers Central State School Special Education Unit. In August 2004 I wrote to the Minister for Education raising concerns from parents of disabled children about the changes to the allocation of teacher and teacher aide time for these students. In the minister's response I was assured that students with disabilities were set to get a better deal from the state government to boost inclusive education in Queensland schools. This better deal turns out to be a disaster with cuts of up to 60 per cent of teacher aide allocations and teacher allocations despite increases in disabled student numbers.

I am very disturbed to find out that Charters Towers Central State School Special Education Unit has near a 40 per cent increase in student numbers yet a 20 per cent to 25 per cent decrease in teacher and teacher aide allocations. The teacher allocation has been slashed from 3.4 teachers to 2.7 and the teacher aide allocation has been slashed from 84 hours per week to 62 hours a week despite the increase in disabled student numbers. At the Charters Towers State High School the teacher allocation has been reduced from 3.6 full-time teachers in 2005 to a mere 1.4 in 2006 while teacher aide hours have been slashed from 90 hours per week to 32 hours a week. This will mean that teacher and teacher aide positions will disappear and others will have their hours reduced significantly. Not only are the students missing out but the teachers will lose their jobs.

At the high school there are a number of very highly dependent students who require maximum assistance at all times, and under these cuts it is impossible to manage and provide the best educational outcomes for these students. There is a genuine fear that the remaining students will be forced into mainstream classes without the assistance they need. Parents are very concerned that integration into the mainstream actually means exclusion from the specific educational programs students need. I fear that Treasury has overridden Education Queensland. These special education units are faced with a massive 66 per cent cut in funding. The outstanding management by the dedicated staff is commendable and they treat these students like their own. This has been a significant factor that has ensured the units' functioning effectively in 2005.

However, in 2006 it will be impossible to manage these special education units by this inadequate resource allocation. This is a serious issue and there are understandable concerns from teachers and parents that the most vulnerable children will not receive the teacher and teacher aide allocations they need to fully benefit from the programs on offer at the schools. This is a dreadful situation. It is unbelievable that this government can blatantly remove the hours from the students and families who require the most support and assistance. I call on the Minister for Education to repeal this decision and restore the educational opportunities that these students currently experience so that the rights of every disabled student—the most vulnerable—are maintained.

### Yeppoon Surf Life Saving Club

**Mr HOOLIHAN** (Keppel—ALP) (8.44 pm): Yesterday morning we heard from the Deputy Premier in relation to the Gambling Community Benefit Fund and the Jupiters Casino Benefit Fund and the various financial benefits that flow to organisations within Queensland, and we are all aware of the successes of those funds. However, I want to bring to the attention of this House one other real benefit which has accrued to the Yeppoon Surf Life Saving Club. In May the Yeppoon Surf Life Saving Club, which has on occasions required some assistance from the Gambling Community Benefit Fund, was vandalised by some youths who stole its training mannequin and damaged it beyond repair. The youths were put through the court but, because of their age, there was no refund. Owing to the fact that Yeppoon Surf Life Saving Club is only a small club, there were difficulties in trying to raise the full amount of money required to replace that mannequin. In actual fact, it would not have been possible to put an application in to the Gambling Community Benefit Fund because it was required in the forthcoming summer.

In conjunction with the club, I wrote to the people who supply these mannequins to ask if there was any way that we would be able to discuss with them some reduction in the cost or some way that we could get one of these mannequins. After about two months, imagine our surprise when we received a letter from the company, Laudal, which provides these throughout Australia. Not only had it taken our request to heart but had in fact written to us telling us that it had provided a demonstration model of its mannequin which had been received back from a training group. It also provided trauma limbs and a computerised assessment machine with the mannequin. This allows the Yeppoon Surf Life Saving Club to continue with its assisted resuscitation certificates for its members, and that was supplied by the company at no charge.

For anyone who has any dealings with the surf life-saving clubs and who is looking for a company with which they can spend their money and be really well looked after in terms of getting value for the money they spend, I would recommend to them this company. In fact, I want to say a big thankyou. I am sure that every member of this House who supports surf life-saving will support my call to thank Laudal for its good heartedness in providing all of that equipment to replace the mannequin that had been stolen.

