



RECORD OF PROCEEDINGS

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

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TUESDAY, 31 OCTOBER 2006

Mr SPEAKER (Hon. MF Reynolds, Townsville) read prayers and took the chair at 9.30 am.

ASSENT TO BILLS

Mr SPEAKER: Honourable members, I have to report that I have received from Her Excellency the Governor a letter in respect of assent to certain bills, the contents of which will be incorporated in the *Record of Proceedings*. I table the letter for the information of members.

16 October 2006

The Honourable M. Reynolds, MP
Speaker of the Legislative Assembly
Parliament House
George Street
BRISBANE QLD 4000

I hereby acquaint the Legislative Assembly that the following Bills, having been passed by the Legislative Assembly and having been presented for the Royal Assent, were assented to in the name of Her Majesty The Queen on the date shown:

Date of Assent: 13 October 2006

"A Bill for An Act to provide for the acquisition of land for a hospital and associated health and medical facilities at Yeppoon"

"A Bill for An Act to facilitate the disposal of particular energy businesses, including by facilitating the restructure or sale of energy entities, and for other purposes"

The Bill is hereby transmitted to the Legislative Assembly, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Yours sincerely

Governor

Tabled paper: Letter, dated 16 October 2006, from Her Excellency the Governor to Mr Speaker advising of assent to Bills.

SPEAKER'S STATEMENTS

Queensland Parliamentary Service Annual Report 2005-06

Mr SPEAKER: Honourable members, I lay upon the table of the House the *Queensland Parliamentary Service Annual Report 2005-06*. As well as meeting all mandatory reporting obligations, the report provides a range of additional information about the operations of the service during the year. I wish to thank all Parliamentary Service staff for their ongoing work, which is essential to the operations of the parliament. I also wish to thank staff members of the annual report committee, which was primarily responsible for preparation of the report: Andrea Frost, Megan Mackee, Jennifer Martin, Jo Mathers, Lynelle Osborne and Kylie Sareen. I commend this annual report to all honourable members.

Tabled paper: Queensland Parliamentary Service Annual Report 2005-06.

Commonwealth Parliamentary Association

Mr SPEAKER: I remind honourable members that the annual general meeting of the Commonwealth Parliamentary Association Queensland Branch will be held in the chamber at 1 pm today. I look forward to seeing a number of members at the AGM at 1 pm today.

PETITIONS

The following honourable members have lodged paper petitions for presentation—

Tambo-Clermont, Road Sealing

Mr Knuth from 654 petitioners requesting the House to require the Minister of Transport to give priority to the importance of having the route between Tambo and Clermont of the Clermont to Alpha Road in the division of Charters Towers sealed for the safety of all road users; the promotion of the area as a tourism venture and the efficiency of the cattle industry. Your petitioners also point out that the journey for travellers in inland Queensland will be significantly shortened by this sealing thereby reducing the traffic on coastal highways and promoting tourism in rural areas.

Moggill Electorate, School Zones

Dr Flegg from 479 petitioners requesting the House to allow families resident in Mt Crosby, Karana Downs and Moggill continue to be allowed access to Kenmore State High School and to immediately begin construction of a high school within this area (Moggill, Bellbowrie, Karana Downs, Mt Crosby, Karalee) to service the needs of the many children within this growth area

Hurley, Senior Sergeant

Mr Beattie from 1,552 petitioners requesting the House to instruct the Police Commissioner to terminate employment of Senior Sergeant Hurley and to provide every support and assistance to the Director of Public Prosecutions to finalise her assessment of the Coroner's findings so that criminal charges may be brought against certain parties who were responsible for the unlawful killing of Mulrunji in the Palm Island watch house.

Retirement Villages

Mr Wells, two petitions, from 202 petitioners in total, requesting the House to amend section (1) Definitions and (3) Tenancies of the Scheme as it does not conform to a 'normal' lease for aged pensioners, both full and part, leasing accommodation in retirement villages.

Traveston Dam

Mr Foley from 764 petitioners requesting the House to abandon plans for the dam at Traveston and consider other options.

Falun Gong

Mr Elmes from 185 petitioners requesting the House to support the Coalition to investigate the persecution of Falun Gong to investigate forced organ harvesting allegations and the illegal detention of Falun Gong Practitioners in detention centres, labour camps, prisons and hospitals in China.

Rates

Mr Langbroek from 349 petitioners requesting the House to review rate rises based on the published advertisements and the actual increases in rates, and the legality of discriminating against rate payers based on the height of their unit.

The following honourable members have sponsored e-petitions which are now closed and presented—

Teacher Aides, Prep Year

Mr Fraser from 4,021 petitioners requesting the House to fund the placement of a full time teacher aide in every classroom containing prep children

Uranium Mining

Mr Lee from 1,088 petitioners requesting the House to maintain Queensland's existing ban on uranium mining.

TABLED PAPERS**PAPERS TABLED DURING THE RECESS**

The Clerk informed the House that the following papers, received during the recess, were tabled on the dates indicated—

13 October 2006—

- Electricity Industry Code—Second Edition made under the Electricity Act 1994
- Annexure (Volume 1) to the Report on a Decision made on 13 June 2006 by the Minister for Environment, Local Government, Planning and Women (Ms Boyle) regarding the call in of a development application under the Integrated Planning Act 1997—Development application for the Emerald Tower Development Proposal at 550 Queen Street, Brisbane by Emerald Developments (Australia) Pty Ltd lodged with the Brisbane City Council
- Annexure (Volume 2) to the Report on a Decision made on 13 June 2006 by the Minister for Environment, Local Government, Planning and Women (Ms Boyle) regarding the call in of a development application under the Integrated Planning Act 1997—Development application for the Emerald Tower Development Proposal at 550 Queen Street, Brisbane by Emerald Developments (Australia) Pty Ltd lodged with the Brisbane City Council
- 2005-06 Annual Report on Administration of the Foreign Ownership of Land Register Act 1988 pursuant to s16(1) of the Foreign Ownership of Land Register Act 1988

18 October 2006—

- Response from the Deputy Premier, Treasurer and Minister for Infrastructure (Ms Bligh) to an E-petition sponsored by Mr Quinn from 101 petitioners regarding the fire at Binary Industries at the Narangba Industrial Estate

20 October 2006—

- Response from the Minister for Mines and Energy (Mr Wilson) to a paper petition presented by Mr Knuth from 138 petitioners regarding electricity supply in the Jericho Shire
- Final Report of the Rail Safety Investigation QT1755 into the Triple Rail Fatality, Train 10M1 at Goodna, Queensland on 11 March 2006

23 October 2006—

- Gold Coast Hospital Foundation—Annual Report 2005-06

24 October 2006—

- Report on an investigation commissioned by Minister for Local Government, Planning, Sport and Recreation re Douglas Shire Council

25 October 2006—

- Extract from the Queensland Government Gazette of 13 October 2006 detailing the Administrative Arrangements Amendment Order (No. 8) 2006

27 October 2006—

- Primary Industries Standing Committee Model Code of Practice for the Welfare of Animals—Cattle 2nd Edition
- Queensland Code of Practice for the welfare of animals in film production under the Animal Care and Protection Act 2001

- Response from the Minister for Transport and Main Roads (Mr Lucas) to an E-petition sponsored by Mr Caltabiano from 122 petitioners regarding the proposed Eastern Busway
- Response from the Minister for Transport and Main Roads (Mr Lucas) to a paper petition presented by Mr Briskey from 298 petitioners regarding the proposed Eastern Busway

30 October 2006—

- Coal Mining Safety and Health Advisory Council—Annual Report 2005-06
- Mining Safety and Health Advisory Council—Annual Report 2005-06
- Boards of Examiners (Statutory certificates of competency for safe mine management)—Annual Report 2005-06
- CS Energy Ltd—Annual Report 2005-06
- CS Energy Ltd—Statement of Corporate Intent 2005-06
- ENERGEX Limited—Annual Report 2005-06
- ENERGEX Limited—Statement of Corporate Intent 2005-06
- Enertrade—Annual Report 2005-06
- Enertrade—Statement of Corporate Intent 2005-06
- Ergon Energy Corporation Limited—Annual Report 2005-06
- Ergon Energy Corporation Limited—Concise Sustainability Report 2005-06
- Ergon Energy Corporation Limited—Corporate Reports 2005-06
- Ergon Energy Corporation Limited—Delivering to Central Queensland 2005-06
- Ergon Energy Corporation Limited—Delivering to Queensland's North 2005-06
- Ergon Energy Corporation Limited—Delivering to Queensland's South 2005-06
- Ergon Energy Corporation Limited—Statement of Corporate Intent 2005-06
- Powerlink Queensland—Annual Report 2005-06
- Powerlink Queensland—Statement of Corporate Intent 2005-06
- Stanwell Corporation Limited—Annual Report 2005-06
- Stanwell Corporation Limited—Statement of Corporate Intent 2005-06
- Sun Retail Pty Ltd—Annual Report 2005-06
- Tarong Energy Corporation Limited—Annual Report 2005-06
- Tarong Energy Corporation Limited—Statement of Corporate Intent 2005-06

STATUTORY INSTRUMENTS

The following statutory instruments were tabled by the Clerk—

Prostitution Act 1999—

- Prostitution Amendment Regulation (No. 1) 2006, No. 250

Integrated Planning and Other Legislation Amendment Act 2006—

- Proclamation commencing certain provisions, No. 251

Nature Conservation Act 1992—

- Nature Conservation (Administration) Amendment Regulation (No. 1) 2006, No. 252

Financial Administration and Audit Act 1977—

- Financial Management Amendment Standard (No. 1) 2006, No. 253

Police Powers and Responsibilities Act 2000—

- Police Powers and Responsibilities (Gold Coast Lexmark Indy 300) Regulation 2006, No. 254 and Explanatory Notes for No. 254

Gaming Machine Act 1991—

- Gaming Machine Amendment Regulation (No. 1) 2006, No. 255

Trade Measurement Act 1990—

- Trade Measurement (Weighbridges) Amendment Regulation (No. 1) 2006, No. 256

Nature Conservation Act 1992—

- Nature Conservation Legislation Amendment Regulation (No. 4) 2006, No. 257

Transport Legislation Amendment Act 2005—

- Transport Legislation Amendment (Postponement) Regulation 2006, No. 258

Public Health Act 2005—

- Public Health (Postponement) Regulation 2006, No. 259

Workplace Health and Safety Act 1995—

- Workplace Health and Safety (Postponement) Regulation 2006, No. 260

Fisheries Act 1994—

- Fisheries (East Coast Trawl) Amendment Management Plan (No. 1) 2006, No. 261

Mineral Resources Act 1989—

- Mineral Resources Amendment Regulation (No. 3) 2006, No. 262

Water Act 2000—

- Water Amendment Regulation (No. 7) 2006, No. 263

Aboriginal Land Act 1991—

- Aboriginal Land Amendment Regulation (No. 4) 2006, No. 264

MINISTERIAL PAPER TABLED BY THE CLERK

The following ministerial paper was tabled by the Clerk—

Minister for State Development, Employment and Industrial Relations (Mr Mickel)—

- Statutory Review of the Gene Technology Act 2001 (Queensland)—October 2006

MINISTERIAL PAPERS

The following ministerial papers were tabled—

Deputy Premier, Treasurer and Minister for Infrastructure (Ms Bligh)—

- South East Queensland Regional Plan 2005-06—Amendment 1
- Consultation Report on the South East Queensland Regional Plan Draft Amendment
- 2005-06 Annual Economic Report of the Queensland economy—year ended 30 June 2006
- 2005-06 Report on State Finances of the Queensland Government—year ended 30 June 2006
- Golden Casket Lottery Corporation Limited Annual Report 2005-06
- Golden Casket Lottery Corporation Limited Statement of Corporate Intent 2005-06
- Motor Accident Insurance Commission Annual Report 2005-06
- QIC Annual Report 2005-06
- QIC Statement of Corporate Intent 2005-06
- QSuper Annual Report 2005-06
- Queensland Treasury Annual Report 2005-06

Minister for State Development, Employment and Industrial Relations (Mr Mickel)—

- Queensland Workers' Compensation Regulatory Authority Annual Report 2005-06

WorkCover Annual Report 2005-06

Hon. RJ MICKEL (Logan—ALP) (Minister for State Development, Employment and Industrial Relations) (9.37 am), by leave: I table the *WorkCover Queensland annual report* and the Workcover statement of corporate intent.

Tabled paper: WorkCover Queensland Annual Report 2005-06.

Tabled paper: WorkCover Queensland Statement of Corporate Intent 2005-2006.

Under this government, WorkCover has become the best performing workers compensation insurer in the country. WorkCover continues to balance the need for affordable premiums against improved benefits and better services. WorkCover provides for claims using the insurance principle of injuries incurred but not yet reported to allow for injuries where a claim is not made until sometime in the future. However, a legislative amendment supported by both sides of this House made in November 2005 changed the date of injury for latent onset injuries from the date of exposure to the date of diagnosis. This is because the date of exposure for these injuries can be up to 30 years in the past. A worker's claim may be subject to the legislation applicable 30 years ago.

By changing to the date of diagnosis these workers have the security of being covered by the current act with benefits of up to \$400,000, instead of \$90,000 under former acts. WorkCover's actuary advised that, in light of this amendment, the outstanding claims provision should be reduced by approximately \$500 million. WorkCover has the capacity to pay for these claims without the need for special provisioning arrangements—that is, there is no actuarial need to hold \$500 million in reserve.

I am also advised current trends indicate that payments for these injuries will peak at approximately \$30 million to \$40 million per year in 2015, the equivalent of seven per cent of current claims costs. WorkCover takes into account injury trends and claim payments when setting premium rates. So it was prudent of the WorkCover Queensland board to take this legislative amendment and WorkCover's financial position into consideration when determining the premium rate for 2006-2007.

WorkCover Queensland has maintained the lowest average premium rate in Australia for seven years. WorkCover continues to be fully funded. With its assets exceeding liabilities, it continues to exceed the APRA requirement against which it benchmarks itself. I commend the staff and WorkCover Queensland.

MINISTERIAL STATEMENTS

Ministerial Appointments

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.39 am): I am pleased to announce that I have spoken to Her Excellency the Governor this morning to inform her that I will be seeking approval for a number of new appointments in my government. This includes the member for Toowoomba North, Kerry Shine, as Queensland's new Attorney-General and Minister for Justice.

The member for Toowoomba North was elected in 2001 and has played a key role on a number of committees including the Parliamentary Crime and Misconduct Committee and the Parliamentary Criminal Justice Committee. He has also served as the Parliamentary Secretary to the Minister for Communities, Disability Services and Seniors as well as being the Premier's Advisor on Western Queensland. Following the recent state election, he was elevated to cabinet and appointed Minister for Natural Resources and Water.

Prior to his career in parliament, the member for Toowoomba North was a practising solicitor. He obtained his Bachelor of Laws from the University of Queensland while serving as an articled clerk in a Brisbane law firm. I have always thought that to be a very noble way to start in politics. He was admitted as a solicitor in 1972 and commenced his own legal practice in Toowoomba in 1976. Kerry sold his interests in this firm in 1998 and helped to establish another firm at Browns Plains in 1999. He is well regarded within the legal profession, and I am confident that with his experience and professionalism he will perform well in this important portfolio.

I would like to also put on the record my gratitude to Linda Lavarch for her service as the Attorney General, Minister for Justice and Minister for Women. She was the first woman to be Attorney-General of this state. I greatly respect her courage and openness on tackling her illness, and I am sure that all members would join me in wishing her all the best in her recovery.

I will also be seeking the Governor's approval to make other appointments. Before I do so, I would like to advise the House that because of Linda's fight with biological depression she will not be returning to the chamber this year. I know that members will understand that. I look forward to her returning to the parliament next year.

I will also be seeking the Governor's approval to hand responsibility for Linda's former role as Minister for Women to the Minister for Tourism, Fair Trading and Wine Development, Margaret Keech. I congratulate Margaret on her promotion. Margaret is a proven and strong performer in the Queensland cabinet. Through the Office of Women, she will have oversight of policies, programs and services affecting women.

I am also pleased to announce that I intend to seek approval for the member for Thuringowa, Craig Wallace, to be appointed as the new Minister for Natural Resources and Water. Craig was elected in 2004 and is a hardworking local member and terrific representative for north Queensland. He has played a key role on a number of important committees including the Public Accounts Committee and the Impact of Petrol Pricing Select Committee.

As a regional member, Craig has a good grasp of the issues affecting regional communities, in particular water supply and drought. He will continue to be a strong advocate for the bush and the regions. Therefore, I will ask Craig to incorporate his current role as Parliamentary Secretary for North Queensland into his ministerial portfolio. He will become my advisor on north Queensland and Kerry Shine will also incorporate his role as my advisor on western Queensland into his new portfolio. In addition to her current responsibilities as parliamentary secretary, Jan Jarratt will assist Margaret in the area of women's affairs, particularly in north Queensland.

As part of this reshuffle, I will also seek the Governor's approval for the appointment of Stirling Hinchliffe as the Parliamentary Secretary to the Minister for Communities, Disabilities Services, Seniors and Youth. This is an important portfolio and our government is proud of our record on boosting services to Queenslanders in need. Specifically, I want Stirling to work closely with minister Warren Pitt on the implementation of our groundbreaking Blueprint for the Bush. As I said, Stirling Hinchliffe will take up this position to assist the minister in this role, with specific responsibility for implementing my government's Blueprint for the Bush. It is a crucial time for Queenslanders living in the bush during the worst drought since Federation. Stirling also has a special interest in health issues. Minister Pitt has responsibility for mental health policy and aged care within his communities' portfolio, and Stirling will also assist in this very important role. As I indicated before, these appointments will be sought as quickly as possible.

Bearing in mind that the Reserve Bank is considering whether or not to lift interest rates tomorrow, if interest rates are lifted the people who will be most affected live in the bush. They will find an increase in interest rates very difficult. The Prime Minister's drought program does not deal with that. Therefore, this will be an ongoing issue in assisting the bush in making ends meet.

I wish to highlight that approximately 660,000 people live in rural Queensland but, just as importantly, the industries that lie within those communities provide more than 65 per cent of our exported goods and 80 per cent of our export revenue. The continued prosperity of our rural communities is, therefore, critical to Queensland's continuing economic fortunes.

Renewal is an important part of any government and it is certainly a key part of my philosophy. I believe that these new appointments will strengthen my government and enhance the high levels of service we provide to Queenslanders.

Climate Change

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.44 am): Last night our time, the British government released a report on the economic impact of global warming. Prepared by former World Bank chief economist, Sir Nicholas Stern, it paints a grim picture of the economic and social impacts of climate change. That is something that my government has been warning about for some time. The report warns that doing nothing about climate change could be up to 20 times as expensive as taking remedial action when the economic costs of drought, floods, hurricanes and human migration are assessed. The report—the largest economic evaluation of climate change ever undertaken—puts the global cost of global warming and its effects at \$9 trillion.

The British Prime Minister, Tony Blair, has described it as the most important report on the future that he has received since becoming Prime Minister. He has indicated that is a wake-up call and the final word on why the world must act now to limit the damage we are doing to our planet.

The Queensland government has been at the forefront of this battle in Australia. We are working hard on smarter and more environmentally friendly options to combat the effects of drought and climate change, and we have banned broadscale clearing of trees in Queensland to reduce greenhouse gas emissions. Finally, some people who were opposed to our strategy of preventing broadscale clearing will understand why we did it. We are working hard on these things. We are working on less energy dependent resources such as clean coal technology, geothermal energy and coal seam gas. Some people understand why we want to invest \$1 billion in clean coal technology as part of a partnership with the industry and the federal government.

Let us compare this to the Howard government, which has put no money into supporting us on stopping the broadscale clearing of trees. Last week the chief economist of the British government backed Carbon Trust, Michael Grubb, slammed its policy response on climate change as 'unrealistic' and 'hard to understand because it is so clearly not a position which can lead to any credible solutions'.

This assertion is evident from John Howard's strong push for nuclear power. It does not make sense. Not only are there concerns with the issues of safety and the disposal of waste; a new report we commissioned shows that a nuclear power station would use 25 per cent more water than a coal-fired power station, and we are in the middle of the worst drought in the history of Australia. I table the report by ROAM Consulting for the information of members and Queenslanders.

Tabled paper: Paper dated 26 October 2006 titled Nuclear Power Station by Roam Consulting Pty Ltd.

To put it in perspective, a coal-fired power station such as Stanwell in central Queensland produces up to 1,400 megawatts of electricity a year and uses approximately 19,500 megalitres of water to condense and recycle steam. A nuclear power station producing the same output would need about 25,000 megalitres of water. That is the equivalent of at least an additional 5,000 Olympic size swimming pools a year. It is water that we simply cannot afford when drought and climate change are drying up water supplies.

Nuclear power is simply not a viable option while climate change continues to dramatically alter Australia's weather patterns, resulting in drier and more prolonged droughts. We need to be smarter about the way we use our available resources. That means a positive and sensible outcome for drinking recycled water.

Before I move on, I notice that a member of the National Party opposite mentioned using sea water. Let us talk about that. One of the problems about the nuclear power industry is that, if sea water is used, it gets heated. If hot sea water is put back into the sea, what would that do to the Great Barrier Reef and the environment? It just goes to show that the opposition has no idea. It opposed us on climate change, which we said was an issue. It opposed us on clean coal technology and broadscale clearing. Now it wants to put hot water on the Great Barrier Reef. Good heavens.

Ms Bligh: Just before you mine it!

Mr BEATTIE: That is right; just before you mine it, you warm it up. I have to tell the House, God help Queensland if ever those opposite get back into government. Queenslanders will need every bit of help we can get.

Opposition member interjected.

Mr BEATTIE: Just knock it off, will you? You've got enough heat as it is.

Ticket Scalping

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.49 am): At this sitting of parliament I will introduce the Major Sports Facilities Amendment Bill, which amends the Major Sports Facilities Act 2001 and the State Penalties Enforcement Regulation 2000, to include offences and penalties relating to ticket scalping. This bill will give Queensland the toughest penalties in the country to help bring ticket scalping to an end. Everyone should have the same chance to buy tickets to big events, not just the wealthy who can afford to buy tickets at inflated prices from scalpers.

The bill will achieve two very important things: it further prevents people profiteering by selling tickets, an activity which deprives the promoters, the sporting venues, the sports men and women and the artists who stage concerts at our major facilities of their rightful revenue.

This bill will impact on any ticket sold for more than 10 per cent above its original price and will attract a fine of up to \$1,500 for the seller and up to \$375 for the purchaser. These penalties would be clearly printed on tickets as part of the conditions of sale. The bill does, however, include an exemption for tickets sold by not-for-profit organisations. In other words, charities will still be able to use tickets for auctions to raise funds for community purposes.

The bill will become law in time for the one day international series at the Brisbane Cricket Ground on Friday, 19 January. I seek leave to incorporate more details in *Hansard*.

Leave granted.

The clients of our major sporting facilities include the National Rugby League, Queensland Rugby Football League, the Australian Rugby Union, Queensland Rugby Union, the Football Federation of Australia, Cricket Australia and Cricket Queensland as well as major promoters who will host sell-out concerts over the next two months by the likes of Kylie Minogue and Robbie Williams.

Secondly, it ensures the public has fair access to tickets to events held at those venues.

There has been an increasing prevalence of reselling of tickets to events at our major facilities, at prices which far outstrip the original ticket price.

This is despite event organisers and ticket agents imposing conditions of sale which usually include that tickets cannot be re-sold at a premium, breaches can include the cancellation of tickets.

This, of course, places the purchaser—who pays an inflated price only to be refused admission—at a disadvantage. People have also fallen victim to fraud, purchasing fake tickets.

These penalties could also be applied to individual transactions increasing the total penalty for people who sell large numbers of tickets.

Ticket scalping at events at our major sports facilities owned by the State Government—including the Brisbane Entertainment Centre, Suncorp Stadium, Dairy Farmers Stadium and the Queen Elizabeth II complex—will be monitored by the Queensland Police Service which will be given the authority to issue infringement notices to offenders.

It's time to break the cycle of illicit ticket scalping and clamp down on those profiteers who rob our sporting organisations of their rightful income.

Whistleblower Protection

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.50 am): In relation to the review of the Whistleblowers Protection Act 1994 my government remains firmly committed to the principles that underpin whistleblower protection in Queensland.

In response to recommendations made by the Parliamentary Crime and Misconduct Committee in its 2004 report on its three-year review of the Crime and Misconduct Commission, my government endorsed a review of the operation of the Whistleblowers Protection Act 1994.

The review by the Office of the Public Service Commissioner considered at length the recommendations of both the Forster and Davies reports on whistleblower protection. I table the commissioner's review report as I promised.

Tabled paper: Review of the Whistleblowers Protection Act 1994, dated October 2006, by the Office of the Public Service Commissioner.

I will introduce the proposed Whistleblowers Protection (Disclosure to Members of Parliament) Bill 2006 this afternoon. The bill gives effect to the review's recommendation, and confirms my government's commitment to ensuring best practice in protecting and encouraging public interest whistleblowing in the public sector.

The Davies report recommended expanding the categories of persons to whom public interest disclosures can be made to include members of parliament. We have accepted that recommendation. However, the bill will also give whistleblowers the option of going to their MP at any time without a prescribed waiting period. It will be at an MP's discretion to determine whether the complaint should be progressed further and which investigative agency is the most appropriate for referral. In keeping with the proper role of MPs and the privileges of this place, the bill will also make clear that it does not affect MPs' discretion to raise a matter in the House at any time.

One of the overriding principles of the act is to ensure that the confidentiality of the person making the disclosure is preserved. This assists in creating an environment where whistleblowers will come forward and in protecting them from reprisals. Equally importantly, people against whom allegations are made must not have their reputations unjustly harmed by the airing of unsubstantiated claims.

In bringing this amendment my government has given careful thought to balancing the need to maintain the confidentiality of the persons involved on both sides of the disclosure and the need to ensure that the integrity of the investigation and the substance of the disclosure is not compromised by the legitimate right of members to raise matters in this House. To ensure that this balance is maintained, I propose that, if the bill is passed, standing orders be established to guide members in how to deal with public interest disclosures.

The review recommends amendments to extend the coverage of the act to staff engaged by a public sector entity on individual contract arrangements such as casual nurses. The bill will implement this recommendation also. My government remains committed to ensuring best practice in the management of the Queensland public sector.

Smart State Progress Report

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.53 am): Last week I launched the *Smart State progress report 2006-07* at the opening of the Institute of Health and Biomedical Innovation. I am pleased to table the highlights and the progress report itself.

Tabled paper: Queensland Government Smart State 2006-07 Progress Report.

Tabled paper: Queensland Government Smart State 2006-07 Progress Report—Highlights.

I made a commitment in April 2005 to report on key indicators of Queensland's progress in becoming a place where knowledge, creativity and innovation drive economic growth, improving the prosperity and quality of life for all Queenslanders. The report confirms that we are on the right track. The transformation of Queensland to the Smart State is well underway. I seek leave to incorporate more details in *Hansard*.

Leave granted.

It shows that our education system is becoming world class.

Our workforce is more highly skilled, and our research is producing world-class commercial outcomes.

And we are becoming more sustainable by better balancing the need to protect our environment with our economic growth.

While the Smart State Strategy is a long-term investment in our future, I am extremely proud to report that it is already delivering real benefits to the people and businesses of Queensland.

Some of the key performance highlights in the Report include:

The introduction of a universal preparatory year for schools is bringing Queensland education into line with international best practice.

The establishment of world class research clusters in Queensland are attracting Australia's and the world's best and brightest.

Business expenditure on research and development increased by 135% from 1999-2000 to 2004-05, to surpass \$1 billion.

Knowledge-intensive merchandise exports grew by 77.2% from 1998-99 to 2004-05—double the national rate.

My Government invests \$60 per person on research. This is more than NSW (\$44) and Victoria (\$40), and more than the Australian Government's contribution to Queensland research (\$41).

We are creating a highly skilled and flexible workforce; encouraging commercially-focused research; promoting innovation and entrepreneurship; and developing new knowledge-intensive sectors.

I encourage all Queenslanders to read the Report, which is available on the Smart State website at www.smartstate.qld.gov.au.

Australian Institute for Bioengineering and Nanotechnology

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.53 am): Last week was a fantastic week for Queensland. There were three major developments that we either supported or built. Firstly, there was the \$70 million Australian Institute for Bioengineering and Nanotechnology at the University of Queensland which I had the pleasure of opening. I also had the pleasure of opening at QUT the Institute of Health and Biomedical Innovation, which is another \$70 million project. I seek leave to incorporate more detail in *Hansard*.

Leave granted.

The \$70 million Australian Institute for Bioengineering and Nanotechnology at the University of Queensland is the first big project to be completed with funds from the Smart State Research Facilities Fund.

With my Government's \$20 million investment, this impressive institute will improve solutions for industry, and develop new medical treatments and therapies for Queenslanders and people across the globe.

It supports more than 350 scientists and engineers in nanotechnology for energy and the environment; systems biotechnology; cell and tissue engineering; and biomolecular nanotechnology and devices.

I also opened the QUT Institute of Health and Biomedical Innovation—another \$70 million world-class development. It received \$22.5 million from the Queensland Government's Smart State Innovation Fund.

This research powerhouse brings together some 400 of the best minds in health, science and biomedical engineering to unravel the mysteries of human health.

Queensland is realising the Smart State vision, with our economy continuing to outperform every other state, our ongoing jobs growth and the lowest unemployment in a generation.

These two research centres are ideal examples of the Smart State at work. They provide substantial brain gain opportunities, and will help maintain Queensland's edge in the knowledge economy.

Mr Speaker, I table supporting documentation.

Tabled paper: Information pack relating to the QUT Institute of Health and Biomedical Innovation.

Tabled paper: Copy of QUT news release dated 24 October 2006 titled 'Smart State gets smarter: QUT unveils new institute'.

Tabled paper: The Australian Institute for Bioengineering and Nanotechnology, University of Queensland, Annual Report 2005.

Tabled paper: Document relating to official launch of the Australian Institute for Bioengineering and Nanotechnology, University of Queensland.

Tabled paper: Copy of UQ news release dated 23 October 2006 titled '\$70m new research institute opens at UQ'.

Gallery of Modern Art and State Library

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.54 am): Last week we received the keys to the Gallery of Modern Art and the refurbished State Library. I seek leave to incorporate details in *Hansard*.

Leave granted.

In just over a month Queensland's new Gallery of Modern Art and refurbished and expanded State Library will be open to the community to explore and enjoy.

People's Day on December 2 sees the official opening of this new cultural landmark.

Last week the builders handed over the keys upon completion of the \$291 million Queensland Cultural Centre redevelopment—the State's most important new piece of arts infrastructure in the past 30 years.

The new precinct includes Australia's largest modern art gallery and a redeveloped State Library almost double its previous size.

New works by leading Australian and international artists will be unveiled to the Queensland public for the first time when the new Gallery of Modern Art (GoMA) opens.

A special acquisitions program for the Gallery had been underway since 2002, collecting more than 1100 post-1970 art works valued at \$7.7 million.

When this cultural landmark opens to Queenslanders on 2nd of December, Gallery visitors will have the chance to see art works never before seen in the Smart State.

Of these, 126 significant art works have been bought through the Queensland Government's Gallery of Modern Art Acquisitions Fund which was established specifically for the new Gallery.

Other works have been acquired through purchase, commission, bequest or gift. They include paintings, sculptures, photographs, film and moving image works, installations, textiles, craft and jewellery.

Many of these works have been carefully stored away for the past few years while the redeveloped precinct takes shape.

As a taste of what is to come a series of small revolving exhibitions is now being held in the Executive Building—showcasing some of the contemporary work held by the Gallery.

The Gallery of Modern Art's first exhibition will be the 5th Asia-Pacific Triennial of Contemporary Art—the only major exhibition in the world to focus exclusively on the contemporary art of Asia, Australia and the Pacific."

Almost 70% of the art works featured in the Triennial have been acquired by the Gallery for its collection.

I also table for the House material from QUT in relation to IBBY, University of Queensland information, and an advertisement which we placed in both *The Australian* and the *Courier-Mail* highlighting those achievements.

Tabled paper: Copy of Queensland Government advertisement dated 27 October 2006 titled 'Today's Queensland... is the Smart State'.

Specifically in relation to the Gallery of Modern Art and the refurbishment of the State Library there will be an open day on 2 December. I encourage all members to attend this opening.

Science and Innovation

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.55 am): This evening some of Queensland's most successful scientists and innovators will come to Parliament House to celebrate our state's successes in science and innovation. These men and women, employed in our universities and in the private sector, are working to give us the knowledge to answer some of our biggest social and environmental challenges. They are the leaders of the Smart State. I have invited all members to attend. I seek leave to incorporate details in *Hansard*.

Leave granted.

There will also be those scientists and innovators who are converting their research and ideas into products and services that benefit all Queenslanders and provide economic value to this State.

The financiers who drive their success by investing in these new ideas and businesses will also be present.

Science teachers and their students will represent the future generation of researchers and innovators.

My Government is committed to ongoing investment in science and innovation to ensure that our industries are sustainable.

As Members, we need to show our commitment to Queensland's science and innovation community.

Gatherings like these reinforce the importance of networks and relationships essential for success.

They also ensure that we maximise the opportunity to capitalise on the Queensland scientific community's excellent research and entrepreneurial skills.

I urge all Members to make the most of this reception by taking the opportunity to speak with the representatives of our scientific community.

ARIA Awards

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.55 am): In relation to Queensland ARIA award winners I want to pay particular tribute to The Veronicas, Troy Cassar-Daly and Bernard Fanning. I seek to do so by incorporating details in *Hansard*.

Leave granted.

At Sunday's Australian Recording Industry Association's (ARIAS) annual awards ceremony Queensland consolidated its reputation for producing ground-breaking contemporary music artists.

On behalf of Queensland music lovers I want to congratulate Bernard Fanning, The Veronicas and Troy Cassar-Daly who took out six of the hotly contended ARIA Awards.

Bernard Fanning won the much coveted Best Male Artist and Best Album as well as and Best Cover Art and Best Video for his debut solo album *Tea & Sympathy*.

Congratulations too to The Veronicas—twins Jessica and Lisa who won the ARIA for Best Pop Release for their debut album, *The Secret Life of the Veronicas*.

And to Troy Cassar-Daly for his award for Indigenous country artist of the year.

Our government has a history of supporting Queensland's talented music performers, ranging from beginners to seasoned professionals.

For example, earlier this year we invested almost \$46 000 to help four of Queensland's most promising bands take part in MUSEXPO 2006 in Los Angeles.

Through Arts Queensland we also contribute funding to Q Music, the state's peak contemporary music agency. Earlier this month, Q Music hosted Big Sound 2006, an annual music conference and showcase.

And for the last three years Arts Queensland has supported A-Venue—a partnership program with local councils and music organisations which this year alone will have helped around 500 young people gain music performance skills and experience.

Queensland has a growing reputation for innovation and excellence right across the cultural and creative industries and our music industry, encompassing all musical genres, is no exception.

I would like to offer my congratulations to all the Queensland artists recognized at the 2006 ARIAs and thank them for the outstanding contribution they are making to our State's musical reputation.

Brisbane Club Luncheon

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.56 am): Today I will be addressing a luncheon at the Brisbane Club. I set out a number of reports about where we are with economic growth, and for all members I seek leave to incorporate that in *Hansard*.

Leave granted.

My govt goes into its 4th term with many opportunities and challenges ahead.

The economy is estimated to have grown by 3.5% to June 30, compared with a national average of 2.5%. Expected to reach 4.25% in current year to June 30, 2007.

Smart State vision has broadened economy and created jobs.

Aviation: 6000 jobs, Smart State Biotech: 2000 jobs.

Smart State initiatives amount to more than \$3B in research facilities and research and development funding—Qld spends more on R&D per head than any other State.

South east Qld population expected to be up 1 million to 3.75 million by 2026.

Smart State strategies are the key to providing the growing number of Qlders with sustainable and satisfying jobs: in August trend unemployment was at a record 4.5%, at a time when trend labour force participation rate was at a historic high of 67%.

Majority of new jobs created are full time—51,200 of a total of 53,700 jobs over the year to August 31.

Queensland business investment is expected to exceed \$25B, based on further growth in engineering and non-residential construction, as well as machinery and equipment investment.

We forecast household consumption will grow at 4.5% as a result of strong growth in consumer income and wealth.

The record \$28.8B Budget for 06-07 will assist this growth.

We committed more than \$10B billion to capital works and infrastructure, the biggest capital works program in Qld history.

This investment will be a major generator of jobs—up to 73,700 full time jobs could be created in Qld.

We've allocated:

\$855.9M for port infrastructure to meet expected rising demand for our exports, particularly coal, and \$838M in rail upgrades for both commuters and industry.

\$347M to commence construction of a second Gateway Bridge and associated infrastructure and \$333M over 4 years to continue the Inner Northern Busway.

\$600M for water infrastructure to drought proof the south east.

It's not just infrastructure that demands investment.

Health has been allocated \$6.65B in this financial year, by far the largest health budget in the state's history.

Also spending \$594M on health infrastructure and an extra \$9.7B into the health system over the next 5 years.

We will deliver all of this and maintain a Budget surplus and Triple A credit rating.

In conclusion:

- I thank the private sector for creating the new jobs which are helping to maintain our wonderful living standards and lifestyle;
- I am proud of the contribution my Government has made to turning Queensland into the Smart State over the last eight years;
- Most importantly, we will continue to drive the Smart State agenda, economic growth and good government.

I look forward to working with you and everyone else in the private sector to ensure that Queensland remains the economic powerhouse of Australia.

Daniel Morcombe

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.56 am): Today the people of Palmwoods and the wider Queensland community are marking the loss of Daniel Morcombe. It is now nearly three years since Daniel's parents began living every parent's worst nightmare—not knowing where their son is or indeed what happened to him. Daniel's disappearance while waiting for a bus is an ongoing tragedy for his family and for the Sunshine Coast community.

Bruce and Denise Morcombe are working to create something positive from the horrific situation in which they find themselves by setting up the Daniel Morcombe Foundation to promote child safety and offer support to other victims of crime.

I do two things: firstly, I pass on our best wishes and condolences again from all members of this parliament and, secondly, I hope that anyone who has any information comes forward. I seek leave to incorporate in *Hansard* details of how people can do that.

Leave granted.

The family's website—www.danielmorcombe.com.au provides information on how we can all help.

Finally again I appeal to all Queenslanders—if you have any information about what happened to young Daniel on December 7, 2003 please make contact with Crimestoppers—nothing is too small to report and there is a \$250,000 reward.

Bruce and Denise Morcombe and Daniel's brothers Dean and Bradley need your help to find out what happened to the little boy nearly three years ago.

Report on State Finances; Annual Economic Report

Hon. AM BLIGH (South Brisbane—ALP) (Deputy Premier, Treasurer and Minister for Infrastructure) (9.57 am): Today I table two reports that attest to the Beattie government's strong economic and financial management credentials—the *2005-06 annual economic report* and the *2005-06 report on state finances*.

The *2005-06 report on state finances* is the audited whole-of-government financial statements of the state as signed off by the Auditor-General and the outcomes report, prepared under the government finance statistics, or GFS, framework.

I am pleased to report that the government has again met all of its fiscal commitments under the charter of social and fiscal responsibility. The final GFS operating surplus for 2005-06 for the general government sector was \$3.714 billion—some \$861 million higher than forecast at the time of the 2006-07 budget. The increase in the surplus primarily reflects the strong end of year performance of investment markets, with the state's superannuation investments recording returns of approximately 17 per cent, higher GST revenue grants from the Commonwealth—a reflection of higher consumer spending—and slightly higher taxation and royalty revenue reflecting the strength of the Queensland economy. Expenditure was also slightly lower than forecast, reflecting largely the timing of grant program expenditures.

Leaving aside the impact of investment returns, the underlying operating result for 2005-06 was a surplus of \$2.4 billion—an increase of \$645 million over the estimated actual. A cash surplus of \$4.6 billion was recorded for the 2005-06 financial year, an increase of \$1.3 billion over the 2005-06 estimated actual.

The cash flow generated has allowed the general government sector to fund capital purchases without the need for borrowing. Indeed, capital purchases in the general government sector were \$272 million more than expected at the time of the 2006-07 budget and were funded entirely from this improved cash position.

The state has a strong base from which to support its capital expansion plans going forward. In 2005-06 the state's net worth increased to \$105 billion, for the first time going over the \$1 billion mark. This is \$8.6 billion higher than the forecast of \$96 billion and is \$8.6 billion higher than the net worth as at 30 June 2005.

Further, Queensland's net worth per capita is 54 per cent higher than the average of other states. In 2005-06 there has been a further strengthening of the general government sector's already strong net debt position, from an estimated negative \$22.1 billion to a negative \$23.2 billion. High levels of net debt impose a call on future revenue flows to service that debt and can limit government flexibility to adjust outlays. Again, Queensland is well ahead of the pack, with negative net debt increasing from \$5,155 to \$5,808 per capita compared with the average negative net debt of \$290 per capita of the other states.

Pleasingly, these results have been achieved while Queensland has continued to maintain a very competitive tax environment, with each Queenslander in 2005-06 paying an average of \$386 less in state tax than taxpayers in other states and territories. This is good for taxpayers. It is good for the economy. All in all, it amounts to an outstanding result for Queensland in the 2005-06 year.

Water Infrastructure

Hon. AM BLIGH (South Brisbane—ALP) (Deputy Premier, Treasurer and Minister for Infrastructure) (10.00 am): The Traveston Crossing Dam and the Wyaralong Dam are major projects and their importance to south-east Queensland's water future cannot be understated—and cannot be overstated. As major projects for south-east Queensland, they necessarily will have some impact on their localities. While this is unfortunate, the government has an obligation to deliver water security for the people and industry of the region.

We promised Mary Valley residents final plans and impacts before year's end, and I can advise the House that this week our government delivered on that promise. Yesterday I sent letters and information packs to all affected residents of the Traveston and Wyaralong dam sites. The information package includes individual impact maps for every affected landholder. It includes facts sheets on the dams' approval processes, timelines, sale and leaseback processes, road network changes, land controls, land uses and identifies how the dam will affect communities such as Kandanga, Imbil and Brooloo, Carter's Ridge, Federal and Gympie itself.

Additional to the extensive briefing material that they will receive this week, a 1800 hotline number has been established to ensure that affected residents have access to the information they seek. In addition, I have invited all landholders in the Traveston area to a public forum that I will be holding in Gympie on Friday. I am currently working to establish a suitable time and location for a similar forum in the Wyaralong area as soon as possible. To give landholders certainty, land required for both dams and all stages of Traveston will be acquired now. As is already known, we are offering very favourable leaseback packages for affected property owners impacted upon and associated road changes.

In relation to Traveston Dam, I can advise the House that geotechnical investigation has allowed the realignment of the dam wall, and more accurate flood modelling has reduced the overall land needed from 13,700 hectares to 9,800 hectares. Geotechnical investigation has identified the new alignment has desired solid rock foundations on both left and right abutments as well as the centre section. This quality of foundation has now confirmed that, from an engineering perspective, this is an excellent site for the dam's construction.

Mr Gibson: Rubbish!

Ms BLIGH: The engineers on the other side! The geotechnical wizards! Why didn't I take that advice?

Significantly, the realignment of the dam wall and the reduction in the dam area means that the number of homes and properties affected by the Traveston Dam has been reduced by 403. The final dam wall alignment and subsequent detailed flood modelling mean that a total of 597 properties—not the original 1,000—will be affected by dam inundation or road alignment changes. The preliminary estimate of 556 houses affected in both stages has also been reduced to 204. So the number is down to 204 from 556. Stage 1 of the dam will require 76 houses, and that is included in the 204.

The buyback process is already underway and 16 of the properties already purchased are now no longer required and will be offered back to the owner should they wish to reacquire them. Unfortunately, there are now 18 properties which were previously not identified as being needed. Of these 18, eight are partially affected by stage 1 road works—that is, by 2011—but no houses are required. If stage 2 proceeds, a further 10 properties—made up of seven houses and/or commercial properties and three other properties, including vacant land—could be impacted. In particular, I am pleased to say that the township of Imbil will not be affected by the dam and there will be no additional flooding as a result of the dam.

With community support, a possible solution for dealing with remains at the Kandanga Cemetery can be considered. If the dam's stage 2 is required, an option for consideration and community consultation is that the graves could remain undisturbed with their headstones and markers temporarily removed and then repositioned exactly using GPS technology on a new elevated level above their existing position, after additional earth is added and shaped to ensure there will be no flooding of the area. The cemetery would be relandscaped, grassed, fenced and restored to the current environment. A new Kandanga bowls club, swimming pool, sportsground and hall would also be considered.

Federal State School is not affected by the dam's stage 1. It will continue to provide an essential community service in the area. However, its playing fields might be affected if stage 2 proceeds. Queensland Water Infrastructure has identified a suitable site should a move be needed, and they will be discussing the options with the school community. The Federal Hall is not affected by stage 1 but is likely to need relocation by the altered Bruce Highway. A relocated site will be identified away from the Bruce Highway and above stage 2 heights.

In relation to road impacts, the Queensland Water Infrastructure company will work with the Department of Main Roads and the Cooloola, Noosa and Maroochy Shire Councils to replace or realign roads that will eventually be inundated, and to upgrade creek and river crossings, where required, to accommodate the higher water level. We will work closely with landowners on road changes, keeping in mind that the timing of road requirements will vary according to construction schedules. Final road alignments will be subject to more detailed engineering and landholder discussions. About 12 kilometres of the Bruce Highway will need to be realigned.

In relation to Wyaralong Dam, today we have also released the final dam footprint for the proposed dam at Teviot Brook in the Logan catchment. Eighteen properties in total will be wholly or partly affected by the dam and associated road changes. However, eight of these have already been purchased. I am pleased to advise that the iconic Overflow Homestead, and the historic Wyaralong Homestead will not be flooded. Wyaralong Dam is a 1,230-hectare dam and will hold about 103,000 megalitres of water and yield approximately 21,000 megalitres a year. I can report to the House that both the Traveston and Wyaralong dams have been granted significant project status by the Coordinator-General. This means that they are subject to a full and thorough environmental impact statement which will investigate the social, economic and environmental impacts of the project. The projects will also be assessed under the Commonwealth's Environment Protection and Biodiversity Conservation Act 1999. The dam plans will include a range of measures to protect wildlife and habitat, including a fishway designed to world's best practice and suitable for Mary River cod and the lungfish.

The Beattie government has also put in place a multimillion-dollar package to support businesses and workers impacted by the construction of the two dams. The Queensland Rural Adjustment Authority will administer the business adjustment package and the worker assistance package programs. From today, Queensland Water Infrastructure representatives will be in both the Mary Valley and Wyaralong meeting residents.

This morning my office has made contact with the mayors of the Cooloola, Noosa, Maroochy, Boonah and Beaudesert shires. Local members whose electorates are affected are invited to a briefing on the Traveston Crossing Dam project at 1 pm today in the red chamber. If a member is unable to attend, I am able to provide them with a separate briefing. Officers of Queensland Water Infrastructure are also offering briefings to local councils and other stakeholder groups. A similar briefing in relation to Wyaralong Dam will be available tomorrow for local members in that area. These are major projects—and the packs of information that were provided to local residents were also provided to members—and, as I have outlined in some detail today, we are getting on with the business of delivering these projects.

Interruption.

SPEAKER'S STATEMENT

Division Bells

Mr SPEAKER: Order! Before calling the Minister for Education and Training and Minister for the Arts, I indicate that there was a power failure in the Annexe today in regard to the division bells not ringing in certain areas. That has now been fixed.

Resumed.

MINISTERIAL STATEMENTS

Bundaberg Hospital Patients Support Group

Hon. RJ WELFORD (Everton—ALP) (Acting Attorney-General and Minister for Justice and Women) (10.09 am): In my capacity as Acting Attorney-General and Minister for Justice, last week I met with members of the Bundaberg Hospital Patients Support Group to bring them up to date with the efforts of the DPP and the police to return Dr Jayant Patel from the United States to face charges in our courts. My visit followed an invitation from Beryl Crosby during a meeting I held with her in Brisbane on Wednesday evening. I also held a separate meeting with Ian Fleming, another of the former Bundaberg patients of Dr Patel.

At the meeting of the Bundaberg Hospital Patients Support Group at the Brothers Sports Club in Bundaberg on the following evening—Thursday evening—I explained that the Premier and I felt it was important that the group hear firsthand from me, in my role as Acting Attorney-General, about the efforts being made to return Dr Patel to Australia, rather than having to rely solely on media reports. I do not intend to reiterate the details the Premier gave to the House on 12 October about the proposal put by Dr Patel's lawyers for him to return to Australia.

Some 40 people attended the meeting in Bundaberg. They were, indeed, frank in expressing their anger and frustration at the length of time that it is taking to bring Dr Patel to justice. We share this frustration but, for the sake of these people in Bundaberg, we must ensure that any return does not—literally—provide escape clauses.

There is no question that extradition is a complex and difficult process, even with the United States, with whom Australia shares an extradition treaty. A comprehensive brief of evidence must be developed that persuades United States authorities to extradite Dr Patel to Australia. The Queensland Office of the Director of Public Prosecutions has made considerable progress in analysing the 35,000 pages of documentary evidence. The office has been working closely with federal authorities over the past six months to ensure that federal authorities are properly briefed in readiness for extradition to be progressed once all material is collated.

A substantial amount of documentation is already in the hands of the Commonwealth justice department. The DPP advises me that there is still some outstanding evidence to be gathered by police. It is not possible to estimate precisely how much longer it will take, although I am assured that a large part of the work has been done.

I share with the Bundaberg Hospital Patients Support Group a frustration at the time it is taking to return Jayant Patel to Australia. But the process of extradition is complex, as we would expect in a case where we must persuade the United States to give up one of its citizens to face criminal charges in another jurisdiction and in another court system. The Director of Public Prosecutions assures me that her office has all the resources it needs to get the job done. I believe it is now important that all parties let police and the DPP get on with their job.

Riverside Expressway

Hon. PT LUCAS (Lytton—ALP) (Minister for Transport and Main Roads) (10.12 am): Two weeks ago the travelling public of south-east Queensland showed their resilience, their patience and their willingness to change their transport habits following the closure of the Riverside Expressway. Mr Speaker, I would like to update them, through you, on the engineering issues surrounding the closure of the Riverside Expressway.

At around 150,000 vehicles per day the expressway is the busiest road in Queensland. And, as part of programmed maintenance, Main Roads carried out resurfacing work along the expressway, its ramps and the Captain Cook Bridge, from late September to mid-October. On Saturday, 14 October, while carrying out the last of the resurfacing, the project team noticed a twist, or rotation, in the deck of the Ann Street ramp. An initial inspection of other ramps and the expressway revealed a similar rotation in the deck of the Alice Street ramp.

Following initial inspections, Main Roads deemed it safe to reopen the ramps to cars, with Alice Street being reopened on Sunday night and Ann Street on Monday afternoon. Ann Street was temporarily closed on Tuesday morning to allow further inspections to occur. Those inspections revealed a hairline crack 0.4 millimetres wide and just under two metres long, and the Ann Street ramp remained closed. I was informed at lunchtime that day.

As a precaution, Main Roads closed the eastbound and westbound carriageways of the expressway that passed under the Alice and Ann Street ramps, along with the Alice Street on-ramp. A section of North Quay and the pedestrian-bikeway alongside was also closed. While Main Roads indicated that the likelihood of failure was extremely remote, closure was preferable to taking any risks that the structure could fail.

Main Roads undertook detailed inspections, daily monitoring, load testing of the ramps and computer modelling, and independent verification before the expressway was reopened late on 20 October. These findings were reinforced by two independent experts, Professor Peter Dux and Dr Nick Stevens.

Subsequent inspections have found each of the nine expressway ramps with a similar geometry—the Alice Street north and south ramps, the Ann Street north and south ramps, the Elizabeth Street north and south ramps, the Margaret Street north and south ramps and the Turbot Street ramp—have a tendency to rotate by between two millimetres and 30 millimetres—that is, between 0.2 centimetres and three centimetres—from when the structure is at its coolest and its hottest.

The inspections and analysis have confirmed that all ramps, and the entire structure, are in very good condition. As a result of the rotation, Main Roads has restricted access to Alice and Ann Street on-ramps to cars and commuter buses, and imposed a 20 kilometres an hour speed limit on them. It has also imposed a heavy vehicle ban on these ramps and also on the Elizabeth Street south ramp. Speed limits are in place to prevent any additional wear and tear that may ultimately shorten the life of the structure.

Main Roads is continuing to monitor the ramps. Further modelling and investigations are underway, and Main Roads expects to know in six to eight weeks what it has to do to repair the ramps and how long it will take. In the interim, programmed maintenance that was already planned will continue, resulting in some ongoing lane closures. Main Roads is working to keep these to a minimum.

I would like to reassure the House that at all times Main Roads acted with safety as its No. 1 priority. I repeatedly stressed to Main Roads that safety was the primary concern in relation to these matters, and at each stage its actions were prudent and cautious and kept the welfare of the travelling public at the fore.

Today I would like to table the original advice from Main Roads when the Riverside Expressway was closed on 17 October.

Tabled paper: Document titled 'Briefing note for Ann Street and Alice Street Onramp Closures' dated 17 October 2006 by the Department of Main Roads.

I also table a letter from the Main Roads director-general and a report from the chief engineer when the expressway was reopened on 20 October.

Tabled paper: Letter dated 20 October 2006 from the Director General of the Department of Main Roads to the Minister for Transport and Main Roads enclosing a report dated 20 October 2006 relating to the Riverside Expressway, Brisbane.

Tabled paper: Report titled 'Engineering Evaluation of Ann Street and Alice Street Ramps—Riverside Expressway, Brisbane' and attachments dated 20 October 2006.

This report included independent analysis and a detailed report on the 2003 inspection of relevant sections of the Riverside Expressway. This report was provided to the media at the time of the expressway reopening.

I also table a letter from the Main Roads director-general and a report from the chief engineer when the Ann and Alice Street ramps were reopened last Friday night. Again, this material was provided to the media at the time.

Tabled paper: Letter dated 27 October 2006 from the Director General of the Department of Main Roads to the Minister for Transport and Main Roads enclosing a report dated 27 October 2006 relating to the Riverside Expressway, Brisbane.

Tabled paper: Report titled 'Report on Engineering Evaluation of Ann and Alice Street Ramps and Others, Riverside Expressway Brisbane' dated 27 October 2006 by the Department of Main Roads.

These documents show that at all times we acted on sound engineering advice indicating that it was prudent and safe for us to proceed in the manner in which we did.

I want to thank the community, including drivers and public transport passengers, for their patience. I would also like to thank the police, the Brisbane City Council, Main Roads and Queensland Transport staff—including QR, Brisbane Transport bus drivers and the like—for the support they have shown in helping to keep the CBD moving.

Vegetation Management

Mr SHINE (Toowoomba North—ALP) (Minister for Natural Resources and Water) (10.15 am): The government's commitment to end broadscale clearing of remnant vegetation will be honoured two months from today. This commitment is critical for protecting land from the risk of degradation in the future and for reducing greenhouse gas emissions. I note that on the 7.30 Report last night the federal industry minister, Ian Macfarlane, was asked whether the efforts of the Queensland government to control tree clearing were instrumental in meeting Kyoto targets. It was a fact that Mr Macfarlane could not deny.

In delivering its commitment, the government has offered financial assistance and advice for affected landholders. In terms of assistance, I can confirm that an additional \$6.4 million has been paid to approximately another 70 landholders in enterprise assistance grants in the last month alone. The grants of up to \$100,000 are available to affected landholders to improve the viability of their properties.

The appointment of five client liaison officers in the department to work with landholders has encouraged an increased uptake in assistance. The department is looking to build upon the work of these officers to ensure that the emphasis for landholders is on what they can do rather than what they cannot do. The department will also be providing additional across-the-counter information and advice to landholders, particularly when they are applying to clear for ongoing purposes such as fodder harvesting.

In terms of fodder harvesting, the department recognises the importance of this work during severe drought. The department offers expedited permits to fast-track approvals for landholders to undertake this work to sustain their livestock. In addition, the proposal to reduce the number of codes from 24 to four and make them easier to understand and easier to use is being finalised.

The department believes that the majority of landholders are complying with the legislation. Nevertheless, enforcement is needed to ensure that the laws are effective, protecting large tracts of Queensland from degradation, such as salinity and erosion. This has led to claims of heavy-handedness by departmental officers. Such claims have been of concern to me and of concern to the department.

I can advise the parliament that the department is developing a protocol for its officers to follow in the case of vegetation management inquiries. Departmental officers will endeavour to contact landholders at least two days prior to any planned visit to the property of interest. The aim is to ensure that no inspections are unannounced. Vegetation management is important to Queensland's future, and the government is determined to secure a future that is sustainable.

APPROPRIATION (PARLIAMENT) BILL (NO. 2) APPROPRIATION BILL (NO. 2)

Remaining Stages; Cognate Debate

Hon. RE SCHWARTEN (Rockhampton—ALP) (Leader of the House) (10.19 am), by leave, without notice: I move—

That, in accordance with standing order 129, the Appropriation (Parliament) Bill (No. 2) and the Appropriation Bill (No. 2) be treated as cognate bills for their remaining stages—

- (a) one question being put in regard to the second readings;
- (b) the consideration of the bills in detail together; and
- (c) one question being put for the third readings and long titles.

Motion agreed to.

PERSONAL EXPLANATION

Daylight Savings

Hon. JC SPENCE (Mount Gravatt—ALP) (Minister for Police and Corrective Services) (10.20 am): I rise to make a personal explanation. Last Sunday the *Sunday Mail* reported that I had broken ranks with the Premier over the issue of daylight savings. I acknowledge that the reporter concerned with this article phoned my office yesterday to apologise for the headline and the way that the story appeared in print, and I thank him for that. Nevertheless, I want to put on the public record the statement that I did give to the *Sunday Mail*, which read—

I voted yes for it at the 1992 referendum, but I accept that we would need bipartisan support for daylight savings to be introduced. I agree with the Premier and believe that the majority of Queenslanders have not changed their minds since then. However, I am sure this new research will provide a worthwhile look into the community's current sentiment on the matter.

How anyone can interpret that statement as breaking ranks with the Premier is beyond me.

SCRUTINY OF LEGISLATION COMMITTEE

Report

Mrs SULLIVAN (Pumicestone—ALP) (10.21 am): I table the Scrutiny of Legislation Committee's *Alert Digest No. 9 of 2006*.

Tabled paper: Scrutiny of Legislation Committee 'Alert Digest Issue No 9 of 2006'.

TRAVELSAFE COMMITTEE

Report

Mr PEARCE (Fitzroy—ALP) (10.21 am): I lay upon the table of the House the Travelsafe Committee's report no. 46, *Getting tough on drink drivers*, and a summary of conclusions and recommendations from the report. This report is from an inquiry commenced by the previous Travelsafe Committee that looked at impounding the vehicles of repeat drink drivers. This report by the new Travelsafe Committee goes much further than just vehicle impoundment. It makes 14 recommendations to completely change how we deal with drink drivers in this state. While Australia was once a leader in early work to cut drink-driving fatalities, very little has been gained in the past decade. Drink driving is still an enormous road safety problem. Around a third of drivers and riders killed on Queensland roads are drink drivers and a quarter die with at least three times the legal BAC limit. Our report is a fresh and timely look at the drink-driving problem. Our recommendations, if implemented, would tackle the problem through a combination of rehabilitation programs, ignition interlocks, the impoundment of repeat drink driver vehicles and smarter policing.

As the title of the report suggests, the committee is calling for a much tougher line to be taken against drink drivers, particularly the hard-core repeat offenders. These people have a serious drinking problem and are not phased by fines or losing their licences. What they really need is help. Our recommendations would see all drink drivers receiving education and counselling so that they can better understand the dangers of drink driving and how to separate their drinking from their driving. These programs have been shown to be highly effective in changing attitudes and behaviour. For repeat drink drivers, the committee recommends mandatory intensive rehabilitation programs and that the courts have the option of also requiring offenders to fit alcohol ignition interlocks to their vehicles. This will make it a lot harder to drink and drive. Most of the cost of the rehabilitation programs and interlocks would be funded by the offenders themselves. We have recommended that the courts be allowed to require that ignition interlocks be fitted as a condition of any work licence they issue. This will greatly enhance the integrity of the work licence system.

For repeat drink drivers, we have recommended that police be empowered to impound offenders' vehicles for 48 hours and for any subsequent offences to seek an order from the courts to remove their vehicles for three months. I welcome the news that the Minister for Police and Corrective Services will introduce a bill this week that discusses impoundment.

The further measures we have recommended will make impoundment a lot more effective. To improve the effectiveness of the enforcement of disqualifications and other licensing offences, we have further recommended that all drivers be required to carry their licences with them whilst driving, as occurs in New South Wales. This is sensible and will greatly improve the chances that disqualified drivers who continue to drive will be caught. Finally, I want to thank the members of the Travelsafe Committee of this parliament and the previous parliament and the committee staff for their work to bring this important report to the House today.

Tabled paper: Travelsafe Committee Report No 46 titled 'Getting Tough on Drink Drivers'.

Tabled paper: Travelsafe Committee paper titled 'Conclusions and Recommendations from Report No 46'.

WHISTLEBLOWERS PROTECTION AMENDMENT BILL

First Reading

Mr SEENEY (Callide—NPA) (Leader of the Opposition) (10.24 am): I present a bill for an act to amend the Whistleblowers Protection Act 1994 to implement the recommendations of the Queensland public hospitals commission of inquiry. I present the explanatory notes, and I move—

That the bill be now read a first time.

Motion agreed to.

Second Reading

Mr SEENEY (Callide—NPA) (Leader of the Opposition) (10.25 am): I move—

That the bill be now read a second time.

Most honourable members will no doubt recall that the former Leader of the Opposition, the member for Southern Downs, introduced a similar private member's bill on 7 June 2006 during the term of the previous parliament. That bill was not debated. Since that time, the need to amend the state's whistleblower protection laws has become even more urgent. It is now nearly 12 months since Commissioner Geoff Davies delivered to the government the damning report of the Queensland public

hospitals commission of inquiry. The Davies report made very specific recommendations for amendments to the Whistleblowers Protection Act 1994. The commission of inquiry revealed that the state's current whistleblower protection laws had completely failed to protect people of integrity from coming forward and disclosing information about the stark failures of the Queensland public hospital system. This was a situation which the opposition could no longer tolerate and was therefore the incentive for introducing the original bill.

There is now another overriding imperative as to why the parliament needs to amend the Whistleblowers Protection Act 1994. On 9 October 2006 the all-party parliamentary Crime and Misconduct Conduct Committee released its three-year review of the Crime and Misconduct Commission. The committee's report completely endorsed the earlier recommendations of the Davies commission of inquiry. Page 96 of the committee's report contains five recommendations which this bill, like its predecessor, incorporates into our whistleblower protection scheme. Unfortunately, the government has so far failed to take any action in response to the recommendations of both the Davies commission of inquiry and now the report of the Parliamentary Crime and Misconduct Committee. This bill seeks to address the deficiencies in this legislation and to do the job that the government should have done long before this. I seek leave to have the remainder of my second reading speech incorporated in *Hansard*.

Leave granted.

Mr Speaker, the Whistleblowers Protection Amendment Bill 2006 contains three major areas of reform:

Firstly, the Queensland Ombudsman will have responsibility for overseeing all public interest disclosures made to public sector entities except for those disclosures involving official misconduct. These will continue to be the responsibility of the Crime and Misconduct Commission. The Ombudsman may either investigate the disclosure itself, or refer the matter back to the relevant public sector entity for investigation. The Ombudsman will have powers to monitor and give directions to an agency about an investigation.

Secondly, the categories of persons who may make a public interest disclosure under the Act have been expanded. Previously, only public officers could make disclosures about dangers to public health and safety and negligent or improper management of public funds. These types of disclosures can now be made by any person or body.

Thirdly, protection under the Act will be afforded, under certain circumstances, to persons who make a public interest disclosure to a Member of the Legislative Assembly, or a member of the media. To invoke this protection, the Bill requires that the person makes the disclosure to a public sector entity or to the Ombudsman in the first instance. If the Ombudsman has not advised the person within 30 days that the subject matter of the disclosure has been resolved satisfactorily, then the person may make the disclosure to a Member of the Legislative Assembly. If, after a further period of 30 days, the Ombudsman has not advised of a satisfactory resolution, the person may make the disclosure to the media.

Mr Speaker, a final important feature of this legislation is that it provides whistleblower protection status to individuals who made disclosures about the matters raised at the two public hospital Commissions of Inquiry held last year. The Whistleblowers Protection Act 1994 in its current form provides no protection whatsoever to whistleblowers such as Toni Hoffman who made brave personal sacrifices to bring the shameful state of our hospital system to light.

Mr Speaker, this Parliament has a long overdue obligation to rectify legislation which has been found to be grossly deficient by a Commission of Inquiry, and now, by an all-party Parliamentary Committee.

I commend the Bill to the House.

Debate, on motion of Mr Beattie, adjourned.

QUESTIONS WITHOUT NOTICE

Patel, Dr J

Mr SEENEY (10.30 am): My first question without notice is to the Premier. On the last sitting day of this parliament the Premier referred to what he said was a secret rort, an extraordinary corrupt arrangement and a secret sleazy deal. It has since been revealed that the proposal that the Premier was referring to was recommended by the Director of Public Prosecutions. How does he reconcile the views that he expressed in this parliament with the professional legal opinion that was provided by the state's leading law officer?

Mr BEATTIE: I thank the Leader of the Opposition for his question. I want to say three things. Firstly, I stand by everything I have said in relation to this matter in this chamber. Secondly, that was the appropriate advice provided by the then Attorney, and the then Attorney confirmed that to the House. Thirdly, I recommend that any questions about further detail be directed to the Acting Attorney-General. He has had an opportunity to go through this in detail. He would be happy to provide any additional information. I stand by everything I have said.

Patel, Dr J

Opposition members interjected.

Mr SEENEY: Mr Speaker—

Mr SPEAKER: I ask members on my left to give the Leader of the Opposition a go.

Mr SEENEY: Thank you, Mr Speaker, but I am having difficulty believing the Premier's answer, too.

Mr BEATTIE: I rise to a point of order. I find that offensive and ask that it be withdrawn.

Mr SEENEY: I withdraw, Mr Speaker. I apologise to the Premier. He is so precious.

Mr SPEAKER: I think you know the rules of the House, and I would ask you to abide by the rules of the House. I ask for an unqualified withdrawal.

Mr SEENEY: I do so, Mr Speaker. I withdraw.

My second question is directed to the Premier. The Premier has constantly maintained that the office of the Attorney-General has acted independently in rejecting the proposal that he referred to as a sleazy, corrupt rort. The day after the former Attorney-General resigned, the Premier was asked by Madonna King on ABC Radio if the acting Attorney—the new Attorney—would look again at the deal negotiated by the DPP. The Premier's answer was a very quick and emphatic no. The decision as to whether or not to review the decision should have been one that was made by the Attorney-General. Why did the Premier interfere in the matter by ruling out any reconsideration in the media?

Mr BEATTIE: I thank the Leader of the Opposition for his question. I reiterate what I have said about the role of the first law officer of the state: that is, it is a matter for the first law officer to express a view on these matters; it is not a matter for the Premier of the day. The Premier of the day is entitled to be informed. The Premier of the day takes advice from the Attorney, the acting Attorney, or persons in that particular role about whatever decisions that are made. In addition, the Premier of the day is normally aware of what has been said publicly by the officer—by either the Attorney or the acting Attorney—and responds accordingly. I do not think there is anything further that I can add.

Mr SPEAKER: Before calling the member for Fitzroy, I welcome students and teachers from The Gap State High School in the electorate of Ashgrove, which is represented in this House by Kate Jones.

Climate Change

Mr PEARCE: My question is directed to the Premier. In light of the release overnight of the Stern report, can the Premier advise what initiatives the government is taking locally to address the issue of climate change globally?

Mr BEATTIE: I thank the honourable member for the question. I hope all honourable members take the time to read either the Stern report or the assessments of it, because, as I said earlier in my ministerial statements, it is a very important report about the future of this planet. We must act to do what we can in our own jurisdiction and build a coalition of willing participants beyond our borders if we are to reverse the tide of climate change.

That is exactly what we have done in Queensland during our government's period in office. Firstly, we adopted an energy policy that has succeeded in introducing an increasing amount of gas-fired electricity generation into our energy supply, substantially reducing the amount of CO₂ that is released into the atmosphere. Secondly, we introduced laws to outlaw broadscale tree clearing to ensure that CO₂ could be naturally sequestered to the greatest extent possible. This act alone enabled Australia to boast that it is Kyoto compliant, notwithstanding that the full cost of the measure was borne by the Queensland taxpayer. The only reason Australia met its Kyoto targets was that Queensland banned broadscale tree clearing. Thirdly, we recognise that our future energy needs must come from cleaner forms of power production.

It is for that reason that my government committed \$300 million from the sale proceeds of our electricity retailers to commercialising new platform technologies in clean power generation from coal. However, to realise this goal we need a serious and substantial commitment from the Commonwealth government. Although yesterday's announcement to commit just over \$100 million to two small Queensland projects is a welcome start, much, much more needs to be done. If we are to truly introduce new technologies to the electricity market, the Commonwealth will need to more than match Queensland's contribution. So, too, will industry need to contribute and invest if we are to maintain Queensland's competitive edge in energy supply in a carbon constrained environment.

It is possible that our investments in technology solutions to greenhouse gas emissions may help other countries reduce the global impacts of climate change. This is not just an idle boast as the Rockhampton based ZeroGen project is regarded by many as leading the world in its work on carbon capture and storage. In this sense, we are truly thinking globally and acting locally.

I notice that recently the federal government has been quite concerned about climate change—and so it should be. In my view climate change will be the central and most important issue in the next federal election campaign. I urge both sides of politics to spell out their clear policies in tackling climate change. However, one thing the federal government can do is invest in our clean coal technology strategy in central Queensland. We have invested \$300 million, the coal industry has put up \$300 million and we are still waiting for the Commonwealth to come on board. For heaven's sake, if the federal government is serious about technology reducing greenhouse gas emissions, then we have a leading project and we need its money to make it finally work.

Interruption.

DISTINGUISHED VISITORS

Mr SPEAKER: Before calling the member for Moggill, it is with a great deal of pleasure that I welcome to the gallery two distinguished guests: the Hon. Jane Asgaard MLA, Speaker of the Legislative Assembly of the Northern Territory, and Mr George Dawson MLA, member for East Antrim, Northern Ireland Assembly. I am sure honourable members will join with me in extending both of these distinguished guests a very warm Queensland welcome.

Honourable members: Hear, hear!

QUESTIONS WITHOUT NOTICE

Resumed.

Patel, Dr J

Dr FLEGG: My question is directed to the Premier. I refer the Premier to claims that he made in this House during the last sittings that an offer put forward by lawyers for Dr Jayant Patel contained a clause requiring him 'to appear before the court without any publicity—in secrecy'. I note that the Premier has subsequently tried to spin that he meant proceeding to court, not court proceedings. Can the Premier explain to this House the difference between court proceedings and proceeding to court?

Mr Lucas: One's turning up in a car and walking through the door.