### Special Needs Students, Townsville

**Mrs MENKENS** (Burdekin—NPA) (8.47 pm): I need to convey to the House and the government the absolute devastation that many parents and teaching staff are feeling over what they believe to be this government's move to reduce funding for special needs students in our schools. I share the member for Charters Towers' absolute astonishment at proposals by the education department to slash funding for special needs staffing in the Townsville district for next year. I am completely and utterly opposed to this retrograde step that would see a huge reduction in staffing to special education units and special education centres despite enrolments increasing by an average of eight per cent per year.

Teacher and teacher aide times are being cut in an area which we would reasonably expect to attract increased resources to better assist these students. A loss of staff in this area will affect not only the special needs students but also the larger school as it is forced to divert resources from other areas to meet the ongoing requirements of special needs students. I am reliably informed that some figures show that the Townsville district alone could stand to lose over 500 teacher aide hours and over 11 full-time equivalent staff positions. The government cannot possibly justify this slap in the face to the education needs in north Queensland. The Teachers Union has registered its major concern at the government's heavy-handed and arbitrary decision. It is a direct result of a Brisbane-centric management system that fails completely to recognise or provide for regional needs and has no understanding of regional issues.

Today I was contacted by concerned parents frightened that they would be left with no options. A parent of an autistic child put it into context by asking me this morning, 'Where do we go? What do we do?' These parents already experience high levels of stress without the added burden of wondering how and where their children will be educated if the government insists on following through with this decision.

Many special needs students simply cannot be part of the mainstream and need the extra care and attention that in the past has been the speciality of the teachers' aides. In the classroom, the combination of experienced teachers and caring aides has allowed special needs students to progress at their own rate without impacting on other students and remaining part of their peer group. What will now happen to those students who will not fit into everyday classes but whose parents cannot afford the time or the money to be home schooled or attend other schools?

I understand that some meetings were held today that I hope have had positive outcomes. North Queensland needs far more teachers and teacher aide hours, not fewer. I am asking the minister for an assurance that this situation will be addressed.

### Daintree Rainforest

**Mr O'BRIEN** (Cook—ALP) (8.50 pm): We stand at an important juncture in efforts to save lowland parts of the Daintree rainforest from urban development. The National Party's decision to subdivide the oldest and most unique rainforest on the planet in the mid-1980s was nothing short of abhorrent. Ever since that day, the Labor Party has been doing all within its power to protect this area. We have taken the following steps. We funded the original buyback. We are preventing the extension of mains power north of the river, thus limiting urbanisation. We are the ones funding the second buyback which, unlike the Commonwealth scheme, has no strings attached. We are the ones imposing a temporary development ban while the Douglas Shire Council works out its new town plan.

These are certainly difficult issues and the campaign by conservationists and those trying to protect their property rights has at times been heated as the council gets closer to making a decision. Governments should not take the decision to resume land or remove people's property rights lightly. I have been contacted by dozens of people who have been caught up in the development ban, requesting that I ensure their development rights are reinstated. Many of their stories have certainly given me great cause for concern that we are not heading in the right direction. However, when I weigh these matters up in my mind, it is clear to me that the greatest good that we could do as a government is to ensure the protection of the last remnant of lowland rainforest on the eastern seaboard of Australia, the most diverse region on the face of the planet—the Daintree rainforest.

If we allow this area to become urbanised it will undermine the international values that the area contains and probably lead to the extinction of the cassowary and other species. This is not to say that people whose rights are being removed should not receive fair compensation; they should. Just as when governments resume lands for roads or other important infrastructure, so they should resume land for environmental reasons, especially when it is the oldest ecosystem on earth. Currently, the state government has a voluntary buyback scheme in place which has been taken up by many property owners. The buyback scheme has been hampered by the Commonwealth's stance on this issue. The Commonwealth has also funded a buyback scheme, but there are so many strings attached that it is virtually unmanageable.



This is not an easy matter and emotions are running high as the Douglas Shire Council finalises its position. In many ways it is ironic that 20 years ago people were protesting to protect the area and now the protesters are calling for the government to allow it to be developed. I urge the environment minister to do whatever she can to protect this area for future generations.

### **Eudlo; Cow Candy**

**Mr WELLINGTON** (Nicklin—Ind) (8.52 pm): On behalf of the students and teachers of the smallest school in my electorate, that is the school of Eudlo, I say thank you to the Deputy Premier and minister for state development, Anna Bligh, for the new school toilet block that is now open. We have not yet had an official opening but the students and I will not forget the willingness of the minister in her former role as the minister for education and her interest in our calls for help and for acting so quickly with the provision of a temporary toilet facility until the new toilet block was built. I also acknowledge a member of her staff, Don Wilson. We really appreciate his willingness to help and involvement in this very important project for my school community of Eudlo.

I also use this opportunity to ask the state government and the National and Liberal members to use the powers available to them to approach the federal government on behalf of the Sunshine Coast region to try to convince the federal government of the merits of the biocane project rightly known as cow candy. We believe that, if the federal government could support the current sustainability grant applications submitted by biocane, this new industry would create significant new employment and income opportunities for the Sunshine Coast region. I understand that the new factory is progressing well and the plan is to start processing 100,000 tonnes of cane by June next year, ramping up to 300,000 tonnes as soon as possible.

Before I resume my seat, I also ask the state government to consider topping up its support for this new industry and to match the Maroochy Shire Council's assistance by providing a further \$250,000 to assist with the development and commissioning of the next stage of the essential infrastructure that is important for this new industry.

**Mrs Liz Cunningham:** What is it?

**Mr WELLINGTON:** Cow candy is a product of sugarcane which we are exporting overseas. We have created a very special market. We are showing the other sugarcane regions of Queensland what we can do. Recently our sugarcane mill in Nambour closed. The sugarcane farmers did not say it was the end of the industry; they used their initiative and they created a new industry. Again tonight I am urging the state government to upstage the federal government and provide an initial \$250,000 support to match the local council's. We are very proud of our cow candy industry. It has created a niche market.

**Mrs Pratt:** I think you should put some up the front there to show members.

**Mr WELLINGTON:** Maybe early in the year I can present a sample of the cow candy to the Speaker.

### **Community Renewal**

**Mrs DESLEY SCOTT** (Woodridge—ALP) (8.55 pm): That is hard to follow. To herald the commencement of the Community Renewal Program in the Marsden-Crestmead area, some wonderful public art pieces are being completed in our parks, at schools and at our community centre. In the wonderful tradition of Making Places, which was an initiative first trialled at Woodridge State High School with great success, many of our students at Marsden State High School, Loganlea State High School, Kingston College and St Francis College have been engaged in designing and then producing very beautiful functional works of art which will ensure that the students' care for the environment will live on for many years.

Carmen Stewart from FutureScapes has enjoyed working with our students for a number of years on many projects and has built up a great rapport with them. Making Places not only beautifies our environment but also re-engages many students who may have lost enthusiasm for school.

I recently joined Councillors Graham Able and Phil Pidgeon; Kay Franks, principal social planner of Logan City Council; Harry Dwyer from Tom Barton's office; and teachers and students from Marsden and Kingston College and St Francis College to launch a number of these works of art and enjoy a bus tour to view a number of these sites. We also welcomed a number of our community members who have been active on our community renewal reference groups.

The day commenced in Havenbah Park, where an attractive concrete seat has been decorated with beautiful ceramic tiles overlooking the children's playground area. A short walk to the corner brought us to a magnificent metal structure depicting animals of the land, air and water which will be lit from the centre at night and landscaped. This major roundabout on the corner of Browns Plains and Chambers Flat roads has been enhanced a great deal by this very innovative work of art by students from Marsden State High School. Three buses then transported the group to St Francis College, where we viewed the students' seating at the front of the school close to the bus zone. These students have created colourful seating from recycled material which is both functional and very appealing to the eye.

Every student who has taken part in these projects is just so proud of what they have created. Teachers at the schools have been involved and all have enjoyed working together on these great projects. To end the tour, we travelled to the Crestmead Community Centre, where the adult art class has two beautiful seats made out of concrete with, again, colourful ceramic tiles inset as you approach the front door. The previous week I had joined Councillor Phil Pidgeon to pull down a security fence to mark the community reclaiming their centre. The art class has painted lovely scenes of forests, birds and animals around the columns at the entrance to the centre and, as a finishing touch, BoysTown has constructed gardens along the front of the centre. At each site a number of students spoke of the feeling they have for the community and the pride they felt in their work.

Motion agreed to.

The House adjourned at 8.58 pm.