Mr BEATTIE: I think the minister for transport has given a fantastic answer to that question. Unfortunately, since the question was directed to me, I have to answer it. But I cannot add more than that. All lawyers know that the actual proceedings of the court are run by the judge. Everybody understands that. You do not need to be a rocket scientist or a lawyer to understand that. Both the former Attorney-General and I understood that. Any comments that we made—and I have said this publicly—are in that context. The judges will determine what is open. It is not a matter for any deal put by Patel's lawyers or others to get around that. The reality is that it will be determined by the judge. That is the exactly what we have said. But let us be clear about this. I find this amusing. I have just read—

Dr Flegg interjected.

Mr BEATTIE: Please do not be rude. I have just read what I said to Madonna King and I stand by what I said to Madonna King. I said—

In terms of Jayant Patel, Madonna, he can come back tomorrow. I mean this has been lost in this whole debate. Jayant Patel can get on a plane tomorrow and return to Brisbane. And that's my challenge to him.

The member opposite did not finish reading the quote.

Dr Flegg interjected.

Mr BEATTIE: The member did not finish reading the quote. I have now read it—

Dr Flegg interjected.

Mr BEATTIE: Yes, the member can be a bit slippery about it. I stated further—

If he is really serious, despite all this nonsense we've heard from the sort of Jayant Patel cheer-squad... if Jayant Patel wants to he can get on a plane and come back here tomorrow.

I think we need to have a bit of honesty in what this is all about. Let us be really clear: this whole matter started from Jayant Patel's lawyers, who then became his former lawyers. Why? What are they trying to do? They are trying to demonstrate that Jayant Patel cannot get a fair trial in this country. That is what this is all about and the members opposite have been silly enough to walk into it.

Honourable members interjected.

Mr BEATTIE: The members opposite may well laugh, but if Jayant Patel is brought back and gets off any charges because he cannot get a fair trial, they will wear the responsibility for that. So let us be really clear about it. The members opposite have been sucked in.

Dr Flegg: He was going to come back and you wouldn't let him.

Mr SPEAKER: Member for Moggill, please do not demonstrate behaviour that is unbecoming of you. You asked the question and then you mumbled and talked throughout the Premier's answer. I ask you to show some decorum in this place.

Mr BEATTIE: This has been nothing other than to try to discredit the Queensland court system so that Jayant Patel will be able to argue that he cannot get a fair trial. Some of the media may have been sucked in by this, but we have not. The members opposite should not be stupid enough to get sucked into it either. What do the members opposite think Patel's lawyers are going to argue when he comes back? They are going to argue that, because of all the comments that various people have made, he cannot get a fair trial. We are not going to be part of that, because I believe he can get a fair trial. I ask the members opposite to understand that. For once, I ask them to not be part of the village idiots—to think, to use their brains.

Climate Change

Ms NOLAN: My question without notice is directed to the Premier. Following the release overnight of the groundbreaking Stern report, can the Premier advise of the importance of recycled water in addressing climate change?

Mr BEATTIE: I want to talk about this issue, because climate change is about the future of the planet. It is just typical of the members of the opposition. They are not interested in the future of civilisation in this state.

Ms Bligh: They're not part of it.

Mr BEATTIE: That is true. They are not part of it. The reality is that we need to talk about the issues that matter. The Stern report flushes into the open many of the issues that have been previously shrouded in mystery.

An honourable member interjected.

Mr BEATTIE: I would not interject too loudly. Even the member for Bundaberg does not agree with the member interjecting. Of course, most of us have realised for some time that climate change can no longer be dismissed as a myth. Even John Howard was yesterday forced to finally admit it exists.

So let us make some progress about tackling climate change. The arctic and antarctic icecaps are reducing at disturbing rates and alpine areas and the vast ice zones of Greenland and Siberia are disappearing at a pace that is far from glacial. Closer to home, we also know that the low-lying offshore islands of the Torres Strait are in danger of submersion by rising sea levels. The heightened intensity of storm activity poses a new threat to the communities in their path. The lustre of the Great Barrier Reef is fading as marine temperatures rise. A drying continent is vulnerable to extreme bushfire events. Today when those opposite opposed my point about nuclear power, we can see that they are an opposition that wants to boil the Barrier Reef. That is what they are about.

However, the most stark example of climate change in Queensland is the worst drought on record and its impact on our available water supplies. Our government is working actively to tackle this problem. Members heard a lot of that from the Deputy Premier this morning. We have committed billions of dollars towards safeguarding water supplies for current and future generations of Queenslanders through the development of a future water grid both for south-east Queensland and the state as a whole.

Central to our water grid is the philosophy of enabling all householders to effectively reduce their demand on community supplies, improving the efficiency of the water supply system and recycling water to the greatest practical extent. Recycled water is going to be an increasingly critical component of our water equation. We must all show leadership in cultivating community support for it. There is no denying that climate change is a huge challenge to governments at all levels.

We need to ensure that we maintain a vibrant, growing and internationally competitive economy. But we must do so in a way that is truly sustainable. Our children and grandchildren will judge us not just on the quality of the economy they inherit but on whether they have access to secure water supplies, the biological diversity of our environment, their ability to enjoy the wonders of the Great Barrier Reef and our tropical rainforest and the productivity of our rural landscapes.

As the Stern report indicated, there will be major problems involving drought. I mentioned the melting of the icecaps. I talked about migration. These are the sorts of problems that will inflict humankind. But we need to face up to these tough decisions. The member for Ipswich knows that one of the issues that we will have to address as a state and as a nation is whether we drink recycled water. The reality is that it will happen. It is a case of when. It will happen. We are going to tackle it. It is one of the solutions.

Patel, Dr J

Miss SIMPSON: My question is to the Acting Attorney-General and Minister for Justice. Given that the government has refused to negotiate a voluntary return of Dr Patel and given the distress of his victims who are looking for closure, can the Acting Attorney-General inform the House of the anticipated date that Dr Patel will appear in a Queensland court relating to any of the allegations made against him?

Mr WELFORD: I thank the honourable member for her question. At least she does have the courage to ask a question of the Acting Attorney-General who has responsibility for this. The Leader of the Opposition and the Leader of the Liberal Party obviously chickened out. Can I first pay tribute to the former Attorney-General, Linda Lavarch. I want to take this opportunity to express my appreciation for the good work she did while she was Attorney-General. In my view she was a very able and decent person who fulfilled the functions of Attorney-General with great distinction. We now know—

An opposition member interjected.

Mr SPEAKER: I ask the members opposite to allow the Acting Attorney-General to answer. The member for Maroochydore and Deputy Leader of the Opposition has asked a very important question. I ask members to hear the Acting Attorney-General and Minister for Justice.

Mr WELFORD: We now know, of course, that the former Attorney-General was dealing with these very complex issues under enormous difficulties and enormous stress. But she did so in a way that, as far as I am concerned, was unblemished in terms of her legal judgement. I guess it is in some respects a sad reflection on the environment within which we all operate that such gentle souls and decent people like Linda Lavarch are not better accommodated by our political process.

In relation to the anxiety and concern of the former patients of Dr Patel I say that I understand—indeed all of us on this side of the House and the member who asked the question—the frustration that these people must be feeling about the length of time it is taking to take action to return Dr Patel to Australia, if that is indeed possible. There is no question that the DPP has pulled out all stops in seeking to gather the evidence to do so, I should say. I am very pleased with the efforts of the DPP in this regard.

For about six months now it has had to comb through some 35,000 documents to gather the evidence necessary to mount extradition proceedings. It moved very promptly to provide those documents to the relevant Commonwealth agencies—the justice department at the Commonwealth level—at an early stage. As I said in my ministerial statement, there are some outstanding evidentiary materials to be gathered.

There have been more than the usual difficulties in gaining some statements from crucial witnesses but I am assured by the DPP that every effort is being made by the police to gather that material.

Mr BEATTIE: I move—

That the minister be further heard.

Motion agreed to.

Mr WELFORD: Once the remaining material is gathered it, too, will be passed to the Commonwealth authorities so that extradition proceedings can commence. It is impossible to say precisely how long those extradition proceedings will take because, of course, it is not within either the government's control or the federal government's control to influence the decisions necessary for US authorities to make a final extradition order. But everything that can be done is being done by relevant agencies—namely, the police and the DPP—to finalise the material necessary for Commonwealth agencies to progress that extradition application.

Mr SPEAKER: Before I call the member for Glass House could I ask the Leader of the Opposition to not make repetitive interjections. It is about six times that he has made the same interjection. I ask him not to be repetitive.

Traveston Dam

Ms MALE: My question without notice is to the Deputy Premier, Treasurer and Minister for Infrastructure. The Deputy Premier has outlined a range of implications in relation to the Traveston Crossing Dam. Can the minister detail for the House whether there has been any study undertaken to determine the flood mitigation effects of the proposed Traveston Crossing Dam, especially in relation to Gympie?

Ms BLIGH: I thank the member for the question, for her interest in this project and for her understanding of the very positive effects it will have in the south-east corner. I am very pleased to advise the member and the House that studies undertaken as part of the geotechnical work in the design phase of the dam at Traveston Crossing do indicate very good news for the community of Gympie. It indicates that the dam will be capable of very significant flood mitigation effects.

Hydraulic modelling assessment of the 1999 flood indicates that the peak water level in Gympie would have been reduced by some four metres had the proposed dam been in place at that time. What that means in real terms is that much of the \$25 million damage to houses, businesses, roads and local industry would have been prevented.

Based on Bureau of Meteorology data, had the dam been in place in 1999 at least 80 of the 130 businesses affected by that flood would have been saved. Flooding to most, if not all, of the 60 residences affected by the flood would have been entirely prevented. Reduced flood impacts would have substantially reduced the cost to the rural community and prevented damage to road infrastructure. Importantly, the dam would also have had the effect of substantially mitigating the effects of the smaller more frequent floods. Of course, the 1999 flood was a very serious one in a 100-year event. There are other more frequent floods that would be significantly reduced or substantially prevented by the new dam.

Queensland Water Infrastructure Pty Ltd plans detailed flood warning systems and associated gate-operating strategies to be developed with emergency services, local authorities and key stakeholders for a range of flood conditions.

Mr Gibson interjected.

Ms BLIGH: I note the constant interjection by the member for Gympie in relation to this. Surely members would think that the member for Gympie would be pleased to hear this news. Would we not think that the people of his community would want to hear this good news?

Mr Gibson: The member for Gympie represents the people of Gympie, who don't want this dam.

Ms BLIGH: Current design concepts include a spillway on the—

Mr Gibson interjected.

Mr SPEAKER: Order! I call the member for Gympie to order. I ask all members of the parliament to let the Deputy Premier have a go.

Ms BLIGH: In anybody's terms, the outcome announced today is good news for the Mary Valley, good news for the people of Gympie and good news for south-east Queensland, because south-east Queensland gets the dam that will provide the water it needs, the people of Gympie get a safer community despite the interference of their local member, and the people of the Mary Valley—

Mr Gibson: The businesses have already gone bankrupt.

Mr SPEAKER: Order! I will allow the Deputy Premier a little more time. Member for Gympie, you have been here for only a short period. You do not have the ability to constantly interject. There are ramifications if you do so. I call the Deputy Premier.

Ms BLIGH: I do think it is important for members to understand that the announcement I made this morning means that we have a dam site that is sound, a dam site where we have preserved—

Opposition members interjected.

Mr SPEAKER: Order! I say to opposition members: a question has been asked and I quite clearly indicate to you again that we need proper order in this House. If the member for Gympie does not listen to me, I will rise to my feet. When I call his name, I expect him to listen to me. I suggest to the member for Gympie that he read standing orders pronto so that he understands what behaviour is required in this House. I will give the Deputy Premier another half minute. I suggest that the member read the standing orders.

Ms BLIGH: The outcome announced today means that we will have a dam site that is geotechnically sound, we will have a dam that will give us the required yield to drought-proof south-east Queensland, and we will get all the water we need from a dam that will have almost half the impact on the properties and homes of the people in the Mary Valley. Half of the properties and houses will not be affected.

Opposition members interjected.

Ms BLIGH: They hate building dams.

Patel, Dr J

Mr McARDLE: I ask the Premier to please advise the House how many people have been charged in the 12 months since the royal commission into the Bundaberg Hospital raised serious concerns over multiple deaths at the hospital?

Mr SPEAKER: Before I call the Premier, I will consider whether that is a question that should be asked of the Premier. I am considering whether that is a question that should be asked of the Premier or the relevant minister. If anyone wants to defer from that they can, but I am considering it at the moment. I call the Premier.

Mr BEATTIE: I thank the honourable member for his question. Before I answer it, I would say that a lot of senior citizens on the Sunshine Coast would find it intriguing that—

Mr McARDLE: I rise to a point of order. I find the Premier's words offensive and I ask for them to be withdrawn.

Mr SPEAKER: Order! There is no point of order. We want relevant points of order, thank you.

Mr BEATTIE: I have a lot of time for senior citizens on the Sunshine Coast. I have no idea why the shadow Attorney-General does not. I will move on and answer the question, but I do want it to be known that I stand by the senior citizens on the Sunshine Coast.

As far as I can recall, from the inquiries one person was involved in criminal matters. As far as I am aware, the Forster and Davies reports named only one person of interest in terms of criminal charges and that is Jayant Patel. I think the Acting Attorney-General has spelt out exactly the procedures in relation to him. Charges have been recommended and everything has been done to bring him to justice.

Secondly, in relation to other staff, members would know that a number of staff have left the employment of Queensland Health. I do not have the full list in front of me, but I think it was the general manager of the hospital and the chief medical officer of the hospital. Those people no longer work for Queensland Health as a result of the inquiry that was established and the various procedures that followed.

To come back to the question, as far as I am aware only one person has had criminal charges suggested against him, and that is Jayant Patel. Members know the circumstances of that. The Acting Attorney-General has answered that today. The second matter relates to other people who have gone but where no criminal matters are proceeding. They no longer work for Queensland Health.

The government has reshaped Queensland Health. We have created a five-year Health Action Plan costing \$9.7 billion, there has been a restructuring of health, a reduction in the number of bureaucrats and doctors have been placed in charge of hospitals. There has been a total revamp and a new health system is being built as a result.

I reiterate what I said before: we need to be very careful in this debate because what is said in this House or publicly will be used by Jayant Patel's lawyers to argue that he cannot get a fair trial. Therefore, we need to be mindful that every one of us has a responsibility to ensure that he faces justice and is given a fair trial.

For the record, I believe that he will be given a fair trial when he is returned to Queensland. I believe that Queenslanders are fair-minded enough to sit on a jury and give him a fair trial. I believe that our judicial system is strong enough for him to be given a fair trial. I want that clearly on the record so that Jayant Patel's lawyers understand it. I believe that he will be given a fair trial when he is returned to Queensland.

Mr SPEAKER: I welcome to the gallery today teachers and students from the Churchill State School in the electorate of Ipswich, represented in this House by Rachel Nolan.

Moorooka Police Station

Mr FINN: I am aware that the Minister for Police and Corrective Services visited the Moorooka Police Station in my electorate and spoke to police officers about local issues. I ask: is she aware why this police station has suddenly been targeted by the federal government?

Ms SPENCE: I am aware that the federal member for Moreton, Gary Hardgrave, has sent a letter to his constituents suggesting that the Moorooka Police Station be made a 24-hour police station, and Mr Hardgrave does not even like the location of the police station. Therefore, last week I took the opportunity to visit the Moorooka Police Station. It is a lovely station. It was built in 1915. Last year we spent \$100,000 refurbishing the station and all the officers are very happy with the refurbishment. I took the opportunity of having morning tea with the officers and talking to them about policing in the Moorooka area. I have to say that during the morning we were pleasantly entertained by Senior Constable Paul Donaldson who played the bagpipes for me and the other officers.

There are 21 police officers at the Moorooka Police Station. Surprise, surprise! They are providing a 24-hour service. I took the opportunity of asking the officer in charge, Senior Sergeant Greg Wilson, and other officers whether they think that they should be providing a 24-hour counter service at the Moorooka Police Station. At present, like many police stations in Queensland, the Moorooka counter is open from 8.00 am to 4.00 pm. None of those officers believe that they should be sitting behind the counter in the middle of the night. They all believe that they should be patrolling the streets.

I have also looked at how frequently the blue phone is used at the Moorooka Police Station. In the past 12 months, it has been used 66 times, that is, an average of five calls a month. However, for example, in the month of December there were no phone calls to the blue phone. In fact, the police told me that one particular person is a frequent user of the blue phone and even the—

A government member interjected.

Ms SPENCE: Yes, it might be Mr Hardgrave. Therefore, we have a happy police station and police officers who are getting some great results and pushing down crime in the Moorooka area. And let's face it, it is not a high crime area.

What is motivating Gary Hardgrave? I think Mr Hardgrave is delving into the Liberal Party dirty trick handbook. He does not want to talk about federal issues. He is hoping that his community does not remember that he has been asleep behind the wheel for the past few years.

In fact, Mr Hardgrave does not want to talk about IR, he does not want to talk about Iraq, he does not want to talk about the AWB scandal and he certainly does not want to talk about his lack of performance in providing his electorate with adequate federal government road funding. The one issue that his constituents want Mr Hardgrave to talk about Mr Hardgrave will avoid at any cost. He wants to talk about blue phones and spread false information about police in his local area.

I would encourage all local members to keep a watch on their federal members in the lead-up to the federal election. I think we are going to see more of this as they try to divert attention from the Howard government's failings.

Water Hyacinth and Salvinia

Mr FOLEY: My question without notice is to the Premier. The water hyacinth and salvinia weed problems have reached plague proportions in Queensland rivers. The Mary River barrage and Teddington Weir are completely clogged with hyacinth about seven kilometres upstream. If it gets any worse I will be able to invite the Premier to Maryborough to emulate someone more famous than himself by walking on water. Will the Premier put in place a statewide task force to urgently address this environmental disaster as it needs a coordinated approach not an ad hoc one?

Mr BEATTIE: I do not think either of us could walk on water. I will deal seriously with the member's issue. Water weed infestations have occurred in the Burnett catchment for many years, as the member would be aware.

Opposition members interjected.

Mr BEATTIE: Give him a go; he is entitled to an answer to his question. I understand the Burnett Water Weed Management Group has been active over the past five years testing new methods to manage water weed in the Burnett River, the Kolan River and Barambah Creek. The group now involves all local governments connected to these catchments from Bundaberg to Kingaroy and is actively introducing biocontrol agents and spraying weeds along the rivers.

The local Burnett and Kolan catchment groups, local governments, the Burnett Mary Regional Group for NRM, SunWater, Canegrowers and the department are all working together. I understand they have contributed either cash or in-kind support to manage the problem and the department will continue to work closely with all stakeholders and agencies involved.

In other words, we understand the issue the member raises. The member is right; it is a problem. The various councils and catchment groups are trying to work with it. I suggest that it would be very useful before the end of the year if the member had a discussion with the minister to talk through whether we can advance this in some other way beyond what we are doing. We believe that we are doing everything that we can about this.

The member has to remember that in terms of his community we have been very supportive. The member and I met outside this chamber; in fact, we met when the Deputy Premier and I went to inspect the new trains that were being built for the Gold Coast, which the minister for transport released the other day. The first of those electric trains from EDI at Maryborough are now in the test run. There are 72 carriages plus 60 more that will be announced. I should say to the member that one of the reasons I spent two days in New Zealand on the weekend—I will report more on my trade mission tomorrow—was that I wanted to talk to the Auckland Regional Transit Authority about the provision of additional trains. QR has been involved in these discussions. I had a chance also to mention it to the New Zealand Prime Minister. Hopefully, if we can get those carriages, the work will be done in Maryborough. Bombardier is the name of the company that is interested in doing it. It is putting together a one-stop shop. The trip to New Zealand was partly designed to get some work for the member's local workforce. We will continue to do that.

Whether it is trains or weeds we will work with the member. We do not always agree but the member does represent his local people. My ministers will work with him. I urge the member to meet with the minister before the end of the year so that we can see whether we can advance this program of tackling the weeds head on. Paul Lucas, the minister for transport, will keep the member informed about what is happening with the train provision package for New Zealand.

Manufacturing Industry

Mr WEIGHTMAN: My question is to the minister for state development. Queensland is home to some of the biggest internationally recognised companies that have invested here. It is also home to some of the smallest, most innovative companies to start up and which are achieving great success. Can the minister advise the House what some of these businesses are doing to contribute to the Queensland manufacturing industry?

Mr MICKEL: I thank the honourable member for Cleveland. Can I be parochial enough to pay tribute first of all to Fisher and Paykel. The member for Cleveland and I visited its factory a couple of weeks ago. I also want to acknowledge the tremendous contribution of the Ikea company, which opened its new store in Logan last week, the largest home furnishing complex in Australia employing 350 people. I commend this company to all honourable members who are concerned about the efficient use of energy and water. It is an outstanding example. It joins a growing list of global companies that have chosen Queensland to expand their business or to do business in the first place. IBM, Boeing, Virgin, Oracle, Bechtel, Qantas 767 heavy maintenance and Raytheon are all companies that have moved their head offices to Queensland and are doing business in Queensland.

The member for Cleveland, of course, will be interested in Fisher and Paykel. It employs 500 Queenslanders. The important thing about that firm is its two new refrigerator models that incorporate cutting-edge technology and sophisticated design. They are about to roll off the assembly line. These fridges are among the most advanced in the world. Production is to increase by 25 per cent equating to 165,000 products to be manufactured in the next year. At its peak, a new fridge can be manufactured every 40 seconds, making it another Queensland manufacturing success story.

But there is another aspect to Fisher and Paykel that I know the member for Cleveland is especially proud of and that is its 24/7 customer care centre which takes calls from all over the world. So at a time when Optus is saying that it is moving its call centre offshore, when Telstra has done that under the federal government, what we have in Queensland is a 24-hour, seven day a week call centre expanding in Cleveland. I know the member for Cleveland is especially proud of that.

I also want to commend the Firewire firm at Burleigh Heads on the Gold Coast. It is manufacturing fibre composite surfboards. It is a huge success story. When I visited its headquarters in September it was manufacturing 10 boards a week. This week it will make 150 boards and has employed six extra staff. In six weeks it hopes to be exporting 300 surfboards a week to California. In other words, Queensland is taking on the home of the Beach Boys and winning.

A government member interjected.

Mr MICKEL: Let's go surfing now; everybody is doing it. By mid-December the company will be earning between \$200,000 and \$250,000 a week in export dollars. On the Gold Coast, they are taking it on and winning.

Mr SPEAKER: I welcome to the public gallery the principal and students from Palm Beach State School in the electorate of Burleigh represented by Mrs Christine Smith.

Infrastructure

Mr JOHNSON: My question is directed to the Premier. In view of the recent crisis facing Brisbane motorists because of a failure to adequately provide infrastructure to cater for growth in the region, can the Premier advise the House whether or not he, for more than five years, as claimed by the former Brisbane Lord Mayor, Jim Soorley, personally blocked additional infrastructure for the people of Brisbane in the form of bridges or tunnels to cross the Brisbane River?

Mr BEATTIE: Those opposite do not know how long I have been waiting for this question. Let me start right at the beginning by answering the question very directly. The answer is no. But let me not stop there. As everybody knows, I have enormous regard for the member for Gregory and he deserves a full and detailed answer. So let me give it to him. One of the most difficult people I have ever had to work with in my life was Jim Soorley. Let me be really frank. I can remember there were discussions in my cabinet room when I said we have to continue to work with the Lord Mayor. I used to win them 17-1 and I was the one. Let me start with that.

The second thing is that it is a nonsense. One of the great things about being a former Lord Mayor or former politician is that you can rewrite history to suit yourself. There was a proposal by the Lord Mayor at which the former transport minister spent some time looking. The Lord Mayor wanted to funnel traffic similar to the situation in Sydney. He wanted to ensure that people had to pay a toll. Did we agree with that? No, we did not. We said to him, 'We want to build this tunnel,' as we have said to Campbell Newman.

Campbell Newman, the Lord Mayor, has worked closely with my government and the transport minister to deliver it. We have done that because we want to see more transport crossings, whether they are tunnels or bridges, in Brisbane. We have stood with the Liberal Lord Mayor to do that. Jim wanted to funnel people. We said no. But did we delay it? No. All Jim had to do was to do what Campbell Newman did. Let us be frank, if Jim was still the Lord Mayor we would still just be talking about it.

I will not change my view about it, whether Campbell Newman is Liberal or not. The fact is that it is now happening because we passed this law in here in a partnership and we were not going to have politics interfere with it. The member opposite should ask Jim Soorley this one question: if it happened under Campbell Newman and us, why was there a delay under him? The only partner who changed was him. We did not change. We are still here. We are the same people and it is happening. What happened? The blockage at City Hall went. The member has his answer.

Let me go on. I think Brisbane is well served by having a Labor majority in the council and a Liberal Lord Mayor. The reason is that they are acting like a Senate; they have a real balance. I think that is what is best for this city. Having a Liberal Lord Mayor with whom we can work and a Labor majority at the council is a great outcome. I urge the people of Brisbane to keep the balance—keep it exactly as it is. I say to the Lord Mayor, who has a good relationship with me—and I have a lot of respect for Campbell Newman—‘Campbell, we look forward to continuing to deliver transport crossings with you for the foreseeable future.’

Low Emission Power Sources

Mr CHOI: My question this morning is directed to the Minister for Mines and Energy. Much has been said lately about the need for lower emissions in power stations. Yesterday funds were announced for a coal seam methane fuelled power station in Queensland. Can the minister advise the House what steps the Queensland government has taken to encourage the development of alternative low emission power sources?

Mr WILSON: I thank the honourable member for the question. Queensland, I will have members know, is actually on the front foot. We have embraced lower emission generation and actively encouraged investment in it. I pay tribute to the various previous ministers for mines and energy under the Beattie Labor government for heralding that major policy shift in the last six years. Six years ago we announced that, from 1 January 2005, 13 per cent of electricity used in Queensland was to be generated from gas. Our commitment led to the largest gas exploration and development catalyst ever seen on the east coast of Australia. We have developed a competitive and thriving market for lower emission generation.

While the federal government's recent announcement of funding for 100 megawatts of low emissions generation in Queensland is welcome, it is a little late in coming. We have already developed 1,600 megawatts of gas-fired generation.

Mr Mickel: Opposed by the National Party.

Mr WILSON: This includes the 230-megawatt Townsville Power Station, the 385-megawatt Swanbank E Power Station and the 450-megawatt Bremer Power Station. The growth in gas-fired generation initiated by the 13 per cent gas scheme shows no abating.

I am compelled to take the interjection of my colleague that that gas scheme was indeed opposed by the National Party in this place. With that gas scheme there are more than 1,500 megawatts of gas-fired generation projects in the pipeline. The economic benefits of the 13 per cent gas policy are impressive and so are the environmental benefits. I am told that this has the potential to reduce Queensland greenhouse gas emissions by 26 million tonnes over the policy's 15-year time frame. That is equivalent to more than 400,000 cars being taken off the road over the life of that policy. Queensland is indeed taking action, it has been taking action and it will continue to do so to reduce greenhouse gas emissions.

Mental Health

Mrs STUCKEY: My question without notice is directed to the Minister for Health. With respect to the duty of care which the state has for mental health wards within Queensland Health, could the minister please tell the House if he is aware of the number of suicides which have been attempted or have succeeded in these wards through the use of plastic bags; if he has taken any action or issued instructions to the department to remove plastic bags used in these wards; and, if he has not taken any action, why not and does he intend to?

Mr ROBERTSON: I thank the member for the question. I assume the member would be aware that any episodes such as she describes is fully investigated, both internally and independently, to determine a range of factors surrounding any suicide. That has been a process that has been put in place statewide through a process of the recording and investigating of sentinel events. That is not done

by my office for obvious reasons, but it is something about which I receive regular reports and there is an expectation that recommendations for action where problems have been identified will, in fact, be implemented.

I am not specifically aware of the specifics of the case which the member has mentioned. I would be more than happy for her to pass those details on to me so that I can follow up the matter. I can assure the member that we take these matters very seriously. Suicide is a great tragedy, whether it occurs within our health system or outside in the community.

We have made significant inroads over the last number of years to reduce the rate of suicide in Australia and, indeed, in Queensland. In my view we still have a long way to go. It is also why, in terms of our commitment to improving services to people with mental illness, we have made machinery of government changes post election to move responsibility for mental health from Health to the Department of Communities and my colleague Minister Pitt. The simple reason is perhaps encapsulated in this explanation: the vast majority of time that people with a mental illness spend is in their community. It is how we as a government and how we as a society support those people with mental illness that is a measure of how compassionate we are as a society.

It was my considered view—and it was supported by the Premier—that in order to make the needed improvements to mental health services we needed to move more of our resources into the community where people with mental illnesses can receive what I hope will be improved services over time. That is certainly the commitment that Minister Pitt has in relation to accepting those responsibilities as a result of machinery of government changes that we announced earlier this year. We anticipate that that process of moving responsibility for mental health and, indeed, aged care from Health over to Communities will take a number more months to be bedded down completely, however, by the middle of the year. As I said to the member for Currumbin, I am more than happy to receive the details of the specific incident that she referred to and have that investigated.

Cyclone Larry

Ms JARRATT: My question is directed to the Minister for Public Works, Housing and Information and Communication Technology, and I ask: is he aware of recent public comments made by the federal member for Kennedy regarding assistance for those affected by Cyclone Larry?

Mr SCHWARTEN: I thank the honourable member for the question and for her ongoing interest in this issue. Yes, I am aware of it. I think it behoves us to, firstly, put the matter into some context. I want to thank the Minister for Emergency Services for the opportunity to be there on Sunday with him in Innisfail along with the member for Hinchinbrook and Senator Ian Macdonald to thank all those volunteers who had worked so tirelessly to assist. There were police officers, fireies, ambos and of course our own Q-Build, of which there were 120 employees on site at one stage. Our housing people and Q-Build people have helped over 1,000 people who otherwise would have been homeless—the poorest people in the world.

We have to remember that 14,000 houses were damaged up there and Q-Build was able to put the shoulder to the wheel and assist. Our Building Services Authority actually set up a building centre there and brought in the insurance companies. The 12 insurance companies advise that the best they can do is to try to ensure that every house is weatherproof by the end of the year.

Contrast that with Mr Katter, the local member and renegade rat from the National Party, and his baboon-like impersonations last week when he called a public meeting to announce that 1,000 houses were still roofless. We chartered a plane and we were able to identify that 197 homes are roofless. But the reality is that some of those will never be reroofed because the people concerned have been paid out and are waiting on demolition orders. So that is not an accurate statement either. The fact that there are 197 roofless houses does not necessarily mean that those 197 houses all need reroofing, which again makes Katter's statement more absurd.

When calamities occur it is great to see that the political system in Australia can cooperate. The Premier was in Innisfail the very first night after the cyclone. The police minister was there the next day. I was there. The local member, the minister for communities, has been involved and so, too, has the former member for Hinchinbrook. Nobody has attempted to play politics, and I congratulate the opposition for that because it has been a huge task.

Anybody who wants to take Katter seriously should listen to the people who talked to me at that event the other day. They regard him as having the same credibility as a fox inside a fowl house. He has absolutely no credibility on this issue. All he seeks to do is continue to deride the efforts of people who have put a lot of effort into the recovery process and to attack the major parties for our efforts in trying to resolve the issues. I just hope that the people of Innisfail and the catchment area of Cyclone Larry remember Katter at the next election and remember the disruption that he has created in the time since the cyclone.

Time expired.

Drought Assistance, Irrigators

Mr HOPPER: My question is to the Minister for Natural Resources and Water. I refer to the Victorian state government drought assistance package for irrigators which provides a \$5,000 rebate on rural water bills where the allocation of water is less than 50 per cent, with those who have a bill higher than \$5,000 able to defer the remainder of the payment for up to five years interest free. Will the minister undertake to match or better the Victorian measures for Queensland irrigators or will the minister continue to force irrigators to pay for water that cannot be provided?

Mr SHINE: I thank the honourable gentleman for his question. The Queensland government provides drought assistance to affected primary producers and small businesses. My colleague the Minister for Primary Industries and Fisheries has ministerial responsibility for the Drought Relief Assistance Scheme and the QRAA.

In terms of water, the government is making a massive investment in new infrastructure across the state, including new dams and pipelines. The government is determined to secure water supplies for all users and the environment. The government is already subsidising water supply schemes for Queensland irrigators.

The government is providing subsidies for water supply schemes run by the government owned water supplier SunWater—these are community service obligation payments. In addition, in April this year SunWater completed negotiations with its customers on prices for the next five years. This is giving producers water price certainty. Any dividends paid to the government by SunWater are reinvested in water projects. For instance, \$3 million in dividends was paid for the 2004-05 financial year, and this is being reinvested. I have discussed the issue with SunWater and I am seeking further advice.

Opposition members interjected.

Mr SPEAKER: Order! Members on my left, I have heard a number of repetitive interjections while the minister is on his feet. That is disorderly under standing orders. I particularly ask the member for Darling Downs and the member for Toowoomba South to read the standing order in respect of repetitive interjections. I call the minister.

Mr SHINE: Thank you, Mr Speaker. This is the worst drought in Queensland's history and it is deserving of the attention of the House.

The issue here is that irrigators are paying a tariff for the ongoing maintenance of the water supply scheme even when the access to water is denied or restricted. At the end of the day, is the Queensland government continuing to support the costs of water supply schemes? The answer is yes. Is the Queensland government requiring irrigators to pay the full annual costs of those schemes? The answer is no.

Contrast that with the fact that the National Party, if it won the last election, could not say that it would not require irrigators to pay full annual costs of water supply schemes. During the recent state election, the National Party said that if it were re-elected it would implement its 1997 water infrastructure and planning development report. The current opposition leader, the member for Callide, said during the campaign that this report would be the coalition government's policy. I remind honourable members that the 1997 report, revived as the National Party's policy at the last election, stated—

Rural users will be required to meet the full annual cost of operation, maintenance and asset refurbishments as well as contributing towards the capital cost of the scheme.

I reaffirm the government's commitment to community service obligation payments. I reaffirm the government's commitment to support irrigators.

Time expired.

Schoolies Week

Mrs REILLY: My question is to the Minister for Emergency Services. Thousands of school leavers—schoolies—will be descending on the Gold Coast in the next couple of weeks for their annual festivities. Could the minister explain to the House what preparations the Department of Emergency Services is making to ensure that they have a safe time and a good time.

Mr PURCELL: I thank the member for Mudgeeraba for the marvellous support she gives the emergency services personnel in her electorate. I know that it is noticed and very much appreciated.

With thousands of extra people converging on the Gold Coast for the festivities, the Department of Emergency Services takes a leading role in ensuring the safety of those attending. Because of the increase in population and extra demand for medical services during schoolies, the Queensland Ambulance Service deploys additional resources to the region.

The Ambulance Service also establishes a dedicated ambulance treatment centre in Surfers Paradise for the entire 10-day period of schoolies. The centre is designed to treat patients who do not require hospitalisation. All cases requiring medical transport are assessed and treated in this facility

initially and, if needed, are transported by a paramedic crew to the Gold Coast Hospital. This significantly reduces the number of cases needed to be transported to hospital, reducing the additional demand on both the Ambulance Service and the public hospital system.

The State Emergency Service also has an important role at schoolies. SES volunteers support the Queensland Ambulance Service personnel using a buddy system. SES volunteers team up with paramedics to assist at the field triage point, help transport patients on stretchers and conduct roving patrols to identify people who need medical assistance. There are a lot of SES people who do that in pairs as well. At peak periods during schoolies, especially during the first and second weekends, there can be up to 150 SES volunteers on the ground working until early in the morning.

Significant planning goes into making sure that schoolies week is as safe as possible. The Department of Emergency Services works with state and local government agencies, the event coordinator, the Gold Coast community and other volunteer networks including PCYC, Teen Challenge and others. This collaboration, commitment and leadership demonstrated by operational staff and volunteers at all levels in the Department of Emergency Services means that the Queensland community can have full confidence that every effort is being made to make this year's Gold Coast schoolies week as safe as possible and to ensure that all schoolies have a very good week and a very safe week.

Mr SPEAKER: Order! Just before concluding question time, I recognise in the public gallery school student leaders from Banksia Beach, Caboolture East, Bribie Island, Morayfield, Minimbah and Beachmere state primary schools in the electorate of Pumicestone, which is represented in this House by Carryn Sullivan. I believe the former member for Caboolture is in the gallery as well.

MINISTERIAL STATEMENT

Water Amendment Regulation

Hon. AM BLIGH (South Brisbane—ALP) (Deputy Premier, Treasurer and Minister for Infrastructure) (11.28 am), by leave: In the face of the worst drought on record in the south-east corner, our government took decisive action by declaring an emergency water situation. On 8 August, the Premier introduced a Water Amendment Regulation, which set out an ambitious and comprehensive program of coordinated measures to secure the water supplies of our region.

In total the regulation identified 24 measures and outcomes to be undertaken by local councils, their water businesses and the state government through the Office of the Coordinator-General. As I advised this parliament on 11 October, the regulation requires every water service provider to submit a monthly progress report to the Queensland Water Commission and these reports are to be made public on the web site. The first progress reports for the month of September will be available on the Queensland Water Commission's web site later today, and I seek leave to table copies of these reports.

Tabled paper: Water Amendment Regulation (No. 6) 2006 Water Supply Emergency Projects Monthly Progress Report, dated September 2006, by the Queensland Water Commission

Leave granted.

Ms BLIGH: I told the House on 11 October that across such a comprehensive program of projects members could expect to see some mixed reports and some project slippages. The commission has advised me that all providers submitted progress reports by the regulated deadline. I thank the relevant councils, water businesses and service providers for meeting their obligation and for continuing to work in partnership with the state government to secure the region's water supplies.

What do these reports show us? They show that the majority of the 24 initiatives, which are in different stages of development, are progressing largely in accordance with the regulation targets at this time. However, nine of the initiatives have signalled extensions to either their interim or final time frames or identified where they expect to achieve a lower water saving or supply target. The infrastructure projects for which the state has primary carriage, or is a significant partner, that are in this nine include the 200-kilometre Western Corridor Recycled Water Scheme, which will supply recycled water to industry and potentially agricultural users. The report shows that stage 1A of the project, which involves the construction of the first stage of an advanced waste water treatment plant at Bundamba and a pipeline from Bundamba to Swanbank, is expected to be completed one month later than the target. Stage 1B, which involves the construction of a pipeline from Oxley to Bundamba and on to Caboonbah and completion of the treatment plant, is forecast to be completed two months behind the regulation target date. However, the second stage of the project—the construction of advanced waste water treatment plants at Luggage Point and Gibson Island and a connecting pipeline to Bundamba—remains on track to meet the end completion date of 31 December 2008. The first stage delays in this project are primarily due to obtaining access to land required for the project and initial pipe procurement.

On the Gold Coast in relation to the desalination plant, the report shows the project is currently on track to be completed by the end of November 2008. However, the plant requires a complex and staged commissioning process which means that the full 125 megalitre a day capacity is not expected to be fully realised until mid-January 2009, some weeks after the completion of the project. In relation to council projects, the Brisbane City Council has identified about a six-month delay in meeting its target of substituting 20 megalitres per day from its existing water supply system with underground water sourced from the local Brisbane area through the Brisbane aquifer project. It has also signalled that while work is progressing on another initiative—that is, the exchange of 20 megalitres a day of potable water used by industrial and commercial users for recycled water—the project is expected to fall short of the water targets. I am advised that the council is working with the commission to improve performance and to investigate a number of alternative contingency supply measures which could be implemented if required. Four other council-led projects are also reporting either a potential risk to the delivery of the project or a shortfall in achieving their water targets. These are the Bribie aquifer project, the requirement for the Gold Coast City Council to supply 20 megalitres of water a day to Logan city, pressure and leakage projects across local councils, and the home retrofit project across local councils.

What action are we taking to remedy this? The commission is working with the responsible service providers to identify how they will more closely achieve the regulated targets. It is also investigating other potential alternative water supply initiatives not identified in the regulation which could provide additional water that we have not factored into our planning. We have also taken action on a number of fronts to mitigate the risk of projects falling behind. On the projects the state has responsibility for or a major stake in, the Coordinator-General has centralised the purchase of pipes across a range of projects, including the western recycled water project, southern pipeline and the Gold Coast desalination plant. Doing this means that the supply of pipes is prioritised according to the construction time frames of each project, reducing the risk of delays.

A central land acquisition team has also been established to ensure land required for the different projects is identified and prioritised to meet construction deadlines. Later this week I will be introducing amendments to the State Development and Public Works Organisation Act and related legislation to give the Coordinator-General powers to take over approval processes on major projects, including water infrastructure, where delays occur. We insisted on such regular project updates to keep a close eye on these projects to ensure that we had both early warning and every opportunity to bring the projects back on course if they were found to be slipping, and that is exactly what we are doing. Reports on project progress will be available on the QWC web site every month.

MATTERS OF PUBLIC INTEREST

Patel, Dr J

Mr SEENEY (Callide—NPA) (Leader of the Opposition) (11.34 am): There is no doubt that the whole saga surrounding the tragedy at Bundaberg Hospital has been an ongoing embarrassment for the Beattie Labor government for some time. The latest chapter in that saga involved the attempt by Dr Patel to negotiate a return to Queensland to face charges in our courts. That latest chapter has also caused an enormous amount of embarrassment for the Beattie Labor government, and that embarrassment was on clear display in the parliament this morning. It was on clear display in the parliament when we last met almost 2½ weeks ago and it has become obvious in that 2½-week period that the parliament was seriously misled in the information that was provided and that was not provided when the issue was raised here 2½ weeks ago.

Despite being given the option a number of times this morning, the Premier has refused to correct the record and he has passed up the opportunity of providing information to this House which would have cleared the cloud of doubt that hangs over the office of the Attorney-General, the Office of the Director of Public Prosecutions and the actions of both him and his former Attorney-General. I give due regard to the former Attorney-General and wish her well in her battle with the medical condition that has been the cause of her retirement from the cabinet. I echo the words of the Acting Attorney-General this morning in the parliament—that is, that the member for Kurwongbah, the former Attorney-General, was a very decent person and recognised as such.

But the position in which she was put during this whole episode was one which I believe she would have found intolerable. There is no doubt that the parliament was misled when we met 2½ weeks ago. The extent to which the responsibility for that misleading fell to the then Attorney-General, the member for Kurwongbah, is now a moot point and is not one that I want to pursue. But the extent to which the Premier misled the House in answering those questions 2½ weeks ago is a very genuine concern to me and should be to every member of this House. I will be writing to the Speaker seeking the referral of the Premier to the Members' Ethics and Parliamentary Privileges Committee to determine the extent to which the Premier misled the House on this issue. There is no doubt that the information that has been revealed in that 2½-week period would indicate that the Premier did mislead the House. There is no doubt that the angst and the regret that was expressed by the former Attorney-General, the

member for Kurwongbah, when she resigned that position would indicate that she appreciated and realised the extent to which this parliament was misled. It is now up to the parliamentary privileges committee, I believe, to determine what action should be taken against the Premier.

There is an interesting comparison in the New South Wales parliament which has come to light in that 2½-week period when the New South Wales police minister resigned after he admitted that he had misled parliament. That is an example that I believe the Premier should take very careful note of. Federal ALP leader, Kim Beazley, made this comment following the New South Wales police minister's resignation. He said—

He did the right thing. When he found that he misled parliament he stood up and he said, 'Right. I'm off. That's what I should do.'

That is the sort of appropriate action for people who are found to have misled a parliament, and it is an example that I think every member of this parliament should note. Let us compare that with the leadership that has been displayed in this parliament over this issue of misleading parliament. This parliament actually passed legislation to make it legal for members to lie to parliament—actually passed legislation to make it legal for members to lie! That will be part of a legacy that I think Queenslanders will always remember—that this government had to pass legislation to make it legal to lie to the parliament so that no action could be taken.

There is a great body of evidence that would suggest that this parliament was misled when we met 2½ weeks ago and that this issue has become one of acute embarrassment for the Beattie Labor government. We saw that acute embarrassment displayed this morning. The whole issue needs to be cleared up for the sake of our justice system and for the institutions that are part of that justice system.

The justice system depends on us having an Attorney-General who can and will act independently based on the law of the land rather than the political imperatives of the government. That is a very important element that makes our legal system work. Any suggestion that that critical element was compromised needs to be cleared up quickly. The government has a responsibility to do that. It has a responsibility to the legal system which we all hold so dear.

The other element that needs to be cleared up is the cloud of doubt that hangs over the role of the Director of Public Prosecutions—the DPP. That office is charged with providing advice to the Attorney-General. In this instance, from the admissions that were made belatedly by the former Attorney-General, it appears that the decision that she made at the time was made in contradiction of the advice that was given by the Director of Public Prosecutions. I note some media comment from the Acting Attorney-General that seems to be in contradiction of that statement. Whether or not the DPP provided the former Attorney-General with advice that was ignored and the extent of that advice is now in doubt, because we have these contradictory statements. These issues need to be cleared up and the only way they are going to be cleared up is to do what should have been done two weeks ago, and that is for the government to release those documents so that the people of Queensland can see what advice was given by the DPP in its role of advising the Attorney-General. The government should release those documents that set out the details of the offer.

Some 2½ weeks ago the Premier came in here in defence mode. He was prepared to stand up and say almost anything to defend his government from attack. He said some things that I am sure he now regrets. He said things that reflected badly on the Director of Public Prosecutions. He certainly called into question whether or not he could have confidence in the Office of the Director of Public Prosecutions. He called the proposal a sleazy deal, a rot and a corrupt deal—all sorts of things—in an attempt to politically defend the position that his government had taken.

As I said here two weeks ago, I firmly believe that this decision was made to defend the political position of the government. The last thing the government wanted, in the run-up to an election, was to have Dr Patel back in a Queensland court answering charges and providing information about the Queensland Health system. There should be no doubt in anyone's mind that that was the overriding consideration in this decision. But if, as the Acting Attorney-General has just indicated, that was not the case, the way to clear up the issue is to release the documents and make the information public rather than playing this silly political game of making the DPP the scapegoat and attacking the institutions that are the very basis of our justice system. That is what the Premier has done. In doing that, the information that the Premier provided to this parliament has been since contradicted. It was contradicted by the Attorney-General when she took what was probably the only option that was left open to her, and it has also been contradicted by a number of different sources in the days that followed.

I believe that this parliament needs to get to the bottom of this issue. We cannot tolerate a situation where the Premier is prepared to come into the parliament and, for political purposes, mislead the parliament by providing information that reflects badly on the Office of the Director of Public Prosecutions and calls into question the integrity of the people who hold those positions. There is no doubt that what the Premier did 2½ weeks ago called into question the integrity of the Director of Public Prosecutions and called into question those integral parts of our justice system.

As I said, I will be writing to the Speaker asking for this matter to be referred to the Members' Ethics and Parliamentary Privileges Committee so that it can be resolved and so that these clouds of doubt can be removed.

Mr DEPUTY SPEAKER (Mr English): Order! Before calling the honourable member for Mansfield, I acknowledge in the gallery students, staff and parents from Churchill State School in the electorate of Ipswich, which is represented in the chamber by Rachel Nolan, the Government Deputy Whip.

Public Transport

Mr REEVES (Mansfield—ALP) (11.45 am): It gives me great pleasure in my first speech in the 52nd Parliament to be talking about one of my favourite subjects—public transport. I was thrilled when the Premier appointed me the parliamentary secretary for transport. As many members know, I am the No. 1 ticket holder of the South East Busway. When I became the first person to pay for a ticket on the busway, I knew that public transport in south-east Queensland would never be the same again.

The Beattie government's commitment to public transport has delivered a world-class public transport system for Queenslanders. The strength of this public transport system was never more apparent than during the recent temporary closure of the entire Riverside Expressway and the ongoing closures of the Ann and Alice streets on-ramps. Many Brisbane drivers were brought to a standstill, but nothing could stop our public transport system.

I commend the Minister for Transport and Main Roads on his response to the problems that were found in the structure of the expressway on-ramps. Closing the expressway was a hard decision to make, but it was the only option. The safety of drivers was always the utmost priority. I also wish to thank all the commuters who were stuck in the middle of this rather chaotic period for their patience and understanding. With starting and ending the working day in traffic jams clearly not desirable, drivers were quick to recognise the many advantages of our first-rate public transport system. The closures saw a spike in public transport patronage of 20 per cent on rail services, 10 per cent to 20 per cent on bus services and 23 per cent on ferries. This increase in the number of people who would normally drive their cars using public transport services resulted in a dramatic decrease in peak hour traffic congestion.

I commend the TransLink operators and staff who, during the initial closure of the entire Riverside Expressway, worked around the clock to ensure that extra services were provided along all the busiest corridors to meet this increase in demand. Additional train services and the upgrading of trains from three-car sets to six-car sets was scheduled for various peak hour services. In particular, QR Citytrain worked to continually increase the capacity of the Ipswich and Ferny Grove lines to alleviate pressure on Milton and Enoggera roads.

Extra bus services were also provided to meet passenger demand. The total number of Brisbane Transport buses on the road during peak times was 689. Usually, there are 679. Many bus services were diverted to take full advantage of the South East Busway. For example, all of the southern express services that would normally use the expressway were diverted onto the South East Busway. The volume of buses using the South East Busway increased by about 40 per cent. Despite this increase, the busway performed exceptionally well and beyond expectations.

To further deal with the increase in patronage, last week TransLink introduced \$3.5 million of additional bus services across Brisbane in an effort to get more people out of their cars and onto public transport. For example, the new 444 BUZ service introduced last week will deliver 74 extra services a day. This has the potential to carry an additional 2,035 passengers and take 1,480 cars off the road.

As the No. 1 ticket holder on the South East Busway, I can certainly say that no-one is as proud as I am of the busway's successful performance, which was evident during these past couple of weeks. The Riverside Expressway is one of the busiest stretches of road in south-east Queensland. It is vital for incoming and outgoing traffic into our city centre. However, the South East Busway played a key role in ensuring that Brisbane would not be shut down. Instead, it was business as usual.

Still today it is noticeable that, even with the Riverside Expressway open, many drivers have opted to stick to travelling to and from work on our public transport services. The Beattie government's committed investment in developing dedicated transport infrastructure has ensured that Brisbane residents can feel confident in leaving their cars at home and travelling to and from the city with ease.

The recent closure has surely reinforced to many Brisbane residents that public transport is a viable and efficient first option rather than the last choice. Therefore, honourable members, it is quite clear that a dedicated transport network—the centrepiece of which is the South East Busway—averted what could have been a major transport crisis over the past few weeks. Its performance provides clear support and justification for the construction of other vital busway infrastructure such as the eastern and northern busways. As Parliamentary Secretary to the Minister for Transport, I am looking forward to working alongside the minister on these very important projects.

Mr DEPUTY SPEAKER (Mr English): Order! Before calling the honourable member for Mudgeeraba, I would like to acknowledge in the public gallery staff, students and parents from Birkdale State School in the electorate of Cleveland, represented in the chamber by the Hon. Phil Weightman.

Hungarian Revolution 50-year Commemoration

Mrs REILLY (Mudgeeraba—ALP) (11.50 am): On 23 October 50 years ago thousands of Hungarians marched the streets of the capital Budapest in a peaceful protest calling for the end of Soviet oppression and poverty and a return to national statehood, democracy and freedom. Their peaceful rally and the posting of a 16-point manifesto outlining the people's demands was met by gunfire and force. Hundreds of unarmed civilians were killed. Over the next few days the Hungarian people fought back against their Soviet oppressors and the state police. They used Molotov cocktails to stop tanks. Men, women and children picked up guns for the first time in their lives and made weapons by hand to fight for their freedom.

After some initial bloody fighting it appeared they had won. Young communist soldiers deserted and joined the Hungarians and the Soviet hierarchy retreated. The Hungarians were quick to embrace their new-found freedom. Political prisoners, including Catholic clergymen, journalists, academics and politicians, were released from jail. Life seemed to return to normal as the state-run newspapers and radio fell and a proliferation of free media spoke of victory and national pride. Within days their five national newspapers, all owned by the communist Soviet Union, swelled to 28 independent papers—a clear indication that free media and free press are a mark of democracy. Farmers brought in food from the villages and gave it to the poor for free. What little money people had was donated to those who had lost loved ones in the bitter fighting. The United Nations was called on to provide support and recognition. But occupied with the Suez crisis and too weak-willed to defy the great Soviet Union they ignored the call.

The people appointed their own Prime Minister, Imre Nagy, and a cabinet was formed. But, sadly, their dream of freedom was short-lived as a traitor among them plotted with the Soviet government and communist forces regrouped. What was to be a banquet celebrating the new democratic Hungary on 3 November turned out to be a trap and the Prime Minister, Imre Nagy, and his colleagues were arrested. At dawn on 4 November some 19 ground force divisions, 19,000 soldiers and tanks backed by air power attacked the helpless Hungarian people with the full might of the Soviet Union. The revolution was quashed and the whole government, with the exception of the traitor, Janos Kadar, was arrested and eventually executed along with hundreds of freedom fighters. Thousands of young people were locked up in jails or taken to concentration camps in the Soviet Union. It is estimated that over a quarter of a million people fled Hungary in a period of four weeks. But the total number of victims will never be known.

When I was a little girl my father, Tibor Erdelyi, used to tell me stories about his life in Hungary and sometimes he talked to me about the events of 1956 because it was these events that led to his immigration to Australia. He told me about the bravery of young men and women, of children who stood up to tanks and guns, of lives lost and families torn apart by an oppressive regime and ingenuity, enterprise and courage of ordinary people. These stories ensured that I never take freedom and democracy for granted. I have marched as a student in peace rallies and march each year on Labour Day. I cannot imagine the horror of being shot at and watching my peers die by the hundreds for participating in such an activity.

I am most fortunate that my father escaped Hungary at that time and made his way to Australia where he met my mother, who had immigrated from Yugoslavia in 1957 under different circumstances. My father left Hungary so that his children and grandchildren could grow up in a free society. His struggle and his love of democracy has certainly been passed down to me, along with a certain stubborn persistence.

Anyone who knows a Hungarian or has been to Hungary will agree that Hungarians display the qualities of resilience, strength and determination—or stubbornness, my husband calls it—as well as passion and a fierce nationalism, honed over thousands of years but demonstrated for the first time in front of the cameras and in front of the world in 1956. But I can tell members that Hungarians are also exceedingly generous, compassionate, have an enormous work ethic, have great creativity and inventiveness and the ability to bounce back and never give up. These are qualities which I think many European migrants have brought to Australia.

Last week I joined with over 130 people, many of them original freedom fighters, Hungarian compatriots and their children and grandchildren, including five times world women's boxing champion Sharyn Anyos, to commemorate the events of 1956. The yearning for freedom like an eternal flame burned within the hearts of Hungarians and was finally realised in 1990.

I congratulate the organisers of this most moving ceremony—Alex Somogyi and Yvette Barta—and commend them for raising awareness of this historic event amongst the current generation of young people by running an essay competition and documentary film-making competition. I want to thank them for reminding those of us born with it that democracy is a precious jewel not to be taken for granted.

Patel, Dr J

Mr McARDLE (Caloundra—Lib) (11.55 am): I start by also joining with the Acting Attorney-General in wishing the member for Kurwongbah a very speedy recovery. He was absolutely right when he made the comment that this House can be very harsh and unforgiving. For people who are of a nature which means they cannot cope with that well, it can be critical to their health. I hope she and her family recover speedily and she is back in this House exceptionally soon.

Of late we have seen the role of the Office of the DPP and indeed the role of the director herself come under intense scrutiny as a consequence of actions by this government and, in particular, comments made by the Premier. One may ask: has the role itself been denigrated to the point that the office no longer maintains the independence expected of it? In my opinion, it is time to renew the expected and required roles of the Office of the DPP and the position of the Director of the DPP.

Equally, it is time for this House to renew and confirm the independence of that office. The Office of the DPP has a critical role to play in our own criminal justice system and is charged with ensuring that serious crime is prosecuted through the court and bringing to justice those who flout our laws. The office has many other duties and obligations but I would like to focus on its role in the criminal justice system. If the Director of the DPP is to perform, she must be financed and resourced adequately. Equally importantly, she must be independent from outside sources which attempt to interfere with that role. Without that independence the office becomes merely an extension of the government and the public perception and regard for the office falls. This not only results in a loss to the criminal justice system as a whole and the Office of the DPP but also attacks a cornerstone of the judicial system. It becomes a dependent body of this House.

It is important to look at what has recently occurred and what brings us to this very poor situation. In or about February this year the Office of the DPP was given a brief of evidence relating to Jayant Patel. The issue became alive in June this year when a meeting was held between the DPP and the then Attorney-General. The facts then become a little blurred, but suffice it to say that the former Attorney received advice from the DPP and then sought the advice of the Solicitor-General on the same topic.

The first point here is that the Attorney rejected the advice of the DPP—the sole officer charged to investigate the matter on behalf of the people of Queensland. The second point is that the former Attorney then sought advice from a second legal officer who is not, as far as can be judged, in possession of the brief of evidence and that officer's advice was preferred to that of the DPP.

It is interesting to note that the Acting Attorney-General today stated that the brief of evidence before the DPP consists of some 35,000 documents and that that documentation has been with that officer since February 2006. It is somewhat difficult to understand how a second legal officer, without full access to all those documents, was able to prepare a legal advice that was preferred over that of the DPP.

There has been a clear decision made to reject the advice of the independent body charged with determining this very important question. This can only be seen as depreciating the role of the DPP and is seen as a fishing expedition to obtain advices to sustain a desired position. It is interesting to note that Sue Lappeman in the weekend bulletin of 21-22 October quotes the Premier as saying—

I have to be frank here, if you have the advice of the DPP and the advice of Walter Sofronoff—you have to make a choice.

In my opinion, in making that statement the Premier perpetuates the lack of independence of the DPP, depreciates that person's and that officer's role and, in fact, attacks the very cornerstone of our criminal justice system. If that is the case, why have a DPP at all? In essence, why not farm out the documentation to various barristers throughout Brisbane and obtain the advices that he seeks to satisfy his political gains? The Premier's statement perpetuates the decreased role of the DPP in this state and critically undermines the further action that that office may take in regard to this matter or, for that matter, in other matters.

Finally, in 1994 the New South Wales Court of Criminal Appeal said—

What is the object of having a Director of Public Prosecutions? Obviously, it is to ensure a high degree of independence in the vital task of making prosecution decisions and exercising prosecution discretions.

Time expired.

Traffic Light Food Labelling System

Ms STRUTHERS (Algeria—ALP) (12.00 pm): I ask members when the last time was that they read the nutritional information on the back of a cereal packet? Have they noticed the Heart Foundation tick on some food products? If they have travelled QantasLink recently, did they eat a muffin with the heart tick? What does all this food labelling mean and can consumers understand it? Is there a better system?

The Queensland government has supported an investigation into the traffic light labelling system for packaged food. States, territories and the Commonwealth have asked food authorities to investigate introducing the traffic light system for food packaging across Australia following a push by the South Australian Labor government.

At the Australia and New Zealand Food Regulation Ministerial Council that I attended last week in Sydney, it was agreed that front-of-package labelling be investigated. A report will be presented to ministers at the next ministerial council meeting. The apparent advantage of the traffic light labelling system is that it could really simplify information for consumers. We want people to be able to easily understand this information by looking at red, green or amber symbols on packets. In that way, they can make good choices about their food.

For example, the Heart Foundation tick is fairly easy to understand. Tick-approved foods have to meet strict standards for saturated fat, trans fat, salt and kilojoules. A study published in 2003 found that in Australia the Heart Foundation tick was the incentive for removing 235 tonnes of salt annually from the food supply.

Most nutritional information is found on the back of packages. This is often confusing for people. The traffic light system provides consumers with information at a glance. It tells shoppers the content of total fats, saturated fats, and salt and sugar in food using red, amber and green traffic lights. For example, a product may be low in fat at 7.7 grams per serving, low in saturates at 2 grams per serving but high in sugar getting the red light with 42.2 grams per serving and an amber light for the salt content at 2 grams. The system gives people an easy sense of what is in that product.

The Queensland government is determined to tackle obesity. Easy-to-read nutritional information on the front of packages is one small step to help people make good healthy eating choices. Under the system, the red, amber and green signposts would be listed on packaging to indicate the total level of fats, saturated fats, sugar and salt per serving of the product. People can easily look at products and make choices amongst various products using this kind of system.

The traffic light system is already in use on a voluntary basis in the UK and has been well received. It has widespread support from major supermarkets such as Sainsbury's and Waitrose. There is evidence that food producers are making their foods healthier to attract green and amber lights for their packaging. In the UK, the labelling applies to a range of food including ready-to-eat meals, breakfast cereals, pizzas, sandwiches and a whole range of things.

I think that most Queenslanders would be surprised to know that more than half of our adult population is overweight or obese. It is now universally accepted that people who exercise regularly and eat healthy food have substantially lower risks of a range of chronic diseases like coronary heart disease, stroke, type 2 diabetes, obesity and several major cancers. Possibly more disturbing is the fact that one in four of our children are also affected.

It is encouraging to see that schools and community groups in my local area, such as the Sixty and Better group, are doing a lot of keep-active and fitness programs. That is the way to keep moving forward, but we also need systems such as food labelling that can help people make healthier choices.

Addressing the causes of obesity is a key priority of the Queensland government. We have invested \$155 million in a chronic diseases strategy. It is a good investment given that the cost of obesity to the Australian health system is estimated at a whopping \$873 million annually. Healthy eating is a matter of life or death and the choice is our own.

Child Safety, Disabilities and Mental Health Policy

Mrs STUCKEY (Currumbin—Lib) (12.05 pm): In laying the foundations for the approach that the coalition will be taking towards child safety, disabilities and mental health policy, may I say I look forward to working with both of the ministers responsible for these important areas during this term to achieve better outcomes for those they purport to serve. I make a commitment to pursuing deficiencies previously identified in various investigations and reports, and will be closely monitoring the status of recommendations not yet implemented.

This government continually uses privacy provisions to shield itself from scrutiny. As long as all complaints bodies remain part of the system, transparency and fairness cannot be fully achieved. Over the past decade, the Beattie government has increasingly imposed the burden of caring for the disabled, the mentally ill and victims of abuse onto families, clearly abrogating its responsibility to them with policies that have had reckless and callous disregard for family members. However, all we hear from this government is that it is spending more than previous governments. Statements like those offer absolutely no joy for sufferers and are simple in the extreme. With rapid population growth, of course governments should be spending more.

It is appalling that Queensland has the lowest per capita spend of all Australian states and territories: \$2,867 compared to Victoria with \$5,461. In 2005, DSQ figures stated that 14,179 people were registered for individual funding support, yet only 7,945 people received some support and, I might

say, that may have been for only an hour. The Beattie government has exhibited a lack of vision by failing to assess the size of the problem and subsequently has allocated inadequate funding. People do not want boasting and excuses; they want solutions.

Recent statistics have shown that on average one child in the care of the Queensland Department of Child Safety dies every week. That disgraceful statistic highlights the urgent need to improve the service delivery times and review the efficacy of the whole system. Because of necessary provisions that prevent the identification of children and ensure that any investigations are conducted in secrecy, Queenslanders will never know the truth about those deaths. Similar secrecy surrounds mental health and disability service laws.

It has been more than 40 years since Queensland deinstitutionalised mental health services. Under this policy, it was believed that the response to a problem that afflicts one in five Queenslanders could be better provided in the community rather than in the prison-like facilities that existed in the past. Governments were quick to hand to the community the responsibility of looking after the mentally ill and promised to channel money into mental health.

During the recent election campaign, the Premier told television viewers that he would support mental health, but we are yet to see any real solutions. Despite statements that this year more than \$340 million will be spent on mental health by the Beattie government, less than five per cent of this is provided to community groups to fund support services. The majority of this funding is used to fund a small number of public hospital beds that can only cater for the most chronic cases. Only seven per cent of the health budget is directed to mental health, yet it represents 12 per cent of health problems.

It is apparent from the report released on 25 October this year, *Achieving balance: Queensland review of fatal mental health sentinel events 2002-03*, that this state government is not addressing staff per population ratios in a timely or efficient manner. I refer to page 80 and to appendix G of this report, which clearly states that in 2002-03 this state was not even at two-thirds of the way towards reaching the target of 30 staff per 100,000 population. This bandaid approach leaves few resources for community based support services that have the capacity to help prevent less severe cases from becoming chronic. As a matter of priority, funding must be made available for step-down beds and supported accommodation units in major Queensland centres, together with better support for mental health patients in the community via non-government organisations.

Tragic outcomes confront families on a daily basis in the areas of child safety, mental health and, more recently, in the area of disability services. In one more publicised case recently, a family threatened to make their disabled child a ward of the state because they could not access adequate respite care. Last week I spent an hour on the phone late in the evening trying to talk another distraught parent out of taking the life of himself and his severely autistic son. It is beyond my belief how many of these people cope for so long without any access to respite.

Therefore, the minister's reaction to an innocent question from me earlier this month was most disappointing as he failed to explain what he intended to do to support families that are clearly at breaking point. High on my priority list is the support of people who have difficulty seeking justice and to address inequities in a system screaming for more resources, with caseworkers bearing the burden of ever-expanding and unrealistic workloads. I will work towards seeking reforms to provide these community services through consultation with a wide range of stakeholder groups. Failure to do so will present tragic consequences.

Petrol Pricing

Mr HOOLIHAN (Keppel—ALP) (12.10 pm): Why will the Commonwealth not take immediate action to address the concerns of Australians in relation to fuel prices? We know the price of a barrel of oil did rise dramatically, but it has now fallen and some people in Queensland are benefiting from that fall but not the people of the Capricorn region.

When I left Yeppoon yesterday, ordinary unleaded fuel was 116.9c per litre, both there and in Rockhampton, with a couple of exceptions; with the lowest price at 113.7c at United in Yeppoon. Interestingly, that is for premium unleaded which contains up to 10 per cent ethanol, proving that our government's proposals for ethanol should contribute to lower prices.

Imagine my surprise when I travelled from the Brisbane airport and found that unleaded petrol was 95.9c per litre at most of the service stations which I passed. The people of central Queensland are being treated shamefully by fuel companies and the federal government is doing nothing about it. I am not talking about excise or GST because we pay that throughout Queensland, but how is it possible for all retail outlets in a given region to arrive at exactly the same price? People would like to know how much it costs to transport a litre of petrol—certainly not 21c, which is the differential at present.

The federal government did remove a 1c and 2c transport differential payment for regional transport but 10 times that amount as the result is not even good mathematics. Other areas also pay more than Brisbane, but is there the same lack of variation in the price? Leasing or site fees may be

higher in metropolitan areas but other operating costs such as wages and other overheads would be relatively the same. Our government returns 8.354c per litre to consumers through the oil companies because of excise arrangements which resulted from every other state having a fuel tax but Queensland, which did not, and the High Court struck down those fuel taxes as an excise.

What happens to that rebate? It does not seem to be reflected in fuel prices in our region. I will be speaking to the Deputy Premier and Treasurer to ensure that it is being returned to motorists. In our area I believe it is being pocketed by the oil companies. That is one explanation for the high prices. Perhaps it is time to consider some proposal which will return that money to motorists at the bowlers. A swipe card provided with vehicle registration which gives a specific reduction in the pump price may be one answer.

Any approaches to the federal government for action are met with an argument that it can do nothing about the price. It says market arrangements or competition will reduce the price, but it never does. We are told that the ACCC is not able to regulate the retail price, but that is only because the government removed that power.

I would suggest that the current extortionate actions in central Queensland are capable of investigation as it smacks of collusion and price fixing, pure and simple. Those matters are still the province of the ACCC when I last checked the law in Australia. Why are we paying these people when they do nothing to help the people they were set up to protect? They are about as useful as a hip-pocket in a singlet.

I know that the member for Rockhampton, the Minister for Public Works and Housing, the Hon. Robert Schwarten, has major concerns about the situation in Rockhampton and has called for an inquiry by the ACCC with no results at present. The member for Fitzroy, Jim Pearce, has the same concerns because the people of his electorate have outlets which buy their fuel in Rockhampton. Most outlets are now owned by the fuel companies, as they have forced the small operators out of business and it is now open slather. I know that we have come to rely on motor vehicles and these high prices are worn by private motorists, but these circumstances flow through to many smaller businesses which cannot absorb the costs. They either put up their prices or go broke. There are a number of business operations which are not able to raise their costs because they are either fixed or agreed under government regulation—I refer to taxis and bus operators.

It is criminal that oil companies are able to act in the manner in which they are presently acting, profiteering without any action by the Commonwealth or the ACCC. They have shown their full disregard for the people of Queensland and central Queensland in particular. I call on all of them to get out of their ivory tower and realise that their intransigence is hurting the people who they claim to represent and to do something about the rip-off in oil prices and petrol prices.

Drought Assistance

Mr HORAN (Toowoomba South—NPA) (12.15 pm): With some 60 per cent of Queensland already droughted, I want to speak today about the very serious issues facing our state and, in particular, the farming families of Queensland. I also want to point out how the Queensland government is not doing anything additional to help these people, whereas there has been a massive announcement of assistance by the federal government and very substantial packages put forward by both the Victorian and the New South Wales governments.

The Victorian package provides immediate relief for irrigators via a \$5,000 rebate on rural water bills where the allocation of water is less than 50 per cent. Irrigators whose water bill is more than \$5,000 will be able to defer the remainder of the payment for up to five years interest free and the rebate will cover water bills for 75 per cent of irrigators. Compare that with Queensland where we have many people paying for water they simply do not get because it is not available.

The New South Wales package is comprehensive. It already provides a \$250 million package but also has a \$30 million emergency relief package for families on the brink. It has a mental health package that provides assistance by providing mental health workers to be transferred to the bush immediately, for bush GPs to be trained in emergency mental health treatment, 50 mental health first aid training sessions for frontline health workers and a partnership with the depression organisation beyondblue to give country families access to services addressing depression and anxiety.

In addition, it is providing assistance to help with paying household bills, payroll tax relief for small business and waiving farming levies and fees, including water levies. This drought package provides \$1 million in payroll tax relief for small businesses in the bush and more help for families to pay their household expenses and, importantly, their utility bills. The extra drought relief that farmers will be given will include a waiver of water fees and a range of levies that will be deferred until they get back on their feet.

So what is Premier Beattie and the primary industries minister in Queensland doing about this massive problem we have in Queensland with more than 60 per cent of the state droughted and with a massive reduction in grain production this year right across not only our state but Australia? Well, they are giving us some more information services. Isn't that typical of this government, which likes to come out with posters, magazines and all sorts of strategies and plans? Whilst it might be helpful for the people of western Queensland to be provided with information on what is available, in particular through the federal government's Exceptional Circumstances program, what the people of western Queensland and the rest of the state who are beset by drought need is some real and practical help and assistance.

The Beattie government's new drought measures have no new money for small businesses, no new support for families, no waiving of fees for irrigators who are receiving little or no water allocations, no waiving of any fees and no tax relief. They are left with the exact same system they had before of assistance with fodder, transport of fodder and transport of agistment cattle one way.

In the ABARE report we find that the national wheat crop is forecast to be down 15.5 million tonnes from last season. It is the smallest since the nine million tonnes produced in 1994-95. The barley crop is down 64 per cent. The saleyard indicator price for beef cattle is forecast to fall by 13 per cent. We are going to have a real disaster in our intensive industries with the price of grain. Grain, now \$310 to \$350 a tonne, has a dramatic impact on the dairy, poultry, piggery and the feedlot industry.

One of the things I want to call on the primary industries minister to do is to gather together all of the heads of our various industry organisations, such as QFF and Agforce, and the retail organisations, such as Coles, Woolworths and the others, and bring about a decent price increase for those people who are going under because of the cost of the inputs of this drought. If they can get a price increase for dairy farmers, for example, they need to ensure that it does not go to the processors but directly to the farmers.

We now need two things in this state: firstly, an immediate new package from the government additional to what it provides now to provide practical, on-the-ground support—not information evenings. We need some real waiving of payroll tax for small businesses in country towns, some decent financial assistance to help people get through this particular drought and contribute to the state again. Secondly, we need an emergency meeting with all those involved in wholesale and retail to ensure they get fair compensation for the additional inputs they are faced with now.

Climate Change

Ms NOLAN (Ipswich—ALP) (12.20 pm): This morning Brisbane woke to the news that the impact of climate change has finally been quantified, and the cost projected by the reputable Stern inquiry in the UK puts the cost of doing nothing at a whopping \$9,000 billion. Climate change is not new news. It has been on the public agenda for 20 years. For all that time the smart people in the sciences and the environment movement have argued that we should not need an economic reason to live sustainably. The progressive economists have consistently warned that the cost of doing nothing will far outweigh the cost of abatement. They have both been right.

In Australia the message came more than a year ago from the Business Round Table on Climate Change, an organisation set up by the Australian Conservation Foundation, of which I am a long-time member, and involving businesses like BP, Visy and IAG Insurance. They were all calling on the federal government to finally take this issue seriously.

The fact that the Howard government has been in office in Australia for more than 10 years and is only now beginning to pay lip-service to this issue is a shocking indictment. Australia's record on climate change is an horrific one. Of all the countries in the world, Australia has the 12th highest level of per capita greenhouse gas emissions behind the rich countries of the Middle East, a handful of tiny island nations and the United States. The Australian Greenhouse Office reports that half of our emissions come from stationary energy—that is, power stations—16 per cent comes from agriculture and 13 per cent from transport. As the Howard government has ignored the evidence on climate change, one of its biggest arguments has been that Australians will not cop the changes in lifestyle and behaviour needed to drastically cut back on each individual's greenhouse gas emissions. It has grossly underestimated the Australian people and it has been wrong.

In November 2005, even before the drought and the release of *An Inconvenient Truth* pushed the issue onto the front pages, a Morgan poll found that Australians were looking for leadership. Sixty-seven per cent of Australians agreed with the statement, 'If we don't act now on climate change it will be too late.' Far from shying away from this issue, Australians want to do their bit to fix it and they want help to know how. For that reason, I have got together with a number of Ipswich businesses led by former Ipswich Young Businessman of the Year James Sturges to develop an Ipswich greenhouse challenge. The challenge will see local businesses like the Bendigo Bank, Ross Llewellyn Motors and others join with the EPA to provide information and services to local people looking to reduce their greenhouse impact. We are setting up a green card system so local businesses can provide their services to be accessed through the card.

In *An Inconvenient Truth*, Al Gore identified, for instance, that checking car tyres regularly can lead to fuel savings of up to three per cent. As of today, Ross Llewellyn's has started offering tyre checks as a free community service. We know that better house design can overcome the need for air-conditioning. The Bendigo Bank provides cheaper green loans for sustainable housing. We will be looking to distribute energy-saving light bulbs in the community and we will be working with the Ipswich Hospital Foundation to save emissions through walk- or ride-to-work days. In conjunction with Toyota and Planet Ark, we will get involved in National Tree Day in revegetating sensitive areas. With the help of the EPA through its groundbreaking Sustainable Industries Division, we will set targets for how much greenhouse gas can be saved by the Ipswich community.

The people of Australia should not be underestimated when it comes to fronting up on the big issues. This, along with peak oil, is the biggest. Between them, the businesses involved in the greenhouse challenge touch well over 50,000 people a year. That is 50,000 people just for starters in Ipswich who will now have the power to make a difference.

Maryborough Pub Crawl

Mr FOLEY (Maryborough—Ind) (12.24 pm): Most members here would know that if pubs had to rely on my alcohol consumption they would go broke overnight. However, Maryborough is very famous in that it is the pub crawl capital of the world. The 'ashes' have just been fought again and we want to bring them back.

Mr Lawlor interjected.

Mr FOLEY: I take that interjection from the very famous drinker from Southport. The Poms have now pinched the world pub crawl record by 41, and Maryborough is vowing to get it back next year. The loss of the pub crawl record has been equated to the Ashes and the Rugby World Cup as a group of Londoners claim they have now set a new record of 2,278 participants. However, unlike Maryborough's record, this claim has not yet been lodged with the *Guinness Book of World Records*. Maryborough set the first world pub crawl record acknowledged by Guinness—that is the *Guinness Book of World Records*, not the Guinness brewery—with 1,198 crawlers in June last year. In June this year between 3,500 and 4,000 people prowled the city's 17 pubs to notch up a new record of 2,237, which has also been verified by Guinness World Records. The London attempt, however, made by the sneaky Poms, was made by 2,700 pub crawlers organised into teams of about 150 on 14 October. They had a very rigid framework in that the Poms stopped and handed in their cards after getting to about 10 pubs whereas the Maryborough participants went around all 17 pubs in the city.

We need to also look at the population of London compared with the population of humble Maryborough. The Maryborough effort in being outdone by 41 participants means that on a per capita basis we gave them the mother of all floggings. In reality, comparing seven million people with 26,000 people, I think we have done pretty well.

We will be out in force again. When I say 'we', I must say that we are actually going to invite the member for Southport up to lead the charge because of his prowess. He is going to be the captain of the Maryborough 'ashes' team. In all seriousness, we are going to set the record again next year but we do need the help of the Premier to call off the dogs. Unlike the very freestyle London event, a lot of publicans who were trying to do the right thing were severely harassed by members of the Licensing Commission. I call on the Premier to get the department to take a more humane approach. This is a great event. It is a huge money spinner for Maryborough. It has become quite a hub of national and international tourism, but it is spoiled when a number of publicans say, 'We will not be in it next year because of all the fines involved.' These things need to be looked at in the light of a community event and looked over in the spirit in which they were intended. I ask the Premier to call off the dogs a little bit so that we can be on an equal footing with London and bring back the 'ashes' to Australia.

Mackay-Whitsunday Region, Great Walks

Ms JARRATT (Whitsunday—ALP) (12.28 pm): One of the Beattie government's greatest contributions to the Mackay-Whitsunday region has been the creation of not one, but two Great Walks as part of its \$10 million initiative that will deliver six Great Walks along the length and breadth of this wonderfully diverse state. We are very fortunate in my region to have two fantastic walks now open to tourists and locals alike. The Mackay Highlands Great Walk takes people through cool, cloudy rainforests, towering trees, dense palm groves and open forests. Along the way visitors can view stunning cliffs, peaks and spires that contribute to the diverse and fascinating landscape along the 56-kilometre walk.

In my electorate we are fortunate to have the wonderful Whitsunday Great Walk where visitors can take a leisurely three-day stroll through some of the best and most pristine rainforest in north Queensland as well as taking in spectacular views across the Whitsunday islands and out to the Great Barrier Reef.

Madam Deputy Speaker, having declared myself an unabashed advocate for the concept of Great Walks, you can only imagine my delight when during the recent election campaign the Premier announced that the Whitsundays is set to become home to a second Great Walk to be known as Reef Walk. This new walk will traverse both Hook and Whitsunday islands, providing spectacular views across the famous Whitehaven Beach and Hill Inlet. I now eagerly await further details of the proposed time frames for the creation of this new walk because I know that it will give the Whitsundays an unprecedented edge in destination marketing. I can see it now—74 islands and two Great Walks. Bring it on.

But what I really wanted to bring to the attention of the House today is a recent event, a world first, that brought together our love of sport with our love of the Great Walk concept. The Whitsundays recently hosted the world's first Great Walk run that saw 101 fit and able runners sign up to take on the 28-kilometre walking trail in what can only be described as an extreme day out. Just walking the track in three days is quite a claim to fame, but to willingly and knowingly subject oneself to running the course I think deserves special accolades and recognition. Credit for this novel event can be shared by a range of people, including the Whitsunday Shire Council and the Queensland Parks and Wildlife Service, but the original idea was bought to me by local Whitsunday shire councillor Charlie Large, who I believe never sleeps but spends his time coming up with great ideas to promote the local area.

The idea was taken up with great enthusiasm by the council, QPWS and local businesspeople who provided sponsorship for the event. Word of the intended event spread quickly and before long the run was fully subscribed, with runners coming from interstate and, of course, there was a large local contingent. Safety of the runners was a high priority for organisers, who enlisted the assistance of the SES, the police, the Whitsunday Airport and Helibiz, which provided air support for the run.

The Great Walk run was held on 24 September, with 96 runners taking to the track at the Brandy Creek end of the trail at 8 am. So how long would you expect it would take to run the 28 kilometres—much of it on a near vertical plane? Eight hours? Four hours? Well, if you are like me, you will be aghast to learn that the first runner to complete the event, Mr David Osmond from Canberra, crossed the finish line in just two hours five minutes and 26 seconds after the start. What an amazing effort! The first woman to complete the course was world champion long distance mountain runner Emma Murray in two hours 17 minutes and 38 seconds.

Local runners featured in the top five, with Mackay runner Allan Mullen coming second, Hamilton Island man Stephen Jackson third and Peter Moore from Proserpine fifth. All runners I spoke to were high in praise of the event and were determined to return in 2007. So I congratulate the organisers, who through their efforts have promoted sport and a healthy lifestyle as well as further promoting the Whitsundays and capturing yet another niche of the destination marketing sector.

Speaking of promoting our area, the Queensland Events Regional Development Program has done it again in my electorate with its sponsorship of the Whitsunday Fantasea Reef Festival, which runs from 3 to 12 November. I am really looking forward to representing the Premier on Friday night at cracker night and the opening of this fantastic event that will showcase our wonderful lifestyle and feature the ocean and the reef to visitors and locals alike. It is really important that our local residents who live in a tourist town have the opportunity to take part in the events of this fantastic festival. We are going to enjoy an esplanade dinner, a comedy gala, groove under the stars, a parade, a foreshore festival and much more. Madam Deputy Speaker, 74 islands—one great community.

Time expired.

Madam DEPUTY SPEAKER (Ms van Litsenburg): Order! The time for matters of public interest has expired.

STATE PENALTIES ENFORCEMENT AND OTHER LEGISLATION AMENDMENT BILL

First Reading

Hon. RJ WELFORD (Everton—ALP) (Acting Attorney-General and Minister for Justice and Women) (12.33 pm): I present a bill for an act to amend the State Penalties Enforcement Act 1999 and other acts administered by the Attorney-General and Minister for Justice and Women. I present the explanatory notes, and I move—

That the bill be now read a first time.

Motion agreed to.

Second Reading

Hon. RJ WELFORD (Everton—ALP) (Acting Attorney-General and Minister for Justice and Women) (12.33 pm): I move—

That the bill be now read a second time.

This bill addresses a number of matters. Fines and monetary penalties issued in Queensland are collected and enforced by the State Penalties Enforcement Registry. SPER, as it is otherwise known, commenced operation in 2000 and is created by the State Penalties Enforcement Act 1999. SPER collects and enforces most court ordered fines, infringement notice penalties and fees, compensation and restitution and amounts forfeited under undertakings and recognisances.

This bill improves the operation of SPER's fine collection system. It amends the State Penalties Enforcement Act 1999, the Bail Act 1980, the Justices Act 1886 and the Penalties and Sentences Act 1992. The bill will give debtors more payment options and those options will be available earlier.

We know that the sooner contact is made with a debtor the more likely it is that the debt will be paid. Currently when a court makes an order for a fine or monetary penalty, the debtor is given a period of time to pay the amount, which is usually three months. The court may also make an order so that, if the debtor fails to pay the amount within the 'time to pay' period, a period of default imprisonment may be imposed. Once the 'time to pay' period has expired and the amount remains unpaid, the proper officer of the court has a choice to either issue a warrant for the arrest and imprisonment of the debtor or to give particulars of the unpaid amount to SPER for SPER to collect and enforce.

Usually court ordered fines that are unpaid at the end of the 'time to pay' period are registered with SPER. Of the court ordered fines and penalties made, 40 per cent of debtors pay their fines to the court within the 'time to pay' period. The other 60 per cent are registered with SPER for collection and enforcement, and this occurs after the 'time to pay' period has elapsed. However, as 90 per cent of SPER debtors pay through methods not available to the courts—for instance, Centrelink debits—these effective payment methods cannot be used in the 'time to pay' period.

The amendments in this bill will allow the proper officer of the court to give SPER the particulars of unpaid amounts at any time after the court order is made. The court may also order that the proper officer is to register particulars of the fine or penalty with SPER. The early registration of court ordered fines and penalties with SPER will improve the effectiveness of collection of these amounts through the use of SPER's largely automated fine collection system.

Court debtors will also have access at an early stage to a range of flexible payment options offered by SPER, such as Centrelink debits, direct debits and 24-hour telephone and internet banking. There will be no additional costs to the debtor to register their fine during the 'time to pay' period with SPER.

The bill also expands the types of court orders and penalties that can be collected by SPER. The additional orders will be those ordered under sections 182A and 185 of the Penalties and Sentences Act 1999 and monetary amounts ordered under section 161A of the Justices Act 1886.

The bill also includes amendments to streamline the current SPER system, which will benefit the debtor and improve the effectiveness of SPER's fine collection processes. I seek leave to have the remainder of my second reading speech incorporated in *Hansard*.

Leave granted.

First, an amendment in the bill will ensure all unpaid amounts of a debtor are included in the one instalment payment plan issued to the debtor.

Second, the bill will allow a debtor to make use of the phone or internet when making an application to SPER for various matters instead of being limited to written applications only.

This bill also provides the SPER Registrar with greater flexibility to make good behaviour orders for debtors.

Under the current law, the SPER Registrar is able to make a good behaviour order only after the debtor has provided a report from a doctor to confirm that the debtor is not suitable to perform community service, cannot pay or continue to pay the fine and it is inappropriate for payment to be enforced by the issuing of an arrest and imprisonment warrant by the SPER registrar.

In practice, because of these mandatory requirements, there are very few good behaviour orders being made, even though the circumstances indicate that an order of this nature would be appropriate.

This has disadvantaged vulnerable debtors in the SPER system, such as the homeless, mentally ill and those with impaired decision-making ability.

Under the bill, the SPER Registrar may make a good behaviour order if satisfied that the debtor is unable to pay the fine and is not suitable for community service or imprisonment.

In making the good behaviour order, the SPER Registrar may have regard to any expert advice the SPER Registrar considers appropriate.

The bill also includes new provisions enabling the SPER Registrar to write off unpaid fines.

SPER has identified debts, some dating back to the 1970s, that cannot be enforced or collected because the debtor has died, or the debtor is a corporation that has been deregistered, or there is insufficient information available to SPER which identifies the debtor to establish their liability for the fine.

Currently the Governor, under section 115(5) of the State Penalties Enforcement Act 1999, is the only person who can waive all or part of a fine.

New South Wales, Victoria and the Northern Territory have legislation which provides for their fine enforcement agency to write off debts.

In New South Wales and South Australia, the Attorney-General may, in addition to the legislative authority to write off debts, issue confidential guidelines about writing off unpaid fines.

The amendments in this bill will allow the SPER Registrar to write off fines when the debtor has died or when the debtor is a corporation that has been deregistered or when there is insufficient information to establish the identity of the person liable to pay the amount.

Write-offs will also be permitted under guidelines issued by the Minister.

The guidelines are not made public to prevent debtors becoming aware of and exploiting any possible loopholes to avoid paying fines.

The bill will also improve SPER's ability to identify debtors through better access to information. SPER can then contact debtors to offer suitable payment options instead of issuing arrest warrants for imprisonment.

Under the current law however, the only information provided to SPER from a prosecuting or investigatory body is the debtor's name and address.

The bill will permit SPER to obtain certain information from investigatory and prosecuting agencies to assist with the identification and location of debtors.

The bill also makes minor amendments to the Guardianship and Administration Act 2000 and the Land and Resources Tribunal Act 1999.

The Guardianship and Administration Act is amended to provide that the positions of adult guardian and public advocate do not need to be advertised when those officers are reappointed.

This amendment brings the advertising requirements for these positions in line with the requirements for the president, deputy president and tribunal members of the Guardianship and Administration Tribunal.

The Land and Resources Tribunal Act is amended to provide that one or more deputies may constitute the presiding members of the tribunal, instead of the requirement that two or more deputies may constitute the presiding members of the tribunal.

I commend the bill to the House.

Debate, on motion of Mr Messenger, adjourned.

EDUCATION LEGISLATION AMENDMENT BILL

First Reading

Hon. RJ WELFORD (Everton—ALP) (Minister for Education and Training and Minister for the Arts) (12.38 pm): I present a bill for an act to amend acts administered by the Minister for Education and Training and Minister for the Arts, 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. RJ WELFORD (Everton—ALP) (Minister for Education and Training and Minister for the Arts) (12.39 pm): I move—

That the bill be now read a second time.

The Education Legislation Amendment Bill 2006, which I have just introduced to the House, provides for the introduction of the Queensland Certificate of Education, or QCE. This new senior secondary qualification will be issued from 2008. The QCE is more than a record of achievement; it is a passport to work, training and further learning. It confirms that a person has achieved a significant amount of learning at a set standard and met literacy and numeracy requirements. Students starting year 10 this year are the first to work towards the new QCE. The bill will provide the QSA with the authority to issue the QCE and the new statements of results which detail a student's achievement. In addition, the bill will enable the QSA to maintain student accounts for the purposes of certification.

Student accounts were introduced with the Youth Participation in Education and Training Act 2003 to ensure participation in education or training by students until they turn 17 years of age or are awarded a senior secondary certificate. These provisions were then included in the Education (General Provisions) Act 2006. The bill before the House will consolidate these existing provisions in the Education (Queensland Studies Authority) Act 2002. This amalgamation into the one act promotes simplicity, avoids duplication and will benefit consumers such as providers, students and parents. Providers will not need to consider multiple acts to determine the rules relevant to the QSA's administration of student accounts and their obligations under those rules. Wherever possible, the bill preserves the provisions that are being transferred from the Education (General Provisions) Act 2006.

Some amendments have been made to enable the QSA to perform its certification function and to allow the accounts to be used by students who are not in compulsory participation. The QCE and new statements of results will be issued from December 2008 to eligible students. The regulation for the bill will contain further detail about eligibility requirements, including the standards of learning and achievements that must be attained for the award of the QCE. I seek leave to incorporate the remainder of my second reading speech in *Hansard*.

Leave granted.

The new student account provisions being introduced in the Bill determine who can open a student account, what information is to be collected in students' accounts, how this information is to be provided to the QSA, and what information can be disclosed to schools and other providers, students and their parents, and the Director-General of the Department administering education and training.

These provisions include:

- enabling student accounts to be opened for students beyond compulsory participation
- allowing personal, result, and enrolment information for certification studies to be provided to the QSA and enabling the QSA to record that information
- providing access to information for the student, school, and parents who are all partners in the student's passage through senior secondary education
- providing limited access to information for providers who are not schools
- allowing specific disclosure of information from student accounts to the Director-General of the department administering education and training to facilitate planning and reporting.

The Bill allows providers to use authorised agents to pass on information for some purposes.

To ensure that information in student accounts can be kept up to date, providers are obliged to notify any changes or corrections.

The Bill ensures confidentiality is balanced with the need for disclosure so that the accuracy of information can be checked.

Allowance has been made for students to provide results of studies that can contribute to their QCE directly to the QSA. This will assist students who have undertaken studies in other States or overseas to gain recognition for their learning for their QCE.

It will also allow students who engage in studies related to workplace, community and self directed learning projects gain credit for their work.

In recognition of a wide range of learning and learning environments, further allowance has been made for the QSA to employ casual staff to assist with the approval of individual students' participation in tailored programs including the workplace community and self directed learning projects mentioned above.

In addition, as a potential cost-saving measure, the Bill expands the QSA's syllabus development function to enable the QSA to purchase syllabuses at a lower cost than it would take to develop a comparable syllabus.

The Bill also amends the Education (Queensland College of Teachers) Act 2005 to preclude a person from becoming, or continuing as, a member of the Teachers Disciplinary Committee if the person is, or has been, convicted of an indictable offence and the conviction is not a spent conviction.

The Bill will include a power for the Minister to ask the commissioner of police for a criminal history report about a person, to help in deciding whether a person is disqualified from membership of the Committee.

These amendments will provide parity with the existing provisions about disqualification from membership of the Queensland College of Teachers Board.

I commend the Bill to the House.

Debate, on motion of Mr Messenger, adjourned.

MEDICAL BOARD (ADMINISTRATION) BILL

First Reading

Hon. S ROBERTSON (Stretton—ALP) (Minister for Health) (12.42 pm): I present a bill for an act to provide for administrative arrangements for the Medical Board of Queensland, 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. S ROBERTSON (Stretton—ALP) (Minister for Health) (12.42 pm): I move—

That the bill be now read a second time.

I am pleased to introduce today the Medical Board (Administration) Bill 2006, which gives effect to the government's commitment to introduce legislation to create a new Office of the Medical Board within the first 100 days of this term of office. Currently, medical practitioners are registered by the Medical Board of Queensland—the board. Other health practitioners are registered by separate boards.

However, the Office of the Health Practitioner Registration Boards, or OHPRB, provides administrative support to all health practitioner registration boards to assist them in discharging their statutory functions. The OHPRB also assists the boards in obtaining and interpreting applicants' criminal histories and processing for approval by the boards applications for registration.

This bill establishes the new Office of the Medical Board, an office with a dedicated focus on the quality and timeliness of medical practitioner registration. The bill essentially replicates the Health Practitioners Registration Boards (Administration) Act 1999, with the necessary changes to reflect that the new Office of the Medical Board will support the Medical Board of Queensland exclusively. As with the OHPRB, the core business of the new Office of the Medical Board will be to provide support services to the Medical Board in accordance with a negotiated service agreement. The office will be established as a public service office under the Public Service Act 1996 and be controlled by an executive officer whose responsibility it will be to ensure that the office functions effectively and efficiently. A chief executive officer is to be appointed by the end of 2006 and will be responsible for the advertising and recruitment of staff for the new office.

The establishment of the new Office of the Medical Board will have the following benefits:

- it will provide more effective scrutiny of persons seeking registration as doctors in Queensland thereby avoiding inappropriate registrations, and the new office will have a dedicated focus on the quality and timeliness of registrations and to ensure a thorough check of each candidate's credentials;
- it will facilitate improvement in administrative arrangements and promote more efficient service delivery to the board; and
- it will allow the Office of the Health Practitioner Registration Boards to concentrate on less complex registration processes associated with the other 12 health practitioner registration boards.

To minimise potential disruption to registration and disciplinary processes for doctors, the Medical Board will continue to be supported by the OHPRB until the new Office of the Medical Board is fully operational. This will be by 1 July 2007 at the latest. While the Medical Board and the office will be expected to finalise a new service agreement within a short period, the bill allows me to give directions to ensure an agreement is in place in time. I seek leave to incorporate the remainder of my second reading speech in *Hansard*.

Leave granted.

Mr Speaker, this Bill complements a number of recent initiatives directed towards ensuring the highest standards of quality and safety, increasing the number of medical practitioners in Queensland, reducing delays in registering medical practitioners and improving the processes for granting special purpose registration to overseas trained doctors in areas of need.

In the first instance, this Government implemented the Action Plan—building a better health service for Queensland, October 2005 to attract new health professionals, not only from within Queensland's existing pool of health practitioners but also from interstate and overseas, into the Queensland public hospital system. Early indications are that this initiative will significantly increase the number of health practitioners in Queensland. For example, since implementing the Action Plan, 448 extra doctors, 1,826 extra nurses and 636 extra allied health staff have been recruited.

To assist in reducing delays in registration, this Government introduced amendments this year to the Medical Practitioners Registration Act 2001 to speed up the registration process. Members may recall that these amendments included the power for the Board to delegate certain registration decisions to a number of persons including the Executive Officer of the OHPRB and the requirement for the Board to advise the Minister for Health the reasons why an application for registration has not been processed within 25 days of it being made to the Board.

To meet the medical needs of Queenslanders in areas where there are insufficient medical practitioners operating we have improved the administrative processes surrounding the declaration of areas of need through recent amendments introduced last year to the Medical Practitioners Registration Act 2001 and the Health Practitioner Registration Boards (Administration) Act 1999. Those amendments enable the Minister for Health to delegate the decision about areas of need to the Executive Officer of the OHPRB.

This Government has also established the Health Quality and Complaints Commission to oversee improvements in the quality of health services in Queensland.

It can be seen then, Mr Speaker, that this Bill is the latest in a series of measures designed to provide a safe and efficient registration of doctors in Queensland.

Finally, Mr Speaker, this Bill complements Queensland's ongoing commitment to COAG's decision to establish a single national registration scheme for health practitioners by 1 July 2008. Queensland is actively involved in development of the new scheme, which will raise professional standards and further improve the quality and timeliness of health practitioner registration.

I commend the Bill to the House.

Debate, on motion of Mr Langbroek, adjourned.

HEALTH SERVICES AMENDMENT BILL

First Reading

Hon. S ROBERTSON (Stretton—ALP) (Minister for Health) (12.45 pm): I present a bill for an act to amend the Health Services Act 1991, 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. S ROBERTSON (Stretton—ALP) (Minister for Health) (12.46 pm): I move—

That the bill be now read a second time.

I am pleased to bring this bill to the House as part of the government's continuing commitment to reforming Queensland's public health system. The Health Services Amendment Bill 2006 amends the Health Services Act 1991 to give effect to structural changes to the administration of Queensland Health following the announcement of the consolidation of health service districts from 37 to 20. An important amendment is the inclusion of a set of guiding principles which reflect the key elements of the Beattie government's health reform agenda. The bill amends the Health Services Act 1991 to clearly describe the respective functions of the chief executive, general managers of health service areas and managers of health service districts. The chief executive's prime function is to provide statewide strategic direction and leadership in relation to the delivery of public sector health services so as to protect, promote and maintain the health of Queenslanders. For general managers of health service areas, their prime function is leading the delivery of public sector health services in their health service area to ensure that services are safe, are of high quality and are cost effective.

As part of the Beattie government's health reform agenda, last year I introduced amendments to establish health service areas. The areas hold and distribute budgets to district health services, develop area health services plans and provide leadership and direction to health services. As part of the government's continuing push to devolve more power to areas and districts and in recognition of the key role that areas play in the health reform agenda, the bill authorises general managers to employ health service employees in their health service areas in addition to the chief executive, as is currently the case. In relation to managers for health service districts, their prime function will continue to be managing public sector health services within their respective districts. The Forster review of health systems and the Davies commission of inquiry highlighted the critical need to further develop Queensland Health's leadership and management capacity.

To address this need, the bill creates a Health Executive Service. The Health Executive Service is modelled on the Senior Executive Service, which is established under the Public Service Act 1996. The new Health Executive Service will promote effectiveness and efficiency in the delivery of public sector health services by attracting, developing and retaining a core of mobile, highly-skilled health executives. The Health Executive Service incorporates general managers of health service areas, managers of health service districts and other senior health executives who are not a part of the public service. I seek leave to incorporate the remainder of my second reading speech in *Hansard*.

Leave granted.

Mr Speaker, the Bill amends the Health Services Act 1991 to give effect to structural changes to the administration of Queensland Health following the announcement of the consolidation of health service districts from 37 to 20. The benefits of these changes will flow through to improved health service delivery and enhanced community participation. There is no intention to reduce services, particularly to rural and regional Queenslanders.

The Bill enhances community and consumer input through the abolition of district health councils and the establishment of health community councils. I intend to initially establish 37 Health Community Councils to reflect existing communities represented by current district health councils. Strengthened community input through the new Health Community Councils will help to ensure that health services are highly responsive to their local communities.

Health community councils will be community based advisory bodies able to focus on quality and safety of health services, community and consumer engagement, as well as community education in relation to the health system.

Mr Speaker, in this global environment in which we all live and work, the Queensland public health system faces constant change in terms of a growing population, new diseases and related treatments and new ways to deliver services.

The Bill improves Queensland Health's flexibility to meet a rapidly changing environment by providing for the creation of State-wide health services by governor in council. These services might be to address high profile issues and will operate across district and area boundaries. Such services could include a state-wide chronic disease or cancer service, or a state-wide public health service.

Mr Speaker, the Government is introducing this Bill because we are determined to continue to make the changes necessary to reform and improve Queensland Health so that it can meet the challenges faced by health systems in the 21st century.

I commend the Bill to the House.

Debate, on motion of Mr Langbroek, adjourned.

WILD RIVERS AND OTHER LEGISLATION AMENDMENT BILL

First Reading

Hon. KG SHINE (Toowoomba North—ALP) (Minister for Natural Resources and Water) (12.49 pm): I present a bill for an act to amend the Wild Rivers Act 2005, 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. KG SHINE (Toowoomba North—ALP) (Minister for Natural Resources and Water) (12.49 pm): I move—

That the bill be now read a second time.

The Wild Rivers and Other Legislation Amendment Bill 2006 amends a number of important pieces of legislation. These acts include the Wild Rivers Act 2005, the Water Act 2000, the Building Act 1975 and the Valuation of Land Act 1944.

This bill will help to preserve and conserve Queensland water. This bill will further assist the government to strike a balance between the water needs of the users and the environment. Striking this balance has been made more difficult and more important due to the severe drought, climate change and strong economic and population growth. These factors have combined to place unprecedented pressures on our water supplies.

I noted with interest that the *Australian water resources 2005* report released by the federal government this month stated, and I quote—

More than 3,500 wetlands are given protection in Australia under the International Ramsar Convention and Commonwealth, state and territory legislation. In contrast only a handful of rivers of high conservation value are protected.

This bill will ensure that more than a handful—indeed six—of additional high conservation value rivers areas will be protected.

Wild Rivers Act 2005

Let me first deal with the amendments to the Wild Rivers Act 2005. The Wild Rivers Act honoured the government's 2004 state election commitment to protect the natural values of Queensland's wild rivers for future generations. The government commitment has been to protect the state's pristine river areas for future generations. Following the passage and proclamation of the legislation, the government moved to nominate six areas for declaration as wild river areas. These were Settlement Creek, Morning Inlet, the Gregory and Staaten rivers and Hinchinbrook and Fraser islands.

During the consultation period on these nominations, a number of issues were raised by the community and stakeholders. The government acted on these issues and on 24 July adopted a 'balanced approach' on the declaration of wild rivers following extensive talks between the government, environmentalists, Indigenous landholders, miners and graziers.

This outcome was not only heralded by the government. Queensland Resources Council Chief Executive, Michael Roche, said—

The package delivers the certainty necessary for the vast mineral wealth of the North West to be explored and developed, while having regard to the natural values of key watercourses.

The Wilderness Society's national campaign director, Alec Marr, said the decision was—

An Australian first and is the first significant conservation initiative in the Gulf region since the creation of the Lawn Hill National Park in 1985. We are particularly pleased about the greatly increased protection for the Gregory River. It is a magnificent river and there is no doubt that the increased protection would not have happened without the direct involvement of the Premier, Peter Beattie.

AgForce issued a media statement with the headline 'AgForce secures key changes to wild rivers legislation'.

This bill provides the amendments to deliver on the agreed way forward for these wild river declarations. The main focus is to preserve these river systems by having a buffer, called a high preservation area, between future development and the river and any significant off-stream features such as flood plain wetlands.

The key principles of the July agreement and the amendments will—

- permit low impact minerals exploration in high preservation areas;
- open pit mining will be prohibited in these areas, but the bill allows miners to only mine beneath them subject to strict environmental conditions set through an environmental impact statement;

- allow pastoralists to be able to establish new fodder crops outside high preservation areas as of right without approvals, provided they use species that present a low risk of becoming an environmental weed in the rivers and wetlands;
- permit a range of services essential for communities in urban areas, such as water and sewage treatment, motor mechanic and fuel storage, even if the urban area is located in a high preservation area;
- remove constraints on fuel storage and access to quarry materials for rural homesteads, outstations and resort complexes to allow these developments to occur; and
- clarify where wild river requirements will apply to future developments outside high preservation areas.

Mining exploration is already not permitted on Fraser and Hinchinbrook islands.

Water Act 2000

Amendments to the Water Act are warranted to support demand management measures and further facilitate water trading. In the first instance, the government is proposing amendments to help deliver the greater water savings sought from the industrial and commercial sector. The Queensland Water Commission has proposed a comprehensive raft of level 4 water restrictions for residential and non-residential water users in 12 local government areas of the state's south-east. Non-residential water users also need to contribute to the water savings, and this will be done by requiring them to compile and comply with water efficiency management plans, otherwise known as WEMPs.

Having regard to the time, I seek leave to have the remainder of my second reading speech incorporated in *Hansard*.

Leave granted.

The specific amendment on this matter will give the Queensland Water Commission—with its jurisdiction in the south-east—and the chief executive of the Department of Natural Resources and Water—with responsibility for all other regions—the power to mandate water service providers to require non-residential water users to prepare, implement and report on their WEMPs.

The cost of developing and implementing the WEMP will be borne by the customer.

The amendments will also clarify some aspects of the Commission's power relating to water restrictions.

In addition, the Government proposes to significantly increase the penalty for businesses contravening a water restriction.

The current penalty of 200 penalty units or \$15,000 is regarded as insufficient. The proposed penalty will be 1665 penalty units or almost \$125,000, which is more than eight times the quantum of the current penalty.

The second part of the amendments to the Water Act are to provide greater flexibility in the transfer of water licences, primarily in the Great Artesian Basin but envisioned for a number of Water Resource Plan areas.

The amendment will mean the transfer power to allow licences to be relocated to other land or to other entities.

The Government has been pro-active in supporting water trading; firstly, in establishing tradeable water entitlements through water planning and secondly, in facilitating the trade of those entitlements.

There are more than 7000 tradeable water entitlements in Queensland with an estimated value of more than \$1.5 Billion.

Building Act 1975

Another Act this Bill seeks to amend is the Building Act 1975 with reference to rainwater tanks.

The amendments simply seek to provide a further 12 months for local councils to replace their planning scheme provisions to adopt the standardised rainwater tank provisions under the Queensland Development Code.

This means local councils will have additional time to replace those provisions in existing planning schemes requiring new homes to have rainwater tanks with the new tank provisions in the Development Code.

The Government has certainly shown leadership in promoting the use of rainwater tanks. The Development Code and the offer of up to \$1000 rebates on the purchase and installation of rainwater tanks through the Home WaterWise Rebate Scheme have been significant developments.

Valuation of Land Act 1944

The other key piece of legislation to be amended by this Bill is the Valuation of Land Act.

The amendments are not related to water, but nevertheless are important.

The amendment seeks to address confusion that can arise in the lodgement of objections to statutory valuations undertaken by the Department.

The amendment will standardise the objection lodgement provisions as they apply to annual and non-annual valuations.

This clarity will reduce the confusion sometimes experienced by property owners wishing to lodge an objection to the valuation they have received.

I commend the Bill to the House.

Debate, on motion of Mr Messenger, adjourned.

Sitting suspended from 12.58 pm to 2.30 pm.

Mr DEPUTY SPEAKER (Mr O'Brien): Order! Before calling the Premier, can I recognise in the public gallery students and staff from the Allenstown State School in the electorate of Fitzroy, represented in this parliament by Mr Jim Pearce.

WHISTLEBLOWERS (DISCLOSURE TO MEMBER OF PARLIAMENT) AMENDMENT BILL

First Reading

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (2.31 pm): I present a bill for an act to amend the Whistleblowers Protection Act 1994. I present the explanatory notes, and I move—

That the bill be now read a first time.

Motion agreed to.

Second Reading

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (2.31 pm): I move—

That the bill be now read a second time.

When it was originally introduced in 1994 the Whistleblowers Protection Act was among the first of its kind in Australia and indeed one of the first in the world of common law. The scope of the act was then, and remains to this day, amongst the broadest in Australia: in the types of disclosures which may be made; who may make disclosures; and in the number of entities to whom disclosures may be made. Today I propose to further extend the scope of the act through the amendments contained in this bill.

The Whistleblowers Protection Act is an important component of the robust integrity framework within which the activities of the Queensland government take place. The framework establishes principles of ethical conduct, accountability checks and provides avenues for bringing instances of suspected wrongdoing to the attention of the relevant authorities. The purpose of the act is to create an environment in which public officials can feel confident about disclosing wrongdoing in the public sector. It not only establishes processes through which public officials—and, in certain cases, members of the public—raise their concerns; it also provides protection against civil and criminal liability. Most importantly, it provides whistleblowers with protection against reprisal.

The success of the act is demonstrated by the fact that each year around 200 disclosures are recorded by government departments. Over the three years 2002-03 to 2004-05 approximately 30 per cent of disclosures received by departments were found to be substantially verified. In addition to the disclosures recorded by departments, the Crime and Misconduct Commission receives 300 to 400 whistleblower disclosures each year. I am pleased to report that only a very small percentage of these claims are found to be substantiated.

My government remains firmly committed to the principles that underpin whistleblower protection in Queensland. In response to recommendations made by the Parliamentary Crime and Misconduct Committee in its 2004 report on its three-year review of the Crime and Misconduct Commission my government endorsed a review of the operation of the Whistleblowers Protection Act. This review was near completion when events at Bundaberg Hospital gave rise to the inquiries into Queensland Health. Finalisation of the review was delayed to enable consideration to be given to any recommendations arising from those inquiries.

Both the Queensland public hospitals commission of inquiry, known as the Davies review, and the Queensland health systems review, known as the Forster review, identified the need for improvements in whistleblower protection in Queensland. It is an indication of the complexity of the issues involved that the two inquiries came to different conclusions in some important areas. These issues have now been resolved and the Whistleblowers (Disclosure to Member of Parliament) Amendment Bill 2006 that I present for the consideration of the House contains two key reforms: first, it will amend the act to ensure that a member of the Legislative Assembly can be an entity to which a public interest disclosure can be made; and, second, individuals engaged under contract by public sector entities are protected if they make a public interest disclosure.

These two amendments give effect to recommendations contained in the Queensland public hospitals commission of inquiry. The decision to allow public interest disclosures to be made to members of the Legislative Assembly breaks new ground. Only one other Australian jurisdiction—that is, New South Wales—provides for protected disclosures to members of parliament and then only after the matter has been under investigation for at least six months. As the Bundaberg Hospital experience has shown, it can sometimes be unacceptable to allow months to pass before a matter could be raised with a member of parliament and receive protection under the act.

The bill which I have introduced today places no restrictions on when a public interest disclosure can be made to a member of the Legislative Assembly. I hope members of this House will support this proposal. In doing so, however, they must take note that it brings with it significant responsibilities and duties. One of the overriding principles of the act is to ensure that the confidentiality of the person making the disclosure is preserved. This assists in creating an environment where whistleblowers will come forward and they will be protected from reprisals.

Equally importantly, people against whom allegations are made must not have their reputations unjustly harmed by the airing of unsubstantiated claims. In bringing this amendment my government has given careful thought to the need to balance the need to maintain the confidentiality of the persons involved on both sides of the disclosure and the need to ensure the integrity of the investigation of the substance of the disclosure is not compromised with the legitimate right of members to raise matters in this House.

To ensure that this balance is maintained, I propose that standing orders be established to guide members in how to deal with public interest disclosures. To assist members in ascertaining whether a matter is a public interest disclosure, they will have access to specialist advice from the Crime and Misconduct Commission, the Ombudsman or the Office of the Public Service Commissioner.

Members of the Legislative Assembly receive a high volume of correspondence from constituents on a wide range of matters and through a variety of mediums. Given the volume of correspondence received, the bill gives members the discretion to consider complaints, including those purported to be public interest disclosures, and determine a reasonable course of action. When a complaint is received that a member believes to fall within the scope of the act, the member may refer the matter to an appropriate entity to have the matter investigated. Members of parliament are not to have any authority to investigate the matter. This is to ensure that a proper investigation is carried out by the relevant authority. These matters are too serious for politicking. We need to get the politics out of it—the nonsense that often goes on in this place and outside.

The Whistleblowers Protection Act amendments will create an important additional avenue for whistleblowers to disclose wrongdoing. It is incumbent on all of us to ensure that in exercising our parliamentary rights and responsibilities, our actions and comments do not frustrate the fundamental intent of the act. We must take the lead on ensuring that whistleblowers receive the protections provided by the act and that the matters they raise are properly dealt with.

The second major reform is an extension of the coverage of the act to include persons engaged on individual contracts by public sector entities. This group would include certain nurses, as well as many IT professionals and engineers. It does not include staff hired from labour hire firms. The act does not currently apply to this group of individuals. As a result, they are not able to make a public interest disclosure or to access the protection from reprisal guaranteed by the act. However, the nature of the engagement of these people leaves them equally exposed to reprisal if they identify wrongdoing as other public officials.

This act has provided significant protections to persons who have helped this government identify and stamp out wrongdoing. The amendments proposed in this bill will strengthen and expand those protections, allowing us to continue such vital work. I commend the bill to the House.

Debate, on motion of Mr Dempsey, adjourned.

MAJOR SPORTS FACILITIES AMENDMENT BILL

First Reading

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (2.39 pm): I present a bill for an act to amend the Major Sports Facilities Act 2001, 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. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (2.39 pm): I move—

That the bill be now read a second time.

My government made a commitment to introduce legislation to outlaw ticket scalping at major sporting and entertainment events in Queensland within the first 100 days of the government's fourth term. Today I deliver on this commitment in just over 50 days by introducing a bill that creates offences and penalties relating to ticket scalping for events held at venues operated by the Major Sports Facilities Authority.

This government is also moving on the issue of unauthorised aerial advertising over major events held at government owned venues. Ambush marketing, for example, where unauthorised corporate advertisers fly over venues undermines legitimate corporate sponsorship of major events. This, in turn, has the potential to detract from Queensland's ability to attract and secure major events for the state. The bill, therefore, also introduces new offences and penalties for unauthorised advertising over declared events being held at Major Sports Facilities Authority venues. These two measures will strengthen our ability to continue to secure major sporting and entertainment events for Queensland while protecting the paying public's access to these events.

The coming year will see sell-out concerts, such as Robbie Williams and Kylie Minogue, and sporting events, such as the Ashes test, at Major Sports Facilities Authority venues Suncorp Stadium, Brisbane Entertainment Centre and the Gabba. Tickets to some of these events sold out within hours, only to later be resold by scalpers for many times their original value. This prevents many genuine fans and supporters from obtaining tickets to concerts and sporting events unless they are prepared to pay grossly inflated prices. People who are tempted to buy scalped tickets then face the prospect of being denied entry to the venue because resold tickets may be cancelled. These people lose both their money and their tickets while scalpers profiteer.

To address this unscrupulous activity, the bill amends the Major Sports Facilities Act 2001 to create new offences and penalties for the resale or purchase of tickets to events held at facilities managed by the Major Sports Facilities Authority. The offences will apply where tickets are resold or purchased for greater than 10 per cent of the original ticket price. This will provide an appropriate margin for members of the public who have a genuine need to resell tickets if they are unable to attend an event and recoup the price of that ticket and associated costs.

The bill will create an offence to purchase scalped tickets above the 10 per cent margin. Although I acknowledge that some may perceive this as punishing the victims of scalping, this legislation is sending a clear message to the law-abiding public that ticket scalping is illegal. The new offences will deter those people who may be tempted to buy tickets from scalpers and minimise the market available to scalpers. The penalty to purchase a scalped ticket—five penalty units or \$375—will be significantly less than the penalty for reselling a scalped ticket—20 penalty units or \$1,500. The bill provides an exemption for tickets sold, or offered for sale, by non-profit organisations. Therefore, non-profit organisations that may raise funds by the sale of event tickets through, for example, a charity auction will still be able to do so.

The bill also amends the State Penalties Enforcement Regulation 2000 to empower the Queensland Police Service to issue infringement notices to offenders. Police will monitor ticket scalping activity as part of the policing of major events, and the ability to issue on-the-spot infringement notices will be a significant deterrent to those selling tickets outside venues.

To ensure the public is appropriately informed about the new offences, negotiations with ticketing agents will be undertaken to ensure that details of the offences are reflected in printed ticketing conditions. The government will also seek to work cooperatively with eBay to ensure that appropriate notification is provided to their customers about the offences.

I have also been working closely with the Minister for Local Government, Planning and Sport to address the issue of unauthorised advertising over major events, and I thank him for his help. The minister has written to the Commonwealth Minister for the Arts and Sport seeking Commonwealth action on aerial advertising. We will continue to pursue this matter with the Australian government. However, to provide a degree of protection to event organisers in this state, while we seek a national approach to this issue, which is what it should be, we are also introducing new measures under the Major Sports Facilities Act 2001 to prohibit unauthorised advertising. The amendments will allow the Governor-in-Council to declare particular events being staged at Major Sport Facilities Authority venues as being subject to the advertising restrictions. However, the bill provides an exemption for logos or symbols permanently displayed on buildings that may be visible from inside venues and advertisements displayed on aircraft passing over venues as part of scheduled commercial flights.

The Major Sports Facilities Authority will also be empowered to issue written authorisations for the display of aerial advertising over a major sports facility, taking into account issues such as the effect of the advertising on the staging of the event and any existing commercial arrangements regarding the event that may have been entered into by the authority or the event's organiser. This will allow aerial advertising opportunities for legitimate corporate sponsors while preventing unauthorised ambush marketing at events. The bill introduces a maximum penalty of 700 penalty units. This will allow courts to impose a maximum fine of over \$250,000 for corporations that breach the legislation. This penalty is necessarily high in the context of the amounts corporations pay for advertising.

The New South Wales and Victorian governments have previously introduced legislation prohibiting unauthorised aerial advertising for the 2000 Olympic Games, the 2006 Commonwealth Games and the World Swimming Championships to be held in Melbourne in 2007.

In the absence of action by the Australian government on the issue of aerial advertising, Queensland is leading the way in introducing legislation that protects the integrity of the conduct of major events in the state. I commend the bill to the House.

Debate, on motion of Mr Seeney, adjourned.

ELECTRICITY AND OTHER LEGISLATION AMENDMENT BILL

First Reading

Hon. GJ WILSON (Ferny Grove—ALP) (Minister for Mines and Energy) (2.46 pm): I present a bill for an act to amend the Electricity Act 1994 and the Gas Supply Act 2003, 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. GJ WILSON (Ferny Grove—ALP) (Minister for Mines and Energy) (2.46 pm): I move—

That the bill be now read a second time.

This legislation is now a win-win. It is a win for Queensland consumers through more competitive electricity prices and innovation in product offering and robust protection provisions for small customers. It is a win for the industry given the legislation provides a clear and fair regulatory arrangement. Queensland's energy sector is a major driving force behind our economy and a key economic advantage of doing business in Queensland. This legislation will further build on our robust energy sector and will encourage further investment. I seek leave to incorporate the remainder of my speech in *Hansard*.

Leave granted.

Queensland became part of the national electricity market (NEM) in 1998.

Retail competition has been progressively introduced to customers in Queensland so that customers can gain the benefits of competition. Competition for large industrial customers was introduced in March 1998 and for other industrial and commercial customers progressively in October 1998, July 1999 and July 2004. Retail competition has meant lower power prices and increased competitiveness for Queensland business. We are now looking to see some of these economic benefits flow through to the State's domestic and small business energy users with the introduction of full retail competition—all customers will be able to choose their electricity supplier from 1 July 2007.

The Government has established the Energy Competition Committee (ECC) to oversee the implementation of Full Retail Competition (FRC). The ECC is an independent committee comprised of Mr Darryl Somerville, Dr Doug McTaggart and Mr Tom Fenwick. The ECC is headed by Mr Somerville, who also chaired the Government's 2004 review of electricity distribution and service delivery.

FRC implementation has been co-ordinated with the other part of the Government's retail reform process—the sale of Sun Retail (formerly ENERGEX), Powerdirect, and the Allgas distribution network, to ensure we have a dynamic retail energy market. The Bill is the culmination of an extensive consultation process which the ECC began in November 2005 with industry, consumers and other stakeholders. This consultation process has enabled the ECC to develop a range of policies to facilitate the introduction of FRC in Queensland, including a number of important initiatives that build on the experience of other states that have already introduced FRC.

The FRC reforms, the subject of this Bill, are squarely aimed at driving more competitive pricing, improving product innovation and differentiation, increasing industry investment, and ensuring efficient supply of electricity for the longer-term.

The Bill gives effect to a number of policy decisions for implementing FRC in the electricity market:

Customer choice—The Bill will ensure no customer is made worse off under FRC. Some customers connected to the national electricity grid can take the option to choose their retailer, because they will get energy services that make them better off. Other customers can choose to stay on uniform tariffs because this is the best option for them. Under FRC domestic and small business customers have three options: do nothing—in which case they will continue to be served by their current retailer at regulated prices; enter a new market contract with their existing retailer; or enter a new market contract with another retailer.

Consumer protection is a key focus of the Bill and for this Government. I will outline some of the key protection provisions for small customers in the Bill. The market system we have developed for FRC will be simple and straightforward for domestic and small business customers—the area retailer will be obliged to provide services to those customers who are seeking to connect on the Uniform Tariff. As I mentioned previously, customers may also choose to enter into a market contract with a retailer of their choice.

The legislation will give customers confidence in the market—the key provision is customer reversion.

Small electricity customers who enter into a market contract will have the opportunity to revert to the Uniform Tariff with their retailer. The reversion policy will encourage competition, as customers know they can revert to the uniform tariff. Customers can take advantage of the electricity market when it suits them—the uniform tariff will be deemed to exist if a customer doesn't negotiate a contract for the supply of electricity. In short, this is the default position until a customer elects to move off the tariff and negotiate a contract with their retailer of choice.

If customers do decide to move to the market the legislation provides for an orderly process—there will be a ten day cooling-off period on market contracts so that customers have time to make their choice. Some retailers will offer contracts to customers before the FRC date, but the cooling-off period will still apply—that is, customers will still have ten days after FRC commences on 1 July 2007 even if they entered into a contract prior to FRC.

The Bill provides for development of an Electricity Industry Code that regulates the marketing behaviour of retailers and sets minimum terms and conditions for standard retail contracts. The scope of the Code, defined in the Bill, has been restricted to detailed "business to business" procedures, metering requirements and minimum terms and conditions for contracting. Incorporation of these matters in the Code is necessary to ensure the Code keeps step with rapid changes in technology and the market.

The Code will also incorporate a marketing code regulating the marketing conduct of retailers. This marketing code will commence early in 2007 to cover marketing by retailers in the lead up to FRC when new entrant retailers will begin to solicit customers.

The legislation and Code will also set standards in relation to the publication of information in bills, customer charters and public notices to ensure that the customer is fully informed in making their choice.

The Electricity Industry Code will be promulgated by me as Minister, and tabled in Parliament. The Queensland Competition Authority (QCA) will then be responsible for enforcing and amending the Code. As Minister for Mines and Energy I will reserve the right to approve changes made by the QCA. In making amendments to the Code the QCA will be required to consider the overarching Code objectives, which include efficient investment, reliability and security of supply and, importantly, the interests of consumers.

The QCA will have to follow a consultation process outlined in the legislation which will ensure that any amendments follow appropriate consultation with the community.

Mr Speaker, the Code ensures mums and dads won't be talked into agreeing to terms that are not fair and reasonable.

A key consumer education initiative, which we are introducing, is an energy calculator that will provide customers with simple comparisons of electricity retail offers. This energy calculator will be developed and delivered by the independent Queensland Competition Authority.

Efficient pricing and improved investment signals—Under the Bill, the Queensland Competition Authority will assess the uniform tariff arrangements for electricity to ensure that the safety net arrangements remain efficient. This approach will provide both customers and new entrant retailers with confidence in the long-term investment environment.

The uniform tariff will be varied in accordance with an "electricity cost index". That is, each year, regulated tariffs will be adjusted based on changes in electricity supply costs.

This change will ensure that changes in uniform tariffs reflect cost rises and falls in the electricity sector and allow the benefits of any productivity improvements in the sector to be shared with electricity customers. These new pricing arrangements will come into effect on 1 July 2007 and the QCA will make adjustments on an annual basis.

Improved Focus for Ergon—Rural and regional customers will continue to be supplied on uniform tariffs and the Government will continue CSO payments to support this arrangement. Mr Speaker, Ergon Energy will focus on delivering network services and supporting uniform tariff customers and will not be permitted to pursue commercial retail activities.

The Bill also gives effect to the policy framework for the implementation of FRC in the Queensland gas market. The Bill also provides for the development of a Gas Industry Code that will include rules for the operation of the gas market and regulating the marketing behaviour of retailers. As with electricity, the retailer marketing code will come into effect early in 2007 to regulate the marketing conduct of retailers prior to the introduction of FRC from 1 July. Gas customers will also have the benefit of the ten day cooling-off period on any contract entered into prior to FRC, with the cooling-off period commencing on the same day as FRC.

Gas retail prices will be deregulated. The environmental advantages of gas has been realised through growth in gas-fired electricity generation. Residential use of gas has been limited by tariff arrangements. As Minister for Mines and Energy I will retain a reserve power to set gas prices.

This is a reserve power, and I do not expect the need to invoke it will arise because the framework established for the market will see retailers entering the market in Queensland and the level of competition will benefit consumers. This light-handed approach to regulating prices in the gas market will encourage investment, which in turn will mean better access to gas for small customers at a competitive price in the long term.

Product Differentiation—The ability for retailers to offer both electricity and gas supply to customers and a single bill, will be supported through more consistent billing and consumer protection arrangements between gas and electricity under the new Electricity and Gas Industry Codes provided for in the Bill. This will encourage product innovations that provide better value to customers. A draft of these Codes and related Regulations will be tabled in Parliament shortly.

Establishment of a Gas Retail Market Operator (GRMO)—The Bill provides for the establishment of the GRMO to manage the operation of the State's gas market. VENCORP, the gas market operator in Victoria, has been appointed to undertake this role in Queensland. VENCORP currently operates the largest gas market by volume in Australia and has been contracted to provide a Queensland service.

Social and economic benefits are not the only rewards of FRC. There are also environmental benefits, particularly in the gas market. The use of natural gas in the home produces less emissions of greenhouse gas than the use of electricity. An increase in the use of gas for hot water heating and other home uses could reduce the amount of household greenhouse gas emissions by up to two tonnes (CO₂ equivalent) per year.

The Government's commitment to a more competitive domestic gas market in Queensland, is evidenced by its new sustainable housing code encouraging gas and solar hot water uptake. We have also committed, as part of the 2006 election, to introduce subsidies for customers who install gas hot water, heating or cooking appliances.

Price competitive gas supplies, an improved regulatory environment, and the right Government policies will deliver substantial growth in the market, including the domestic segment. As a result, customers will benefit from better access to services and more diverse energy options.

Mr Speaker, the Electricity and Other Legislation Amendment Bill strikes the right balance. It facilitates competition in a way that will boost price competition and encourage efficient investment, while providing transparency and accountability in the market. Importantly, it is aimed at delivering the benefits of FRC identified in the cost-benefit analysis undertaken last year by independent consultants, GHD. These identified benefits include potential reductions to the energy costs for urban residential and business customers and some coastal regional business customers, as well as wider economic benefits through greater product innovation, improved productivity in other economic sectors, and reducing the cost to the State of providing the existing Community Service Obligation arrangements.

True competition ultimately relies on customers having confidence in the market and an ability to make informed, educated choices. The legislative framework for FRC in Queensland has been designed to provide this confidence.

FRC is good news for Queensland because it will help reduce our impact on the global climate, deliver competitive and innovative energy service and attract investment in Queensland. It is also important that our reforms provide the basis for Queensland to develop its energy industries and markets as part of a nationally consistent approach. This will help investment from interstate and improve efficiencies as markets become more closely linked across state borders.

These are exciting times for energy producers, distributors and retailers, Mr Speaker, and FRC is the key reform that will unlock enormous benefits to consumers and producers alike.

I commend the Bill to the House.

Debate, on motion of Mr Seeney, adjourned.

ENERGY OMBUDSMAN BILL

First Reading

Hon. GJ WILSON (Ferny Grove—ALP) (Minister for Mines and Energy) (2.47 pm): I present a bill for an act to provide for the investigation into and resolution of particular disputes involving energy entities, or particular former energy entities, 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. GJ WILSON (Ferny Grove—ALP) (Minister for Mines and Energy) (2.47 pm): I move—

That the bill be now read a second time.

In September 2005, the Premier announced that full retail competition, FRC, would be introduced for small businesses and households from 1 July 2007. The government established the Energy Competition Committee, known as the ECC, to oversee the implementation of FRC. This committee is an independent committee comprised of Mr Darryl Somerville, Dr Doug McTaggart and Mr Tom Fenwick. The ECC is headed by Mr Somerville, who also chaired the government's 2004 review of electricity distribution and service delivery. The committee has conducted an extensive consultation program with industry and consumer representatives. Through this process, the committee has identified the need for an independent energy Ombudsman's office to be established to deal with complaints between small energy consumers and providers. I seek leave to incorporate the remainder of my speech in *Hansard*.

Leave granted.

Mr Speaker, disputes inevitably arise between consumers and retailers. Currently disputes between customers and energy entities are currently handled by the Energy Consumer Protection Office (or ECPO as it is commonly referred to). What has been proposed is that ECPO be subsumed into the Energy Ombudsman which will be given more accountability and operate more transparently in the new FRC environment. We can expect most disputes to be resolved without the intervention of the Energy Ombudsman.

The establishment of an independent Energy Ombudsman as provided for in this Bill provides recourse for small business and domestic customers when disputes, either with their retailer or distributor, cannot be settled without the assistance of a third party. The Energy Ombudsman will provide customers with a cost effective process to have disputes investigated and handled.

Firstly, the aim will be for disputes to be resolved by agreement, negotiation or mediation with the assistance of the Ombudsman. If this is not possible the Ombudsman will be empowered to resolve a dispute. The Energy Ombudsman will have powers to make an order in favour of the consumer, which will be a binding decision against the energy provider.

Mr Speaker, the Energy Ombudsman may order that an energy entity provide the customer with a service as stated under an energy act, that is, a non-monetary solution to remedy the dispute, such as an order to carry out corrective works on a property. The Energy Ombudsman can also make orders to resolve disputes by directing the energy provider to pay compensation to the customer up to a maximum of \$20,000.

Mr Speaker in cases where compensation is warranted customers can elect to utilise the services of the Energy Ombudsman in preference to legal settlement of disputes. Energy entities may also have a preference for a non-Court settlement of a compensation claim by a customer and in this case, if all parties agree, the maximum level of compensation is \$50,000.

In essence Mr Speaker, the Energy Ombudsman will provide an accessible and confidential service and will utilise procedural fairness and natural justice in investigating and resolving disputes, treating consumers and energy providers in a fair and unbiased manner. The Energy Ombudsman will be independent. What this means is that the entity will conduct itself independently in receiving and resolving disputes.

Mr Speaker the Energy Ombudsman will provide an annual report on the activities of the Ombudsman including descriptions of disputes and resolution of disputes and financial reports on the operation of the Ombudsman. The annual report will be published on the Ombudsman's website. The Energy Ombudsman office will be run in a cost effective, efficient manner and will be completely funded by fees paid by energy entities which provide distribution and retail services to small customers.

As with the ECPO scheme, the services to be offered by the Energy Ombudsman will be at "no cost" to the consumer.

I commend the Bill to the House.

Debate, on motion of Mr Seeney, adjourned.

Mr DEPUTY SPEAKER (Mr O'Brien): Before calling the member for Mount Isa, I remind honourable members that this is the member's first speech and the necessary protocols should be followed.

ADDRESS-IN-REPLY

Resumed from 12 October (see p. 223).

Mrs KIERNAN (Mount Isa—ALP) (2.50 pm): I am pleased, proud and most of all very privileged to speak for the first time in this House as the member for Mount Isa. On behalf of the people of my electorate, I extend our sincere congratulations on the election of the Hon. Mike Reynolds as Speaker of this parliament. As members representing people in electorates north of the Tropic of Capricorn and, in my case, west of the Great Divide, it is indeed a pleasure to keep the esteemed position of Speaker in the north.

It is of great personal pride for me to stand here today as the representative for the seat of Mount Isa while I join this 52nd Parliament in a historic fourth term for the Labor Party. I am delighted and somewhat humbled at my good fortune. I believe I am making personal history today by being the first woman to be elected and, indeed, the first born member for the seat. My father, James, and my mother, Mary, travelled to Mount Isa in the early 1950s by train from Grafton, where my brothers and sisters, Ian, Francis, David and Pamela, were born. I was the last child and the only Queenslander of the family.

My father moved to Mount Isa to work initially in the mine as an electrician. He left the mine to work for the Cloncurry Shire Council, the then administrator of Mount Isa, to manage the town power supply. Dad worked for the electrical authority through all manner of change up until his death. As life would have it, my husband's father, Jim, was also a power man and worked for 35 years at the Mica Creek Power Station—a fine connection, if I say so myself.

I am most certainly more than conscious of the high standard and the level of representation given to the Mount Isa electorate by Tony McGrady and his equally hardworking, well-respected and loved wife, Sandra. Tony's contribution over some 33 years in both local and state government will stand alone in the record books. While Tony held senior ministerial positions in both the Goss and Beattie governments, he remained first and foremost the member for Mount Isa, widely known as a man of integrity, a man who was incredibly well respected and who stood steadfast in his promotion, representation and passion for the needs of the electorate and the north-west generally.

While I am indeed the first woman to be elected to the seat of Mount Isa, I might say that at no time during the election campaign was my gender raised as an issue. The expectation of the electors was to place their trust in a person who was willing not only to address the business of state but also to be a person to look out for them and their families' quality of life in every facet.

There is little doubt that many great women and men have represented the needs, desires and aspirations of the people of the north-west, and I pay tribute to them. They are from all walks of life. They are the humble and the great. I personally have had the pleasure of working with some exceptional people who I know have made and who continue to make a difference. There is a spirit and dogged perseverance which remains evident today from their efforts, both individually and collectively. It is, therefore, such a privilege and great honour for me to be here today representing my home.

I wish to also recognise and thank the large number of people who assisted and supported me during the campaign and on polling day. Every polling booth across the electorate had workers throughout the day, and their commitment and work, done in some cases in isolation, is appreciated totally. I thank my campaign manager, Tony McGrady, branch members, the AWU, the Queensland Council of Unions and those who worked so hard in both the Mount Isa and Brisbane party offices. In particular I thank my organiser, Anthony Chisholm, for his hard work, support and guidance.

I thank the state secretary, Milton Dick, and I thank sincerely the many others who made financial and other contributions, large and small. Collectively they have put me here today. I thank Premier Beattie and Dr Heather Beattie for taking the time to come to Mount Isa, and more particularly Camooweal, during the campaign. The commitment, personal energy and goodwill demonstrated was witnessed as confirming the valuable contribution which our part of the world makes. The visit also gave our pioneering drovers the recognition they so rightly deserve.

At a personal level, I know how impossible my success would have been without the wonderful support, encouragement and love given by my husband, Philip, our son, Nathan, and his wonderful wife, Kim, our youngest son, Jeremy, who has deferred his university studies to assist in the family business, and my wonderful mother-in-law and best friend, Vi, who, as our remaining parent, is our rock and our inspiration. To my nephews, their wives and children who all reside in Mount Isa, my love and thanks. To our wonderful friends, both near and far, I thank you one and all for your unconditional support, love and encouragement which you have shown to me and our family in this new chapter of our lives. To Greg and Michelle Jackwitz, our special thanks. To Robyn Turner, who over 20 years ago shared and inspired me with her passion and unwavering belief in the Australian Labor Party, I give my thanks and I will

treasure our friendship for life. To Lindy, Susan and Melissa, my wonderful, funny and committed electoral staff, you have given me your trust and I have no doubt that you will keep me grounded. We serve together.

The seat of Mount Isa was created in 1972 and originally represented the shire of Mount Isa. Today, through redistributions, it represents 20 traditional owner clans, 10 shires, one city, 17 towns and one port—all in an area bigger than the state of Victoria. It is in the context of such vastness and diversity that I wish to pay my tribute to the places and, more importantly, the people who live in the Mount Isa electorate.

Let us go now on a quick road trip around our backyard—367,305 square kilometres of it—and in doing so I recognise the traditional people as we pass through their country. We enter the electorate in Guwa country. This is the home of Winton, known by the famous words of Banjo Paterson, who penned *Waltzing Matilda* at Dagworth Station near Winton in January 1895. It is, as we all know, Australia's unofficial national anthem. This rich history is preserved in the Waltzing Matilda Centre. Winton is also the official birthplace of Qantas. The first and only meeting of directors was held in the town in February 1921. I would especially like to acknowledge the wonderful, vibrant, caring members of the 60s and Better group and I look forward to working with them over the coming years.

We now go north on the Matilda Highway, in Wunumara country, to the small township of McKinlay, another birthplace of an airline, MacAir—born McKinlay Air Charter—today a modern airline servicing rural and remote areas of our state and, in particular, all major centres in the Mount Isa electorate. It is home also to Crocodile Dundee's watering hole, the Walkabout Creek Hotel.

Let us go up the road to Kynuna and the Combo Waterhole. Situated a few kilometres south of Kynuna is reportedly the site of the famous billabong in Waltzing Matilda. Kynuna, like McKinlay, boasts an equally famous pub, the Blue Heeler. Across a few paddocks rich in fossils one can attend the Corfield Cup—the bush version. Airlines and pubs, it appears, are the products of this part of the world.

Still heading north is Julia Creek, a town which through the leadership of Mayor Paul Woodhouse is leading the way with the mantra 'can do' and maintaining and sustaining a quality of life for her residents. Julia Creek holds the highly popular Dirt and Dust Triathlon, an event that attracts word-class athletes.

Taking a somewhat sharp turn we head over to Boulia, Pitta Pitta country, the home of the famous Min Min light, apparently witnessed again just recently. There are many myths in respect to the Min Min light and apparently they are not all centred on that famous Bundy product which some of us use medicinally or for social purposes. We are now some 1,719 kilometres from where we sit today in this state's capital. Boulia is a small settlement of approximately 300 people. It is the administrative centre of an area covering 61,000 square kilometres which boasts a total shire population of less than 600.

Further north to Dajarra through Yulluna and Waluwarra homeland. Dajarra, 150 kilometres south of Mount Isa, has been our home since 1979. I make no apology for my love of this community and particularly the families of the little town—the Marshall, Dempsey, Major, Bismark, Punch and Costello families—who will remain our extended family for the rest of our lives and that of our children.

Dajarra in its own right is historical. In its heyday it was the largest trucking centre in the world. The families in Dajarra today are descendants of many great Aboriginal stock men and women and, undoubtedly, contributed greatly to this great state over many years. The last great train ride was held in 1988.

Duchess is Dajarra's closest neighbour. In the earlier days Duchess was an important railway and mining town. As the pendulum swings, it is again becoming a major thoroughfare for mines such as Phosphate Hill, Osborne and the now being developed Tricalono. The electorate is also home to some of the largest pastoral holdings in Australia.

Over to Urandangi on the Northern Territory border, which was founded in 1885. In its heyday in the twenties it was an important centre for travellers and drovers using the Georgina and other stock routes. The Georgina River boasts some of the best bird-watching spots and, without doubt, the most spectacular dust storms to be witnessed. Up and onward to Camooweal, Dugalunji and Indjilundji traditional homeland, the gateway to the territory. For the past 10 years this community has been determined to build a monument to the great drovers of this land. Many of the old drovers travelled back to Camooweal in August this year for the 10th anniversary. Sadly, many of the droving men and women are being added to the honour board each year. The monument is about preserving the rich history of the pastoral industry and the indomitable spirit of the people.

We now head north through some of the most beautiful and breathtaking country in this great state, up through Gangalidda country, through the magnificent Lawn Hill National Park, which is without doubt one of our Lord's finest creations. Lawn Hill National Park also incorporates the Riversleigh fossil fields. Further north we reach Burketown. The people of this part of the world are unique and passionate. All we have to do is walk to the Parliamentary Annexe to view the message from the people of the Burke shire given to the state of Queensland in 1979 and aptly named *The Mouse That Roared*. I can safely say the passion remains.

Up and over to Normanton, Kukatja country, nestled on the Norman River steeped in history, home of the unique Gullfander Railmotor, established in 1891, which today still operates a weekly service between Normanton and Croydon. Forty minutes away is Karumba, Gkutharrn country, the best fishing in the world, the grey nomad capital of the gulf during the winter when the population goes from 600 to 6,000.

For the record, for some of those who may believe we lack the basics of life such as the ocean, I can only say our electorate has it all. While our beaches may not be equal to the sands of the east coast and the swimming may prove a bit tricky, it is nonetheless called the Gulf of Carpentaria and the Indian Ocean. Just a short distance across the waters is Mornington Island, homeland of the Lardil, Yungal and Kaiadilt people. Mornington Island is the largest island of the Wellesley group in the Gulf of Carpentaria. Other substantial islands are Denham, Forsyth and Bentinck. Mornington Island, like Doomadgee, is a community struggling with a broad spectrum of social issues. Mornington is home to some of the feistiest women I have had the pleasure to meet. I look forward to working with elders of Mornington Island in partnership. To them I publicly give this commitment.

Heading south-east we go to Croydon, Walangama country. I can only say that while it may have been some years since I have personally visited Croydon, I am determined that my electorate visiting program next year will most definitely include the Potty Dodgers Festival. I must say that being a bush girl myself I have actually known a few potty dodgers during my life and I wonder if they personally attend the festival so openly as the drovers.

Pushing south to Doomadgee, the homeland of the Waanyi, Gangalidda and Garawa people. While it is my desire to portray the people and places in my electorate in the deserving and positive light that they quite rightly deserve, the past few months this community has dealt with great sadness and despair. I again make my commitment to the people of Doomadgee to work hard for them, to fulfil their trust in me and keep working for them over the coming years.

I congratulate the Queensland government on many of the policies that have been put in place over the last 10 years. These policies have gone a long way to addressing the problems. It is up to us today to continue to work closely with the elders of these communities so that the children particularly receive and are given a future which is no less deserved than it is for children right across the state and, indeed, the nation.

Doomadgee is situated in one of the most beautiful and breathtaking parts of our state. It sits on the Nicholson River, is a near neighbour of the famous Gregory River and just below the equally famous and valuable Lawn Hill Gorge. I might also say that there are wonderful projects alive and prospering in this section of our gulf such as the work of the Lower Gulf Indigenous Beef Alliance and, over recent years, the work of Father Mick Lowcock and Centacare Employment. A project in most recent years was the cattle drive from Julia Creek to Longreach, a 12-week drive. It proved to be the turning point in the 36 participants' lives.

Now in the home straight, Cloncurry. This is Mayi and Mitakoodi country. The locals say it is the friendly heart of the great north-west, the birthplace of the Royal Flying Doctor Service, the resting place of some of our greatest pioneers, the holder of the history through the historical John Flynn Place and Mary Kathleen Park. Cloncurry has a rich pastoral and mining history. These two industries, along with the transport industry, are contributing to Cloncurry's future. One of my greatest pleasures was to have met and formed friendships with the Reverend Fred McKay and his gracious wife, Meg. His passion for the outback never waived. His love of the people and the people's love for him and the Reverend John Flynn remain as strong today. Our deep gratitude should and will remain lasting for all future generations because of the legacy they left and entrusted to us by way of the RFDS and the School of the Air. Our past and our future remain indebted to these great men and women.

My first opportunity to serve publicly was given to me by the electors of No. 3 division of the Cloncurry Shire Council in 1981. On my election and subsequent three terms I was the youngest elected representative, the second woman only and most definitely the only pregnant councillor to grace the chamber, give birth during an elected term, duck out of the chamber periodically and, all in all, conquer and shake the foundation of some long-held traditions. I might add that attending the monthly council meeting involved a 360-kilometre round trip over a dirt back road and some six and a half hours of travelling time. I served my three terms as a lone woman councillor. Today we are again represented by one woman councillor who, incidentally, is my very good friend Kim MacNamara. Kim is the granddaughter of Mr Ted Robertson who, on his death a short time ago, was the longest continuing member of the Australian Labor Party. Ted joined the party as a 14-year-old and was a member for 76 years. To me, the people of our electorate—the traditional owners of our land, the pioneers who went before us and the people who reside in and call it home today—are unique and the salt of the earth.

Cloncurry, our largest town today, sits along with Mount Isa in the north-west minerals province. They are both experiencing rapid growth and expansion in the mining sector. Now our journey is nearing the end and we are back in the city of Mount Isa, home of the mighty Kalkadoon, discovered in February 1923 by John Campbell Miles. The mine and the town straddle the Leichhardt River. It is impossible to

exaggerate the importance that the Carpentaria Mineral Province plays in Queensland's mining industry. There is little doubt that the province holds Australia's premier base metal products and is of significance and is a key factor in the state's economic growth.

Over the last few years the city of Mount Isa, Cloncurry and the gulf region have witnessed a level of investment, activity and energy not witnessed for many years. After many years of sluggish times, mining activity in the region has given our communities renewed hope and vigour. We celebrate these boom times and the prospects for our future are bright.

Mining is and has always been the lifeblood of our region. Our region is attracting substantial investors in both the mining and non-mining sectors. With some trepidation in 2003, our major asset in Mount Isa Mines was taken over by Xstrata. In three short years this company has won the trust of the workforce and the people of the north-west and is now not only identified as being an outstanding corporate citizen but also recognised for its faith, investment, vision and community involvement. Other companies such as Century Zinc and Cannington are playing an equally vital role in the region through constructive partnerships with the communities that are their neighbours.

There is little doubt that the current stability in investment in our state is due to the continued positive and strong governance of the Queensland Labor government under the leadership of Premier Peter Beattie and cabinet members past and present. The Beattie Labor government has demonstrated commitment to our region. I have every faith that the Beattie Labor government will continue to deliver for the electorate of Mount Isa and, indeed, north Queensland. I know that the Beattie Labor government will deliver on the promises of the election campaign and will work closely with us in the region and promote remote Queensland to ensure that we retain a quality of life equal to other parts of our state.

As this opportunity to speak and our journey draws to a close, I pledge to the people within the boundaries of the Mount Isa electorate strong representation regardless of political affiliation. I pledge hard work and participation in community life across the electorate. I am committed to being accessible, to providing practical action and to being their voice to those in government so that their future and wellbeing is a priority.

Lastly and in humility I express my sincere appreciation to the people of the Mount Isa electorate who have elected me as their representative. I will seek to honour the trust, faith and confidence they have placed in me, and their wellbeing will remain my first priority now and in the future above all else. Thank you.

Mrs CUNNINGHAM (Gladstone—Ind) (3.11 pm): At the outset I congratulate the Speaker, the Hon. Mike Reynolds, on his election to the office and wish him the very best in his endeavours to work impartially and fairly. And I congratulate you, too, Mr Deputy Speaker Moorhead, as a new deputy speaker.

I would like to place on record my sincere thanks to those who assisted in my campaign. To Wendy, Trish and Floss, thank you for your tireless efforts. To Alan, Denis, Don, Kitty and Ken, thank you also for all the work that you contributed. To all those who rostered at the polling booths and as scrutineers, thank you for your willingness to be a necessary part of the election process. Your generosity is valued greatly.

To my husband, John, my daughters and their husbands and to other family members, thank you for your unfaltering support. Our families are directly impacted by the demands of this work and, while we as representatives accept the time constraints and imposts, our families wait for us to make that important time for them. Their generosity of spirit directly affects our ability to give to our community. I am truly blessed.

Each election brings its own style, and I would have to say previous Labor candidates Jenny Ellingsen and Julianne Grice ran campaigns which were robust but reasonable. The same cannot be said, I believe, about this election. Rumours were spread about my personal health and lifestyle which were untrue and unwarranted. These rumours, spread by people close to the ALP candidate, were unnecessary and hurt those in our families who care for us through thick and thin.

Workers in my electorate were given information intended to frighten them in relation to their security of tenure, penalty and overtime rates and the like. While it is true that there are genuine concerns in relation to job security, unfair dismissal, safety nets and the like, the threat is from the federal government legislation, not from the state. The ALP candidate and some union delegates stated to workers that if I were re-elected they would lose job entitlements and protection. Even on election day some booth workers were intimidating voters with 'Remember your job and your family,' as they entered the polling booths. That is disappointing because engendered in young family members is a concern about job security that we as state legislators cannot address because it is brought about by federal legislation. In the last week or so I have noticed an increase in campaigning against the federal WorkChoices legislation and those concerns are appropriately being aired.

The electorate of Gladstone is dynamic and energetic. Its community of visionary people work tirelessly to ensure current and future prosperity. From my electorate's perspective, that prosperity is assured provided we have fair support from state and federal governments in the areas of infrastructure and services to support growth and development. With the major growth that has happened in the past and that is planned for the future, it is imperative that the state government, in tandem with the federal government, properly funds both the built and social infrastructure for the electorate. Gladstone is one of the top 10 fastest growing areas in the state.

Part of the attractiveness of the region to industry is the deep water port, the state development area footprint for building, water and access to competitive energy. It is imperative that the ability of the Queensland government to offer cost-effective process inputs such as electricity is retained. While currently decisions are being made about the sale of assets in relation to contestability, it is critical that the ability to negotiate process inputs is retained.

Social infrastructure is also critical. We saw only a week or two ago strikes by the Department of Child Safety in many electorates, and that included mine. This is a specialised area of work and one that I frankly—and I have stated in this chamber before—would find very, very challenging to be involved with. While I look forward to working with the newly appointed Minister for Child Safety, staff in these offices face incredible emotional and physical challenges in addressing the needs of children and families. In my electorate, the increase in the number of young families is well documented and early intervention to prevent family breakdown is essential to avoid these destructive events. Often the staff of the department are so heavily committed that they lack the time to properly work with families to avert the worst possible consequences—the loss of children and the breakdown of parental relationship.

In every electorate there are some fundamental areas that require government support to ensure the quality of life and amenity for those who live in the electorate. Health is one such portfolio. I commend the staff who work at the Gladstone Hospital and, in conjunction with them, staff who work closely at the co-located Mater Hospital. When I was first elected, the Gladstone Hospital was under the umbrella of the Rockhampton district. In those early years it appeared, with some justification, that the peripheral hospitals—that is, hospitals other than Rockhampton Base Hospital—received the dregs. Over time the districts were redefined and Gladstone became a district in its own right, and I believe it had a greater ability to administer the funds allocated to it.

Now that the districts have been redrawn, with hospitals at Gladstone and Biloela being caught back under the Rockhampton umbrella, I believe that it is imperative the government ensures that residents in the Gladstone electorate will not experience any diminution in services. In fact, already my community wishes to see increased access to specialists at the Gladstone Hospital precinct in order to avoid travel. I am very impressed with the manager at the Rockhampton Base Hospital, Dr Beresford, who has talked very positively about extending specialist services to hospitals in the region rather than having people travel to the Rockhampton Base Hospital. I look forward to discussions that have already been arranged with him.

For a number of years now the patient travel subsidy has been a point of contention with constituents in my electorate and I am sure elsewhere. For over a year now the minister has promised a review of the level of PTS. The subsidy has not recognised that fuel prices and the cost of accommodation continue to soar, and rural communities across Queensland are waiting desperately to have their urgent needs addressed. I acknowledge that it is only a subsidy, but it has not changed for a great many years. In particular, it has not even remotely kept abreast of increased fuel prices.

There is currently a review of maternity services for rural and regional areas, and I sat in on a teleconference in relation to the proposed changes at the CQU. Comments that I received from nurses and administrators in the maternity area said that funding for students must be met as well as resources for their studies—that is, accommodation and travel. Concerns were expressed about the problems of backfilling staff while midwifery students are away doing block studies. There were also some concerns expressed about getting staff in general.

In the last couple of weeks we have heard not only in this chamber but also in the media concerns about mental health. It is an area of health. Whilst I recognise that the government has reconfigured those services to communities, I will be interested to see how that works practically in terms of clinical mental health services and how the Department of Communities and the department of health will interplay. I want to take this opportunity to put on the record the best wishes of everybody in this chamber and certainly my best wishes to Linda Lavarch. She has always been a lady that I have found easy to deal with, and I certainly wish her a speedy recovery. I also wish her the best with her family and I trust that everybody gives her and her family the support that they will require.

In terms of mental health, in Gladstone there is a need for a small secured facility. At the moment there are some difficulties with transporting mental health patients to Rockhampton. There has been a series of articles in the paper about this issue. One was an interview with police and one was an interview with ambulance officers—separate times, separate articles—in relation to the cost to them of

transporting patients. While both entities recognise that they have legislated responsibilities, in many instances transportation is required to the secured facility at Rockhampton because a patient diagnosed with mental health problems—and it is almost predictable with some illnesses—fails to take their medications. When these people take their medications for a period of time, the medications work and they feel quite well. However, they then think that they are cured and stop taking their medication.

As a result, a small secured facility in Gladstone would mean that they could be restabilised on their medication. Their behaviour is difficult when the medication is out of their system but—and I say this with some caution—they probably do not need transferring through to Rocky. Their condition could be discussed with the psychiatrist who works out of Rockhampton and they could have their medication restabilised. It would save the need for them to be transported. It would also allow for family members to support that ill person. A small one- or two-bed secured ward at Gladstone would save a lot of time, a lot of travel and a lot of resources if those diagnoses could be dealt with in Gladstone.

A constituent of mine dropped in a document in relation to health in which he listed a number of things. He assured me that he got this information from well-advised people. However, I am not prepared to identify the people he spoke to. He believes that we need two specialist physicians shared between the two hospitals—that is, Gladstone and the Mater. The two previous physician specialists left two years ago and to date these positions have not been filled. This information was current as at 3 October. There is currently a non-specialist medical service operated by SMOs. However, these people, although doing a wonderful job, are not specialists and already have high demands on their services. Concerns were raised by this constituent about Queensland Health's employment policy with the use of contracts. He said that there appears to be a lack of flexibility in the contract arrangements to attract old or young staff to work in the Gladstone District Hospital. In fact, the comment that he made was that Queensland Health is one of the greatest abusers of contract employment. He went on to explain how these contracts really do not offer attractive opportunities to people to stay within Queensland Health.

This constituent talked about budgets. He says that there has been an enormous increase in funding by Queensland Health over the last 10 years, a lot of which has been absorbed by administration and red tape. He also says that in the last 20 years Gladstone Hospital has been reduced from 120 beds to 54, mostly in the last seven years. He goes on to say that administration has also absorbed a considerable number of staff and it is estimated that another 10 to 20 beds are needed if specialists can be recruited, and he goes on to speak about other concerns.

Another issue of concern in my electorate relates to roads and transport. In any city, roads are essential arteries for a growing community. I do not believe that anybody in rural and regional Queensland would hold the notion that spending should be totally restricted to the south-east corner. Whilst I acknowledge that the population in the south-east corner is growing exponentially, any of us who come down here from rural and regional areas are gobsmacked at the road infrastructure here compared to that which is available to rural and regional communities. In my electorate we have Kirkwood Road, which is an arterial road at the external edges of Gladstone city which would keep heavy transportation out of the middle of the city through the school areas. It would be a critical piece of infrastructure to ensure safe and timely traffic movements. Kin Kora roundabout has become an area of great concern in peak hours. There is a significant backlog of traffic—perhaps not the same as Coronation Drive in peak hours and certainly not some of the backlogs that were experienced with the closure of the freeway recently. However, for the people in my community it is a significant deterrent. Their hours are inflexible or reasonably inflexible, and the Kin Kora roundabout needs to be reviewed in terms of traffic flow. If it were a flyover for those going straight through, that certainly would be one answer.

The minister for transport has declined again to have boom gates placed on the Mercury Street crossing. This is a crossing that reflects the same situation as Whitney Street, where there was a fatality a couple of years ago. The boom gates there are now in place because the Gladstone City Council has installed them. I would certainly ask the minister to review his decision on the relocation of the boom gates from the Callemondah overpass so that they could be efficiently placed at Mercury Street to afford a higher level of safety.

The dredging of the Boyne River mouth has been an issue of concern to my community before I was elected as a member of this place, and I will be seeking funding from the minister for an updated hydrological study to show not only the tide patterns—the flow patterns—but also the commercial and recreational use of the Boyne River to validate the need for that dredging. Everybody who uses the Boyne River mouth knows that no validation is needed. However, to date we have been unsuccessful in having the Boyne River dredged and certainly the hydrological study would highlight those needs.

On a number of occasions now I have written and spoken to the Premier about water rebates, and in the chamber last sitting he stated that he would advise in a week or so from when I asked the question as to the timing of the rollout of rebates across Queensland. I received anecdotal information—verbal information—that that announcement will not now happen until November and perhaps December. I would have to express disappointment that the announcements will take so long. There are

many responsible water users in my electorate, as I am sure there are in many rural and regional areas. They would benefit greatly from water rebates to assist them in the installation of necessary waterwise equipment and the purchase of tanks.

In any fast-growing community affordable housing is one of the basic necessities for families to develop and prosper. We face extra pressure when there is a development boom because not only does the price of housing for purchase go up but rentals also increase exponentially. In the past the minister for housing has blamed the federal government. I believe the responsibility is on both areas of government—both federal and state. I believe it is critically important that issues of affordable housing be addressed for the community because, while there may be some segments in every community that are reasonably affluent, the vast majority of people are on modest and constrained incomes—that is, they do not fluctuate. Therefore, their ability to afford inflated housing prices is diminishing, not increasing.

Access to lifestyle packages in communities is essential. In my electorate many families have for long periods cared for children and adults with disabilities ranging from mild to quite significant. Those families have talked to me about the onerous amount of paperwork that is involved in applying for lifestyle packages and that very few new packages are available. Previously, I have written to Minister Pitt about this matter. I have also said in this chamber that I have no doubt about his genuine concern for people with disabilities. I look forward to working with him to endeavour to meet the needs of those families who face incredible physical, psychological and emotional challenges on a day-to-day basis to ensure that their family members receive an acceptable quality of life.

The police in my electorate do a tremendous job. My electorate has a Dog Squad and water police, which is relatively new. Those police are welcome. However, Tannum Sands and Boyne Island are growing communities. Although staffing levels at the police station in those areas have increased, the station needs to be open 24 hours. Response times to these areas from Gladstone are, at the minimum, 20 minutes. However, often only one or two crews are in Gladstone and very often, owing to staffing levels in Gladstone, call-outs to Tannum Sands cannot be managed in what the community would regard as a timely manner. The communities in those areas feel particularly vulnerable. I call for the police station for those areas to be open 24 hours.

In my electorate petrol pricing continues to be a bone of contention. Petrol is landed at the Gladstone port. A couple of weeks ago I had to travel to Brisbane and then up to Mackay. I found that Gladstone remained one of the dearest places in which to purchase petrol. The price of petrol at Carmila was cheaper at about \$1.12 a litre when the price of petrol at Gladstone was about \$1.18 a litre. Give me a break! I heard the member for Keppel talking about petrol prices. On a number of occasions I have written to the ACCC about petrol prices and it has refused to investigate. It has either said that it does not have the power or the matter is not within its jurisdiction. Somebody needs to get organised and review the level of profit that is made out of petrol prices. The petrol price in my electorate is down to about \$1.14 litre, but recently when I was in Brisbane it was 98c a litre. Some of that price difference could be caused by quantity, but all of it cannot be caused by quantity. For a number of weeks petrol has been down to below \$US60 a barrel. The price of petrol needs to be reviewed. I have a great electorate. I look forward to working with the people of my electorate in this term.

Mrs PRATT (Nanango—Ind) (3.32 pm): It gives me great pleasure to rise again in this place to represent the needs and concerns of the people of the Nanango electorate for a fourth term in this, the 52nd Parliament of Queensland. Before entering politics, I heard too often so many people in this state and country express the belief that they have been disenfranchised by the various state and federal governments and question why they should even have to vote at all. That is a real shame in this day and age. It is because of this feeling of no control, of having no input into what will happen in the future, that the birth of minor parties such as One Nation occurred. Although I doubt that there will ever be again a major impact on the political scene such as occurred with the advent of One Nation, it is a fact that that disenchantment remains. We see that disenchantment manifesting itself in the likes of political parties such as Family First and Bob Katter's 'Beast' and others which are trying to establish themselves. The major parties still have not learned the lessons of why a percentage—and it is a vast percentage—of the population still choose to vote for other than the major parties.

Today, it is with the utmost gratitude that I stand here still as an Independent and knowing that my efforts to bring to the attention of the government the needs, concerns, questions and thoughts of people have been recognised by the constituents of my electorate. I hope that over the past 9½ years I have allowed them, at the very least, to avail themselves of an opportunity to express their views as to whether they support or oppose the actions of this government—a government that often proclaims itself to be a government for all Queenslanders but has, through its governing, failed to diminish the perception of being primarily a government for the south-east corner. Many people in the Nanango electorate, which is a conservative electorate—and especially the party political Nationals—believe that this Labor government is a hostile government that sees little benefit in ensuring that the needs of the electorate or of its constituents are met. If the National Party candidate had been elected, I would have agreed with them as both sides of politics seems to view each other as simply the enemy.

Although government ministers and I have had heated debate and have at times disagreed quite strongly, I have to acknowledge that together we have worked and achieved positive results in relation to many issues for many individuals and communities alike. I hope that the overall cooperation we have had will continue over the next three years with the aim to achieve the betterment of the lives of those people who live outside the south-east corner.

During the election campaign many people worked hard to ensure that I was returned. Barry, Keith, Nancy, Reg, Ruth and Jim all played a major part, and without them my campaign would not have been an easy one at all. To simply say thank you to those people would not be enough. It does not really convey my gratitude for their efforts. Many people offered to help man the booths in my electorate—and there are quite a few booths. I am very grateful for them. They just came out of the woodwork. Some were prepared to travel immense distances—

Mr English: Barry Krosch did a great job.

Mrs PRATT: Thank you very much. Everybody does a great job. To each and every one of them, I say thanks. I cannot let this opportunity pass without thanking my staff: Val, Kelly and Debbie. Kelly has the unusual knack of being pregnant and having a baby during almost every election campaign. If Debbie wants only two children, I do not know whether she should hang around for another election in three years. She has met her quota already.

Mr Hayward interjected.

Mrs PRATT: Perhaps, yes. Debbie planned not to be pregnant during the election campaign. She expected the government to go for a full three years, as the Premier stated often that he would not call an early election. But I do not think that it was any surprise that he did call an early election. Val, Kelly and Debbie keep my feet on the ground at all times. As all members know, the workload for electorate officers can be quite horrific. Yet they always seem to have a smile on their faces, which is very, very heartening.

However, this year one gentleman and his wife could not be part of the election campaign. Col has been with me during every election campaign, but due to poor health he could not come this time and Nerida had to look after him. Col may not have been with me physically, but I know that he was there the whole time in thought. Luckily, he has recovered and I look forward to seeing him during the next election campaign as he plans to once again be my driver.

To the other members who have been returned to this House, I offer my congratulations to each and every one of them. To all the new members, I hope that they find the experience rewarding and that they hold to the ideals that they have come to this place with in that they will represent their constituency first and foremost. I would also like to offer my congratulations to the member for Townsville, Mike Reynolds, for his elevation to his role as Speaker.

I think that every member in this House can regard themselves to be blessed to have a husband, a wife or a partner who willingly goes through an election campaign. Even going through an election campaign once can be a bit of a trial and a feat. To date, my husband, Tony, has managed to survive four election campaigns. He remains my anchor in what is often a very demanding job. I thank him very much for that. In my first term he survived on baked beans and eggs. Over the past four terms that I have been a member he has expanded his talents and has now become a very, very good cook of healthy food. Unfortunately, he hands the reins back to me as soon as I walk through the door. But I will try to change that over the next three years.

I am extremely aware that this election campaign was probably the hardest one that I will ever have to fight. The standing of a Bjelke-Petersen in an area that is synonymous with that name tested many in the Nanango electorate who found themselves torn between their loyalty to that well-known political family and their loyalty to me that had developed over the past three terms of this parliament. To be elected to parliament is a privilege that should be earned. It is not the right of the bearer of a particular name, be that the name of a party or an individual. I am extremely humbled to know that the impact of a great name such as Bjelke-Petersen on my primary vote was only around 250 votes. That showed that people were not unduly swayed by the hype surrounding that name.

For me, this election could be described as a David and Goliath battle, but whereas David had to fight only Goliath, I had to fight a plethora of polities. At times, there were so many state National Party MPs there—and I counted at least five of them—as well as federal National Party MPs. There were the likes of Ron Boswell and Barnaby Joyce and I was told that, although I did not see him personally, even John Anderson popped in.

Even past members were there. With their constant presence and the proliferation of billboards and copious amounts of paraphernalia it would have been difficult for the general public to actually know who was contesting the election. I do not think the local media has ever had or will ever have a financial windfall like it had during this election campaign. Believe me, very little of the money they earnt was mine.

During this term I will continue to bring to the attention of the Premier and the ministers the issues confronting my communities. The first of these I referred to in a question I asked the Minister for Health last sitting. There was and is a major problem in terms of the deteriorating health and mental health services across the state. Everyone acknowledges this. But rural Queensland is suffering more than most.

Queensland Health's failure to maintain its mental health services is having a negative impact on our police resources. The reduction in services at the Kingaroy outpatient service is deplorable given the town's population is growing at a tremendous rate. The dental waiting list remains one of the highest in the state. This has been so for the last several years. This decline in services is occurring not only in my electorate but also statewide. This is synonymous with a government which has in previous years tried to cover up that anything was wrong instead of acknowledging the problems and getting on with correcting them. It is a difficult situation to correct with worldwide shortages of doctors across-the-board.

If the minister sees attacking anyone who brings community concerns to him as the only form of defence then the next three years will not allow for any improvement in Queensland Health, and he will have not only failed those who rely on him to take seriously the impact of the health system on the people trying to access it but also failed in terms of the trust that this government has put in him. It has placed so much responsibility on him. There is no doubt that a lack of resources and staff availability has and will continue to impact heavily on the current staff in our hospitals who work extremely hard under very difficult conditions. The truth is that the staff do the best they can with the resources they get.

A recent letter from the minister stated that, due to the shortages, non-urgent cases should use their GP. This is often not possible in low socioeconomic areas simply because many do not have the finances to go and spend \$30, \$40 or \$50 at their local GP. They have always been outpatients at the hospital. They do not have a GP. In many instances the doctors in the areas have closed their books. So where do they go if they do not go to their local hospital?

Studies indicate that the future demographic of the Nanango electorate will be an older population. They will require all the services that that age group normally do. The services required will include medical facilities, public aged-care facilities and public hospital services. Instead of these services increasing they are decreasing.

When it comes to the aged-care area we are seeing our elderly being shipped out to towns up to half an hour or more away. But there is no public transport to these towns which makes it extremely difficult for loved ones to visit people in those facilities. I stand corrected: there is a bus service which passes through our towns, but there is a very small window of opportunity for visiting. By the time people get off the bus and up to the hospital they may be lucky to spend 15 or 20 minutes with their loved one before they have to go to catch the bus back. This is not acceptable. These older people cannot afford to take a taxi and most of them do not drive when they get to the age where their loved ones are in homes. Most of them have lost relatives because they have moved to the cities or further afield to find work. They can only rely on their friends. That is a totally inadequate situation.

Last sitting the minister chose to accuse a part-time member of my staff of writing articles that were published in the *South Burnett Times*. The minister should be aware—and I assume he is aware—that what a part-time staffer does in their spare time to obtain a livable income is up to them. I would also ask the minister to be very sure that the articles he referred to were in fact written by this particular part-time employee because he has not worked in that capacity for some time. I would hate to think that he was just having a cheap and petty shot at me.

Too often in this country those who feed the nation have their right to earn a living in their chosen field of agriculture diminished by this government. Their rights have been systematically eroded through various pieces of legislation and invariably each time without just compensation. We see irrigators continuing to pay for water which they have not received for years. Any other business which continued to demand payment but failed to deliver the goods would be viewed as conducting a very shonky business and Fair Trading would be brought in to look at it.

Over the last few months or so many people in Kingaroy, Blackbutt, Yarraman and Nanango received personally addressed mail containing water rebate information. This mail contained the application. They merrily purchased the tanks that they were entitled to, filled in the applications and sent them off only to be told that the people in those towns were not eligible for the rebate.

A government member interjected.

Mrs PRATT: That is true, they did not read it. But most believe that if something is addressed to them personally then it relates to them. A lot of them did not read the information. So they have gone into debt by borrowing money for this. Older people may not, but a lot of people do get conned. I believe they have been conned. They were told they were eligible for the rebate; they had a letter sent to them which said they were eligible and they feel that they are entitled to it.

People in Blackbutt actually use Wivenhoe water. Wivenhoe is one of the dams that is almost at crisis point and yet the people of Blackbutt are not eligible for it either. The logic does not apply that the people drawing from particular dams will get the rebate. They are not. It was a city-centric ploy to ensure extra votes in the city.

The trial has been successful. The government has so many people wanting the rebate that it has been swamped by applications. The Premier said that it would spread across the state within 100 days. I hope very soon we will know when he is going to stick to his word. He did not stick to his word when it came to not holding an election before the term was up. Most people are not holding their breath waiting for him to keep his word. I hope he will keep it. There are people outside the city who rely very heavily on water that they have not got. We need tanks. In Kingaroy we have started level 5 water restrictions. But nobody up there is eligible for this rebate yet.

Drought is the norm rather than the exception for this land. We are seeing level 3, 4 and 5 restrictions being implemented everywhere across the state except in the north. I remember the member for Tablelands smiling and saying quite happily that we should all move up there so we can enjoy water. But the truth is that we are in dire straits in this state.

This government has gloated about the growth in the south-east corner for years. It has patted itself on the back for its ability to attract people from other states to settle here, but it has failed dismally to meet the needs of all people. Perhaps the government did not believe it would be in power so long. Perhaps it did not anticipate an opposition so out of control that the people would rather keep a failing government in power than risk having the opposition in power.

I doubt there has ever been a sorrier choice than the one which Queenslanders were forced to make on 9 September—a government that had failed them on so many levels but it at least had a plan or an opposition which was in total disarray, continued to shoot itself in the foot and failed to convey where it was going if it even knew itself.

This government needs to rethink the folly of centralisation. Continually we are told how the population growth in the south-east corner is impacting on infrastructure and resources. Instead of supplying jobs in rural areas through encouraging the decentralisation of industry and services, it continues to overcrowd the south-east corner.

We have seen the tabling of the 10-point plan for water. Councils are desperate so they back the plan as I do but for one point—the Traveston Dam. The member for Gympie outlined why that particular site is so wrong in so many ways. I will not go into the many reasons. But this government should not refuse to listen. It should not be afraid to backflip. There are many other dam sites that have been looked at in the past and which were seen to be quite okay. They would have held the water that is now flowing out to the sea.

It will rain. A lot of water floods through the Brisbane area and goes out to sea. There is so much wastage on the coastal strip that it is almost a sin. The dam at Traveston should not—should not—go ahead. It is an inevitable ecological, environmental and agricultural disaster. We have so little good agricultural land left and here, in one of the prime agricultural land spots, we are going to flood that land. Not very long ago we talked about a plan for the bush and stopping people building on A1 agricultural land, prime agricultural land, and here the government is discounting everything it has said in that regard and is willing to flood a vast area of good land.

I have heard it said by Labor members in this House that this government is passionate about education, yet this is really a government that advocates supermarket style education—the mass production of students—and it is turning its back on the small schools that often cater for students who fall through the cracks, students requiring concentrated attention to overcome the hurdles that block them from reaching their hurdle. Small schools fill a much-needed gap in the education system. Education is supposedly for all children, not just those who fit the mould. It is a child's right to have an education, and it is a government's obligation to see that children get educated, even if that might cost a bit more in some remoter areas with very tiny schools.

I will continue to oppose legislation when I believe it to be unfair or ill-considered or where it disregards the concerns of communities, but I will also support good, fair and considered legislation regardless of where it originates from. No-one in this parliament is always right nor are they always wrong. This entire parliament must work for the betterment of Queensland. That is why we are here. It is a privilege to better the lives of others. It is not the province of the government alone.

I would like to thank minister Paul Lucas at this stage for the many roadworks he has given to the Nanango electorate. But, although there are many road issues, I will bring to the minister's attention over the next few years my main concern, which is the standard of much of the maintenance of those roads. We have patches on patches on patches, and often it is extremely poor patchwork at that. The shoulders to widen the roads are much appreciated but why, along the same stretch of road, are the potholes left unfilled and why, months later, are no lines marked on the road? Ultimately, the question has to be asked: why was not enough funding provided to do the job properly? And, if it was provided, where exactly did it go?

We hear constantly of the congestion of the two, three and four lanes in Brisbane, but we suffer from it, too. There are three roads—the Brisbane Valley highway, the D'Aguilar Highway and the Beerwah Road—congesting on to one road that leads into the south Burnett over one precarious bit of ground, Blackbutt Range.

Time expired.

Debate, on motion of Mrs Pratt, adjourned.

GOVERNMENT OWNED CORPORATIONS AMENDMENT BILL

First Reading

Hon. AM BLIGH (South Brisbane—ALP) (Deputy Premier, Treasurer and Minister for Infrastructure) (3.52 pm): I present a bill for an act to amend the Government Owned Corporations Act 1993, 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. AM BLIGH (South Brisbane—ALP) (Deputy Premier, Treasurer and Minister for Infrastructure) (3.52 pm): I move—

That the bill be now read a second time.

The Government Owned Corporations Amendment Bill 2006 is a significant legislative initiative by the Beattie government to ensure that the corporatisation model in Queensland operates within a best practice, up-to-date governance framework. These changes will support the government owned corporations in the important contribution they make to Queensland's dynamic economy. In 2006-07, the GOC sector will contribute around \$4.7 billion in capital projects across the state with GOCs at the forefront of a number of significant infrastructure developments. These projects support the coal export supply chain including rail, ports and water infrastructure, public transport service delivery and investments to cater for the enormous growth in the state's energy needs. In this environment of fast-paced development, this government is not losing sight of the basics—the need for good governance practices critical to the foundation for sustained success of the GOC sector. This bill will enhance the corporate governance framework of the state's GOCs, bringing it up-to-date with current company law requirements.

When it was first introduced, the Government Owned Corporations Act 1993, or GOC Act, was based on Commonwealth administered company law in existence at that time. The GOC Act was to replicate, as far as possible, the corporations law that applied to public companies. Substantial changes have been made to company law through the introduction of the Corporations Act 2001 and subsequent modifications. As a result, we are amending the GOC Act to reflect the current company law.

There are now differences between the governance regime for statutory GOCs, which are established under an act, and the governance regime for company GOCs, which are incorporated under the Corporations Act. There is now an independent regulator, the Australian Securities and Investments Commission, or ASIC, which has responsibility for overseeing and enforcing the Corporations Act. ASIC provides independent regulation of governance and directors' duties for all companies, including company GOCs.

While shareholding ministers will always take a strong interest in GOC governance matters, this can never equate to independent regulation by a body like ASIC. With the proposed amendments, all GOCs will now become subject to ASIC's independent oversight following a transition period. To achieve this reform, all statutory GOCs will be converted to company GOCs subject to the Corporations Act and independent regulation by ASIC. There will still be some additional requirements that apply to GOCs under the GOC Act, but these will apply to all GOCs similarly. The statutory GOC concept will be removed from the GOC Act after a transitional period.

When the GOC model was introduced, it provided for the staged transition of a government entity to a statutory GOC and then to a company GOC. This was to allow time for the government entity to fully corporatise. Based on experiences with corporatisation, transitional issues can be managed through the process of becoming a candidate GOC and through developing the corporatisation charter. As a result, the statutory GOC concept is no longer required.

The government recognises that it will take some time for existing statutory GOCs to convert to company GOCs. For this reason, the amendments will be implemented in two stages. The first stage of amendments, or part 2 of the bill, provides a mechanism for conversion of existing statutory GOCs to company GOCs. It effectively nominates all existing statutory GOCs as candidate GOCs to be company GOCs. This part of the bill will commence on the assent of the act.

The second stage of amendments, in part 3 and the schedule to the bill, removes the concept of statutory GOC from the act. These provisions will only take effect on a date to be proclaimed after all statutory GOCs have converted to companies. Importantly, this amendment is not about reducing GOC accountability. The move to company GOC status will add to the existing governance framework for GOCs, requiring accountability not only to shareholding ministers and parliament but also to an independent regulator just like any other company operating in Australia.

The performance of our GOCs directly affects the lives of Queenslanders throughout the state every day. Queenslanders put their trust in us to deliver essential infrastructure and core services through our government owned corporations. The people of Queensland can take comfort that we are strengthening the governance processes in place to protect their investment in these businesses.

While we are committed to ensuring robust governance arrangements, we are not confusing that with red tape and bureaucracy. This government has made a commitment to reduce red tape. In introducing this legislation, I am following through on this commitment. The bill also provides for process improvements, which will allow for more timely decision making. These changes will be effected in the first stage of amendments. The bill will reduce legislative complexity by aligning all GOCs with the Corporations Act governance requirements. This will remove the need for continuous amendment of the GOC Act for Corporations Act changes and will provide greater certainty and clarity for GOCs.

The senior executive appointment process will be streamlined by removing the requirement for GOC chief and senior executives to be appointed by Governor-in-Council. GOC boards will be able to appoint chief and senior executives in accordance with the company's constitution but with prior shareholding ministers' approval. The streamlined process recognises the commercial imperatives faced by GOCs but seeks to balance them with public interest considerations.

Dividend approvals will be simplified into a single-step process. The requirement for formal consultation between the board and shareholding ministers will be removed for the process to become more efficient and manageable. Time pressure on GOC boards will be reduced at the time when their statements of corporate intent are being agreed with shareholding ministers. This change is not about reducing accountability.

GOCs will obviously continue to discuss commercial matters, including possible dividends, with shareholding ministers as part of established reporting and agreement-making processes. The bill also provides a mechanism for GOC boards to advise shareholding ministers of adjustments made to estimated profits before recommending a dividend as a result of recent changes made to Australian accounting standards.

The bill inserts a new provision to facilitate the smooth and timely transfer of assets and liabilities between GOCs and GOC subsidiaries. The transfer is possible under the current provisions of the GOC Act but could be delayed or overridden by third parties seeking commercial benefit at the expense of the public interest. The new provision deems consents, notices, approval and advice to have been obtained or given where the state decides to re-organise its GOC portfolio and transfer assets and liabilities from one GOC or GOC subsidiary to another.

The new provision relates only to transfers between GOCs and their subsidiaries which are both owned by the state and does not enable assets or liabilities to be transferred outside of the GOC sector. In this broader context, risk for third parties that have entered into commercial arrangements with GOCs does not change.

This bill will also make a number of technical amendments to the GOC Act to bring about legislative certainty and clarity for all GOCs. One amendment will align the time frame for completion of the GOC's corporate plan with that of its statement of corporate intent. This will ensure both documents can be finalised together in a single process. The GOC Act will also provide that GOCs do not represent the state unless expressly provided for otherwise. This is an expressed statement of an existing government policy position and is consistent with the competitive neutrality principle upon which the GOC model is based.

References to out-of-date terminology will be updated so that they are consistent with current terminology. Most importantly, we will remove the requirement for GOCs to have three non-voting shareholders, who have no role in the administration of the company GOC, but retain the two voting shareholding ministers. This change stems from the previous company law requirement for companies to have a minimum of five shareholders. This amendment will directly reduce the administrative workload for companies in maintaining their share registers.

There have been some questions asked during consultation about the possible effects of the bill. Let me assure the House that the bill is in no way intended to change the fundamentals of the corporatisation model in Queensland. Rather, it is about strengthening the framework within which the government will continue to manage public ownership of large infrastructure businesses. Nor does the bill affect in any way the existing rights and employment conditions of the many Queenslanders employed by GOCs. This government remains committed to maintaining pre WorkChoices conditions in all of our government owned corporations.

As part of the amendments we will also be placing company GOCs on the same footing as any other corporation or individual regarding the application of the Ombudsman Act 2001. This will ensure the Ombudsman can obtain information from company GOCs relevant to an investigation of an agency—that is, a department, local government or public authority. The Ombudsman can currently obtain information from any citizen or private sector corporation relevant to an investigation of an agency.

Statutory GOCs currently fall within the Ombudsman's jurisdiction and can be subject to an investigation by the Ombudsman. Given company GOCs do not come under that jurisdiction the government will be giving further consideration to alternative mechanisms for receiving public complaints in relation to GOC service delivery issues prior to statutory GOCs converting to company GOC status.

The Government Owned Corporations Amendment Bill 2006 strengthens the corporate governance framework for the state's GOCs and brings it up to date. The bill retains the original intentions of the GOC model but simplifies the legislation providing greater legislative certainty and clarity to all users. Administrative processes will also be streamlined. This bill balances accountability and public interest considerations with GOCs' commercial imperatives and provides a robust corporate governance framework for the future. I commend the bill to the House.

Debate, on motion of Dr Flegg, adjourned.

REVENUE AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

Resumed from 11 October (see p. 65).

Dr FLEGG (Moggill—Lib) (4.03 pm): I rise to speak to the Revenue and Other Legislation Amendment Bill. This bill attempts to put into legislation a fraud against the people of Queensland. It shows that the Treasurer and her government are willing to renege on a written agreement with the Commonwealth that would have delivered real state tax cuts to Queenslanders.

I refer members to the intergovernmental agreement on the reform of Commonwealth-state financial relations signed by the Beattie government in 1999 in order to receive GST revenue from the Commonwealth. This agreement was alluded to by the minister in her second reading speech but without clarifying what it was that the Beattie government agreed to in 1999.

Labor took the politically expedient position of opposing the introduction of a GST but then gratefully grabbed the cash when the GST was introduced and now we see it reneging on its deal to abolish the other state taxes that it agreed to abolish in return for the GST, the revenue from which was to be replaced by the GST.

The abolition of these taxes was to have been in 2006 because there was a wait for the GST to build up, but the GST built up more quickly. The agreement involved the abolition of a number of indirect state taxes as from 1 July 2006, including stamp duty on non-quoted marketable securities, stamp duty on leases, stamp duty on mortgages, bonds, debentures and other loan securities, stamp duty on credit arrangements, instalment purchase arrangements and rental arrangements and stamp duty on cheques, bills of exchange and promissory notes. It also included an agreement to abolish stamp duty on business conveyances other than on real property from 1 July 2007.

One of the purposes of the bill before the House today is to reflect the fact that Labor governments in Victoria and Tasmania have abolished mortgage duty in keeping with their agreement with the Commonwealth. The Treasurer likes to tell anyone who will listen to her how good she is at running the state's finances and how Queensland is the low-tax state, but when put to the test she welshes on agreements with the Commonwealth to abolish taxes that the GST revenue more than adequately compensated for through windfall GST receipts.

According to figures provided by the Commonwealth, which I might add have not been disputed by the Treasurer, if the Beattie government had the decency to honour its agreement and abolish the taxes it agreed to abolish, Queenslanders would be \$320 million better off than if these arrangements had not been introduced. Let me repeat that: if the Treasurer and her Labor colleagues decide today to do the honourable thing and keep their signed deal with the Commonwealth and abolish these taxes, Queensland taxpayers would be \$320 million better off than under the tax arrangements that prevailed prior to the introduction of the GST.

Members of this chamber might well ask why the Treasurer will not or, better still, cannot honour the agreement with the Commonwealth. This is the same government that made a promise to stop electoral roting in the ALP; it clearly welshed on that promise. It was the same government that promised to fix child safety in the state after a detailed report condemned its neglect; yet one child every

week still dies in the care of the Beattie government's Department of Child Safety. It is the same Beattie government that declared the state's public hospital system fixed, yet waiting list figures continue to show it gets worse not better. It is the same minister who, as education minister, repeatedly misled the people of Queensland about asbestos in state schools.

Ms BLIGH: That is untrue. It is offensive. I ask for it to be withdrawn.

Madam DEPUTY SPEAKER (Ms van Litsenburg): Member for Moggill, will you withdraw that comment?

Dr FLEGG: I withdraw it. The Treasurer has a distinguished record of mismanaging the true state of portfolios under her control and then trying to pull the wool over the eyes of Queenslanders about it. Instead of keeping the deal with the people of Queensland and the Commonwealth to abolish a range of indirect state taxes and duties from 1 July this year, the Treasurer, who repeatedly boasts about a record budget surplus, is reluctant to cut taxes and duties in honouring that agreement. GST revenues were handed over to the states on the basis that they would abolish a range of taxes and duties. The moneys being received by the Beattie government today already compensate for the abolition of mortgage duty, yet for some perverse reason they have decided to double dip. Yes, it is a double dip; they are taking the GST revenue but still charging the mortgage duty tax. On top of double dipping, the GST is a windfall tax and provides the Beattie government with an excess of revenue above what was received under state taxes. So the Treasurer has no reason to not immediately get the deal with the Commonwealth and abolish these taxes forthwith.

I wish to anticipate the response from the Treasurer. She will attempt to convince members that the Commonwealth has agreed to the Beattie government's timetable to welsh on its 1999 agreement. When confronted by a number of greedy, gasping state Treasurers to sign up for the current intergovernmental agreement on the reform of Commonwealth-state financial relations in March last year, Peter Costello, the Commonwealth Treasurer, was presented with a 'take it or leave it' situation from state Treasurers. I have been reliably informed that Mr Costello was unwilling to let the dishonourable behaviour of state Treasurers derail important reform and noted the amended timetables for abolishing taxes and duties had been extended by a number of them, including Queensland. In other words, he operated with a gun to his head. I am sure Mr Costello was of the opinion that the state Treasurers would have to explain to their own constituencies why they are double dipping on taxes when they have been clearly compensated for abolishing them.

Now is the Treasurer's chance to explain to Queenslanders why she wants to continue to charge them taxes and duties in spite of receiving moneys from the Commonwealth to pay for the abolition of the very same state taxes and duties. Let me suggest to the Treasurer a response to this question. I would anticipate her saying that her government needs to double dip on taxes because the Victorian and Tasmanian governments are able to manage their budgets better than she can. Maybe she would not provide that response because it might require her to tell the whole truth. I expect she will say that everything is rosy in Queensland. I think she just confirmed that. In fact, the abolishment of these taxes was an important part of micro-economic reform. It was to make Australia and Queensland more efficient. It was a trade-off accepted by the Australian people in return for accepting the GST.

This tax reform with the introduction of the GST was a major micro-economic reform to reduce the multiplicity of taxes and the red tape upon business. We have seen this week that businesses have a cost of some \$9 billion a year due to red tape. That is one reason why the federal government under John Howard took the politically difficult decision to introduce a GST, a decision his Labor opponents tried to exploit for everything it was worth politically, but a decision that was important to Australians. One of the reasons that we have prosperity in this country today is because of some of those more difficult decisions and those reforms that, if they had been left to Labor governments doing their politically expedient thing, would never have happened. Besides being two-faced in its dealings with the Commonwealth, maybe the Beattie government is extending this dishonesty to the people of Queensland and cannot abolish these taxes and, in fact, needs to double dip for another reason.

We will hear a lot of nonsense from this government about Queensland being a low-tax state, but figures from the Australian Bureau of Statistics show that Queenslanders no longer enjoy being the lowest taxed Australians, thanks to the Beattie government. Figures from the Australian Bureau of Statistics show that, when Mr Beattie became Premier, Queenslanders had the lowest state tax take in the nation per capita. On the six years of Beattie government covered by the statistics, Queensland recorded the largest increase in state taxes per person during a period when some states and territories managed to actually reduce state taxes per capita. In relative terms state taxes have increased by over 23 per cent—more than any other state. During this period the average state tax for the rest of Australia has increased by less than seven per cent per person, with some states actually reducing the state tax take per person. This is all the more surprising given Queensland's population growth as these figures are per person. On top of this massive increase in revenues and record GST revenues, this government has been forced to plan to borrow for infrastructure and is now selling assets as well. This begs the question of just how efficiently is it managing the state economy?

Queenslanders could be right to wonder just what they have actually received over the past six years for this dramatic increase in state taxes, but the members on this side do know what is happening with the massive extra revenue. The Treasurer is being forced to pay a premium to urgently construct vital infrastructure that should have been constructed years ago. The government has also become lax in control of recurrent expenditure. The complete absence of any plan for infrastructure during the first seven years of the Beattie government means that taxpayers are now being forced to pay a premium to build that infrastructure and fill in the infrastructure deficit that this government built up over those seven years. The Treasurer will also deny this and will point to the Paradise Dam near Bundaberg as an example of her government's investment in infrastructure at a time when most of the growth in Queensland was happening in the south-east corner of Queensland where no investment in infrastructure has occurred. But wait, the Treasurer will say that the Beattie government delivered Suncorp Stadium, the Gold Coast convention centre and the new cultural centre precinct. Although these assets are important, they should not have been delivered at the expense of water, electricity and roads infrastructure in south-east Queensland, which has been neglected by the Beattie government.

This bill that we are debating today is another example of this neglect. While other state governments are showing that they can reduce taxes and duties within time frames, the Treasurer is ambivalent to the perception of this by the business community. No longer can Queensland say it is at the forefront of national taxation reform, as it was when it led the way in the removal of death duties and, in so doing, forced every other state in Australia to follow suit. Perhaps the Treasurer is not capable of meeting the high standards of tax reform set by past coalition governments.

Government members interjected.

Dr FLEGG: I knew they would like that one! The failure today by the Treasurer to accept her responsibility to abolish these taxes as per her government's agreement to do so reflects on this government's administration of our state. For the next two years, while she continues to gouge Queenslanders with her broken promise on abolition of taxes, the members on this side will continue to hold this up, like her claims on asbestos. This is a minister who simply does not deliver.

In relation to the other provisions of this bill, the abolition of hire duty and duty on transfers of unquoted Queensland marketable securities is scheduled for 1 January. As we all know, this is six months late, but I guess from a Queensland taxpayer's point of view it is better late than never. I will be moving an amendment to include the abolition of mortgage duty and duty on transfers of core business assets simultaneous with the other abolitions that are scheduled for 1 January 2007 instead of those taxes still applying as far out as 2011. I am giving the government one last chance to come clean and to honour at least—if only a little belatedly—the promise it made to Queenslanders in 1999. I note that transitional arrangements will apply to those taxes being abolished on 1 January and I note the continuation of antiavoidance measures—that is, the land rich duty and the corporate trustee duty. I do not express any particular concerns in relation to those measures.

Clearly the transfer duty relief for first home buyers is supported by those on this side of the House. As we know, there has been a dramatic escalation in house prices and, to some extent, these measures are simply catch-up provisions on behalf of first-home buyers who need some relief from the costs of acquiring their first home. Housing affordability is now a major issue for young Queenslanders entering the housing market. I also note the provisions in relation to purchasing vacant land and building a home on that land within two years. Again, these provisions are supported on this side of the House. Likewise, the extension of Queensland's fuel subsidy scheme in relation to a number of applications and some newer fuels is also supported.

The changes to the community ambulance cover likewise reflect the government's sale of the energy retailers. We come now to the irony in this bill—that is, we are amending Queensland legislation, the Duties Act 2001, to reflect the fact that Tasmania has finally honoured its promise to abolish mortgage duty from 1 July and that this change in legislation is required because Queensland failed to do what even Tasmania could do for its taxpayers. I think the taxpayers of Queensland could view the latter part of this legislation cynically.

I note a number of administrative amendments such as adjustment for clerical errors resulting in the need for transference and amendments to the Financial Administration and Audit Act 1997 as well as the Government Owned Corporations Act 1993. We do not find it acceptable that the government should have accepted the GST money on condition of abolition of this number of state taxes by June 2006 and then have proceeded to renege on that commitment and to enact this legislation to give force to its having reneged.

Hon. KW HAYWARD (Kallangur—ALP) (4.23 pm): It is certainly a pleasure to rise in this debate and speak to the Revenue and Other Legislation Amendment Bill 2006.

Ms Bligh: It is a pleasure to have an intelligent contribution.

Mr HAYWARD: Let us hope so. This bill includes a number of amendments and, in particular, some of them affecting the Auditor-General. The background of those amendments is such that in October 2005 the Premier announced via a media release that the role of the Queensland Audit Office

would be expanded so that it could look at not only the accuracy of the systems which departments and agencies use to measure their performance but also whether those measures are relevant to what the taxpayer expects. The Auditor-General welcomed this expansion to provide greater assistance to the parliament through reports that have a broader focus. So this is the legislation that is before us today. The Deputy Premier noted in her second reading speech—

The extended mandate will ensure that appropriate independent scrutiny of the performance of government agencies contributes to improved service delivery to the community, and will complement the operations of the Service Delivery and Performance Commission, established to assess how well government services are meeting community needs.

The Revenue and Other Legislation Amendment Bill will amend the Financial Administration and Audit Act 1977 and the Government Owned Corporations Act 1993 to extend the mandate of the Queensland Auditor-General to provide for an independent assessment of the relevance of the published measures used by public sector entities to assess their performance from 1 January 2007.

It seems to me that an anomaly which needs to be addressed is that there is no provision in the Financial Administration and Audit Act for a mandatory period before an Auditor-General in Queensland may become an officer of an organisation for which he was the responsible auditor. In the private sector the issue is recognised and the requirement for an auditor is clear: there is a two-year cooling-off period. The Corporate Law Economic Reform Program, better known to people who are involved in the accounting area as CLERP 9, states that a member of an audit firm 'cannot become an officer of an audit client until two years from the date of ceasing to be with the audit firm or audit company'.

Justice Owen in the HIH royal commission noted that the question of independence with respect to audit committees is usually concerned with the relationship of its members with management. In the case of HIH, an issue arose as to the independence of the audit committee from the external auditors due to the presence of ex-Andersen partners as members of the audit committee. Justice Owen considered that the best practice recommendations should clarify that the audit committee is required to be independent of both management and the external auditors.

Justice Owen also considered that the mandatory 'waiting period' of two years included in CLERP 9 might not be sufficient to arrest a reasonable apprehension that former partners retain an influence over members of the audit team. This is particularly so if those with whom they have worked for a number of years—and in respect for whom they have acted as a mentor, as the case may be—are members of the audit team. My question to the parliament is: should an Auditor-General not be held to at least as high a standard as the private sector auditors? I think the answer is pretty simple: yes. I am certain that the community would expect that, and I know that all members of this parliament think that. The fact is that there is no requirement on a retired Auditor-General.

Former Queensland Auditor-General Len Scanlan, in an article he wrote for the *Courier-Mail* dated 29 April 2005 titled 'Independence compromised', stated that the Auditor and the audit client must be separate. He went on to say that the private sector auditing profession is making concerted efforts to resurrect its independence and with it the trust and confidence of the investing community. So Mr Scanlan recognised the problem. The private sector here recognised the problem and established protocols for addressing it. Former Auditor-General Len Scanlan recognised the problem, but there is no provision in the Financial Administration and Audit Act to address the problem. The question then that needs to be asked is: what has been the practical effect of this omission from the Financial Administration and Audit Act?

In a press release dated 8 April 2005 by the Brisbane City Council, it said that Len Scanlan had been appointed to a key council position. It went on to say that Lord Mayor Campbell Newman announced that Len Scanlan, the former Auditor-General of Queensland, had been appointed as the inaugural independent chair of the council's audit committee. The press release went on to say that 'Len has acquired a good knowledge of the council through his supervision of the annual review of its financial statements'. The Brisbane City Council is a significant client of the Queensland Audit Office and the City of Brisbane Act requires the Auditor-General to conduct its audits. Section 122 states that audits of the council are to be conducted by the Auditor-General under the Financial Administration and Audit Act 1977.

The financial statements of the Brisbane City Council are to be prepared at least two months after the end of the 30 June financial year. So this is the dilemma: I think it is laudable that the Brisbane City Council has decided to have an independent audit committee and a former Auditor-General has all of the attributes to be a good audit committee member. However, at that time he was the external auditor. Is it right that a former Auditor-General should be appointed to such a position, particularly in the same financial year he was the external auditor—in this case, less than four months after ceasing to be the auditor of the Brisbane City Council? But I think it gets a little bit more questionable. Council minutes of the Redland Shire Council dated 15 February 2005 report that there was an informal meeting of the shire audit committee on 16 December 2004 with the Queensland Audit Office. Redland Shire Council is a client of the Audit Office. The minutes record that the mayor advised that the meeting raised issues of the structure of the committee, who should chair it and the value of external members.

I think that date—16 December—is important, because that is the date that the term of the former Auditor-General, Len Scanlan, as Auditor-General ended. The minutes record that the mayor stated that he would strongly support the recommendation of an independent chair of the audit committee and the need to move quickly in the next four weeks. It did not happen as quickly as the mayor suggested. However, council minutes of 27 April, after a process of expressions of interest were advertised in the *Courier-Mail* on 19 March 2005 for suitably qualified individuals, show that Len Scanlan was appointed chair of the audit committee from May 2005 to March 2008.

In its exposure draft on Excellence in Governance for Local Government, CPA Australia—an accountants' membership body; the Australian Society of Certified Practising Accountants—suggested that independent members of an audit committee should not have or have recently had any employment, contractual or material relationship with the local government. Strangely, it is interesting to look then at the CPA Australia press release, because when Mr Scanlan was appointed to his position the CPA Australia press release did not raise any objections despite its own exposure draft. In fact, when one looks at the press release it says—

The new independent chair role will give the council independent and expert advice to further strengthen control systems.

During Scanlan's appointment as independent chair, he will focus on risk prevention by identifying issues before becoming problematic.

I have taken the opportunity to raise what I think is a significant governance issue in this debate. I support the bill before the House and I look forward to its implementation.

Mr LANGBROEK (Surfers Paradise—Lib) (4.33 pm): I rise to speak briefly to the Revenue and Other Legislation Amendment Bill 2006. The bill offers a range of amendments across a number of acts. Amendments to the Community Ambulance Cover Act 2003 will provide for the exclusion by regulation for ancillary administrative processes from the requirement for commissioner approval of subcontracts for the performance of functions or parts of functions of an electricity retailer under the act. This and the other few consequential amendments are necessary following the decision that was made to sell the Allgas distribution network. The bill will also amend the Fuel Subsidy Act 1997 to expand the definition of fuel and extend the Queensland fuel subsidy to diesel used for on-road travel by certain equipment type vehicles. These changes are not contentious and have bipartisan support.

I want to turn now to the more interesting amendments this bill seeks to make in relation to some state duties. The bill will amend the Duties Act 2001 and will give effect to the abolition of hire duty and duty on transfers of certain other transactions relating to marketable securities from 1 January 2007. Amendments will also extend to the first home transfer duty concession to certain circumstances and modify the mortgage duty provisions to reflect the abolition of the mortgage duty in Tasmania. But the mortgage duty will continue to be charged in Queensland until 2008. The Beattie government said back in 1999 that it would consider abolishing the hire and mortgage duties from July 2006 as part of the original GST agreement. It cannot be disputed by those opposite that continuing to charge mortgage duties up until 2008 goes against the spirit of the original agreement. In recalling the agreement, July 2006 was the proposed date. The abolition of hire duty that this bill introduces will commence in January 2007, six months after the proposed date. Even if we can accept this delay, Queenslanders should not be expected to accept the abolition of mortgage duties some years after the agreement intended.

The Queensland government has been happy to beat its chest about the strength of the economy without giving due respect to the fact that GST revenue has had much to do with this strength. This morning we had the Deputy Premier proclaiming achievements 'on the back of a flourishing economy'. It is unfair that in good economic times—times for which we should thank the strong federal coalition government's financial management—the Beattie government is not following through with the spirit of the agreement and allowing Queenslanders to benefit as the Beattie government has from the revenue raised through the GST. The Beattie government will take, take, take and give just a little back. This certainly was not the intention of the agreement. Queenslanders have to be aware that state governments are being compensated by the federal government for repealing these duties. Taking, taking, taking! The Queensland coalition as proposed by the Leader of the Liberal Party wants to give back to Queenslanders. The Queensland coalition wants to acknowledge the true spirit the GST agreement had.

I understand why the government would say only that it would consider and not go as far as to commit to abolishing the duties back in 1999. Those opposite were right in wanting to see just how much the GST was going to raise. But the GST has proven a wonderful revenue raiser for the Beattie government, and now it is time to follow through. That is why the member for Moggill's amendments to repeal state government mortgage duty and non-real estate conveyance duties from 1 January 2007 should be accepted. There is no excuse not to accept the amendments proposed by the coalition, as the amendments embrace the spirit of the agreement. Delaying the benefits of the agreement is certainly against the spirit of the agreement. The Beattie government needs to stop taking and start giving something back to the Queenslanders it is here to serve.

Mr MOORHEAD (Waterford—ALP) (4.37 pm): I am proud to speak in support of the Revenue and Other Legislation Amendment Bill 2006. This bill, if passed, will be of great benefit to many of the residents of the Waterford electorate that I represent. Of the people in the Waterford electorate, 42 per cent of residents are under 25 and over 70 per cent are under 44. We have so many young families who are struggling to make their way to homeownership. The great Australian dream of homeownership has become harder in recent years, but this measure will ensure that the Beattie government is doing its part to make the great Australian dream a reality for many young people and young families. It is so great that this bill delivers on the Beattie government's election commitments so soon after the 9 September election.

Many constituents in my electorate know that the Howard government's promises on interest rates have amounted to nothing, particularly in the area of housing affordability. With rising house prices and rising interest rates, housing is now less affordable than it was in the late eighties when interest rates were 17 per cent. Many people are now spending more than 30 per cent of their income on housing, whether that is through mortgage repayments or through private rental. For many, this has put homeownership beyond reach. This bill will make homeownership a possibility for some. Anything that takes pressure off homeownership must also have the effect of supporting access to the private rental market. In turn, this will take pressure off our public housing system, which is struggling since the Howard government withdrew millions of dollars of funding from the Commonwealth-State Housing Agreement.

Mrs Sullivan: \$400 million since 1996.

Mr MOORHEAD: I accept that interjection. While there are many important changes made by this bill, I want to make particular mention of the changes that will make life easier for those wishing to purchase their first home. After only six weeks since the election, the government is delivering on its commitment to provide relief to first homeowners through concessions for first-home buyers. These concessions for first-home buyers will mean that first-home buyers will not pay stamp duty for the purchase of established homes up to \$320,000 in value. This is a rebate of \$3,200 of stamp duty for first-home owners purchasing a home. For those buying houses that are priced over \$320,000 up to \$460,000, the stamp duty concession will be increased. As before, the stamp duty concession will cease at houses worth \$500,000.

This bill will also ensure that first-home owners who are paying less than the unencumbered value for the property will continue to be entitled to the first home transfer duty concession. The concession threshold for those purchases will also increase, in line with those other increases, from \$250,000 to \$320,000. From 1 January 2007, along with these other changes, the first home concession for stamp duty will apply to vacant land, with purchases of land up to \$150,000 being free of stamp duty and a partial stamp duty concession for land purchases between \$150,000 and \$300,000.

This is a great bill for the people of the Waterford electorate. As well as giving first home purchasers a leg-up, it will be a great boost for the housing construction sector. The economic advantages of increasing assistance to the housing sector provide a significant multiplier effect, creating employment opportunities for local residents. Owing to this government's strong economic management over the past eight years, our economy is in a position where we can afford to give back to the people of Queensland these strategic and important forms of assistance. I congratulate the Deputy Premier on this bill and commend it to the House.

Ms LEE LONG (Tablelands—ONP) (4.50 pm): I rise to contribute to this debate on the Revenue and Other Legislation Amendment Bill 2006. This bill, like many others that have been introduced, makes amendments to a broad range of revenue related legislation, including the community ambulance cover, the fuel subsidy, marketable securities, transfer duties on first homes, changes to the Government Owned Corporations Act and so on. I will speak to just some of these amendments.

The amendments to the Community Ambulance Cover Act 2003 essentially do two things. I will mention firstly those changes that are contained in clause 9. Those amendments extend exemptions to include pumps and farm sheds that are used for the commercial production or wholesale selling of non-food horticultural products, such as cut flowers, turf and wholesale nurseries, from the ambulance tax. However, this exemption does not cover pumps and farming sheds that are used to retail or provide other services. Of course, there is still enormous disquiet in the community about the inherent unfairness of the ambulance tax that has been forced on some and not on others. But for those who will now benefit from these new exemptions, the relief will be welcomed.

Other amendments to the Community Ambulance Cover Act 2003 relate to provisions allowing subcontractors of an electricity retailer to undertake certain tasks without the need to seek approval from the commissioner first. Clearly, this is intended to assist with the sale of the retailing arm of Ergon and Energex, legislation for which was passed at the last sitting owing to the government's huge majority. This is a step towards selling off Queensland owned assets. It makes the Beattie government no different from Howard and the Nationals in that respect. It is something that the public has neither asked for nor want.

I turn now to the amendments to the Duties Act 2001 that relate to the transfer duty on first home purchases. Firstly, these amendments will put into legislation an approved administrative arrangement that has been in place since 2004 under which the first home transfer duty concession has applied where a home was not acquired for its unencumbered value, provided that value did not exceed \$250,000. In those cases where the unencumbered value was more than \$250,000, then at least that amount has to be paid to qualify for the first home concession. However, what is welcome is the increase of that limit to \$320,000 from 1 January next year. That is necessary, because the continued shortage of tradesmen has been driving up the cost of housing. The recent impact of Cyclone Larry has highlighted how this shortage is affecting the cost of building in far-north Queensland.

I am aware of people who have had their homes fully insured and who are now faced with repair bills that greatly exceed the insured value of their property. As an example of the way costs have increased, roofing contractors who, prior to Cyclone Larry, charged around \$14 per square metre are now charging in the order of \$50 to \$100 per square metre. This is the result of supply and demand, similar to that which applies in health because of the shortage of doctors. When amendments to this act were debated in 2004, I said then that it was difficult to understand how young people could be expected to find a quarter of a million dollars for a first home. That price has continued to climb. This increase relating to the transfer duty will be welcome.

I also note the amendments to the Duties Act 2001 that will further extend this concession to vacant land for the construction of someone's first home. On land purchases up to \$100,000, a concession of \$2,350 will apply. This figure will progressively reduce until land values reach \$250,000 when full transfer duty will apply. From 1 January next year, these limits will increase to \$150,000 and \$300,000 respectively. That will greatly benefit first-home buyers. In the past, the concession applied only to an established or already built first home. These amendments will encompass vacant land and will give our hard-pressed first-home buyers more flexibility.

I turn to the amendments to the Fuel Subsidy Act 1997, under which the 8.354c per litre subsidy is paid for eligible on-road use. These amendments deal with expanding the definition of 'fuel'. At present, 'fuel' is defined as 'motor spirit and diesel of the type ordinarily sold by a retailer'. This has meant that the subsidy has not applied to new products unless or until they gain enough market acceptance to be considered a type ordinarily sold. We are now presented with an expanded definition that will include as fuel something that 'can be used in a vehicle as a replacement for motor spirit or diesel of the type ordinarily sold by a retailer, and is the subject of a Commonwealth fuel standard'. This amendment will allow biodiesel, for example, to attract the subsidy. This is welcome news as I am a very firm believer in the need to break this state's and this nation's growing reliance on imported fuels. However, I would welcome an explanation as to why the definition still does not include LPG.

I also want to take the opportunity to raise very briefly the reality that the vast geographical distance of rural and regional Queensland means that hundreds and thousands of Queenslanders with no access to subsidised public transport, or even any public transport, are exceptionally vulnerable to the increasing cost of fuel. This issue will only become worse when we are fully confronted with the reducing supply, or an unaffordable supply, of traditional fuels. The more that can be done to encourage replacement fuels the better.

Finally, I turn to the amendments to the Land Tax Act 1915. Among a number of amendments, there is some stripping away of an Australian citizen's right to land tax deductions on land used for agriculture, pasturage or dairy farming when the citizen is an absentee. I understand that this amendment is to bring Queensland in line with a 2003 tax treaty that the Liberal-National federal government negotiated with the United Kingdom. The explanatory notes indicate that the basis of this treaty was to prevent discrimination on the basis of nationality or citizenship. That is gobsmacking stuff. This is a treaty that says that Queenslanders with property in Queensland are not entitled to any concession from their own government because that is discrimination. There is to be no advantage to being a Queenslanders in Queensland or an Australian in Australia. That is unacceptable. I am aware that this amendment descends from a federal treaty, but I believe that we all need to understand just where this country is being taken. This government—indeed any Queensland government—should not just roll over on these kinds of issues. Our government should stand up and fight for Queenslanders.

Mr WEIGHTMAN (Cleveland—ALP) (4.48 pm): It is with great pleasure that I rise to speak in support of the Revenue and Other Legislation Amendment Bill. I am particularly supportive of the clauses of this bill that relate to Queenslanders who are buying their first home. Owning your own home is part of the great Australian dream. The Beattie government's decision to provide concessions to reduce transfer duty for first-home buyers makes me very pleased to say the least. A reduction in duty is a step towards making the dream of owning a home more realistic to many Queenslanders.

Increasing the threshold for the concessional transfer duty rate from \$250,000 to \$320,000 will enable a greater number of first-home buyers, particularly those in the south-east Queensland corner, to take advantage of the concessional rate. The increase in the threshold recognises the reality of house prices in south-east Queensland. Furthermore, the bill introduces a new concession for vacant land purchases up to \$100,000. That will also lend a helping hand to many Queenslanders who are wanting to start afresh by building a new home of their dreams.

Every little bit helps when buying a home. This bill will help thousands of Queenslanders save when making the most expensive purchase of their lives. This is a very positive move and I applaud the Treasurer for introducing this bill which will place many young Queenslanders back in the race to become first-home buyers at a time when there are a number of significant factors working against them.

I recall when I was a first-home buyer in the early 1980s, a time when buying one's first home seemed a little more within reach of everyday Queenslanders. The average price for a home in the Redlands in those days was about \$45,000, a fraction of today's cost. Some 25 years later the average price of a home in the Redlands has skyrocketed to somewhere in the vicinity of \$300,000.

With interest rates on the rise it is incumbent on federal, state and local levels of government to do what they can to assist Queenslanders in achieving that great Australian dream of owning their own home. While the Howard government seemed to suggest during the last federal election campaign that it had control over interest rates in this country the last few months have shown that such control is the Howard government's political pipedream.

So rather than dreaming I am proud to be a member of the state Labor government which is focusing on doing—doing more to make homes more affordable for first-time buyers. I am proud to be a member of the Beattie Labor government which will help Queenslanders save some money when they purchase their first home. According to the Office of State Revenue, well over 36,000 first homeowner grants have been paid since July 2004. As thousands more people decide to live in Queensland each year the prices of homes will only increase. The time for action to keep housing affordable is now. I am proud to be a member of the Beattie Labor government which is taking action to make life a little easier for first-home buyers.

In addition to the first homeowners grant, as of January next year many Queenslanders will have another helping hand from the Beattie Labor government to make purchasing their first home more affordable. As I have said, buying a home is the most expensive purchase many Queenslanders will make in their lifetimes. While the federal government continues to daydream about controlling interest rates, first homeowners will not be left in the lurch as the Beattie government strives to make owning a home more affordable for first-time buyers. It is only when the price is right that the great Australian dream of owning a home can become a reality. This bill is a massive step in the right direction. I commend the bill to the House.

Mrs CUNNINGHAM (Gladstone—Ind) (4.52 pm): I rise to speak in the debate on the Revenue and Other Legislation Amendment Bill. I commend the minister for those initiatives that will give greater relief to first-home buyers. As previous speakers have said, the cost of homes has increased quite significantly over the last few years. With the casualisation of employment and the lack of job certainty for many young families I think many in my generation and older wonder whether young families will ever be able to comfortably or securely afford the mortgages they are required to have to buy a home today, particularly in places like the south-east corner and in some of the developing communities up the eastern seaboard. The disparity between the price of homes and secure or reliable incomes is quite significant. It places a great deal of pressure on young families when both the husband and wife have to go out and work. That places them in the position where having a family and being comfortable with the financial obligations that they have accepted becomes more difficult.

I welcome the fact that the maximum purchase price for a first home that will attract a full rebate on the transfer duty will increase from \$250,000 to \$320,000. There will be changes to the threshold for purchasing vacant blocks of land. The maximum amounts for both of these categories of purchases have increased over time. These changes recognise the increase in housing and allotment prices.

I have a question for the minister. The bill states that the transfer duty concession for vacant land will be available only where the residence will be the first home within two years of the land purchase. In my electorate—and I am pretty sure this would be the case in a number of electorates—it has been very difficult to get builders. The lead time for houses can be significant. I am not saying categorically that it is two years in my electorate, but I have spoken to a lot of people who have found it really difficult to get a builder to commit to building a premises within a reasonable time.

In some instances the construction of homes has been held up because of delays in the connection to power. That can stretch from a number of months to 12 months. I wonder whether there could be a special circumstance exemption so that an applicant could remain eligible for the transfer duty concession if they can prove that the construction of their home was delayed for longer than two years due to circumstances out of their control. Two years is a long time, but in some areas of the state it is very difficult to get builders. God forbid, we only need another natural disaster and that will be exacerbated.

There is also a proposal in this bill to legislate two extensions to the Queensland Fuel Subsidy Scheme. It proposes to extend the scheme to diesel fuel used for the on-road transport of equipment such as concrete pumping trucks, mobile cranes and elevating work platforms. Access to subsidised fuel has been a bone of contention which started when Terry Mackenroth was the Treasurer and relates to the interplay between the state government and federal government.

The federal government's adoption of the diesel fuel rebate as part of its regime and then its exclusion of diesel fuel for off-road use from the diesel fuel rebate created a great deal of anxiety and financial difficulties for small businesses in my electorate and right across Queensland. Under this extension motor spirit or diesel will qualify for the subsidy even though it is not ordinarily sold by a retailer as long as the fuel can be used in a vehicle as a replacement for motor spirit or diesel ordinarily sold by a retailer.

I believe we have a very innovative community. Every single one of us would have people in our electorates who come in and talk to us about some invention or other that they have come up with. In terms of motor vehicles, it goes right back to Joh's days when there were significant innovations in relation to cost-effective motor vehicle types that never really saw the light of day. I believe that at times we could have benefited from the development of those initiatives. The types of incentives proposed in this bill will give cause for those in our communities who are inventive to stop and think and come up with some alternatives that we will find very attractive.

Another part of this bill is the extension of the existing exemption from the community ambulance cover levy for electricity accounts relating to water pumps and farming sheds used in primary production to cover amenity horticultural activities—for example, commercial cut flower producers, turf farmers and wholesale nurseries. Water pumps or sheds used for retail or service activities, such as retail nurseries, will continue to be ineligible for the exemption. There is still a degree of anxiety in my community and across-the-board in terms of multiple payments of community ambulance cover. I believe that anxiety will be increased by the other changes that this bill introduces which would allow for electricity retailers to subcontract some or all of their functions under the act.

My question on that is: will there be additional costs? Already some administrative costs come out of the ambulance cover levy. Whilst in previous parliaments undertakings have been given that there will be no net loss of income to the QAS as a result of that administrative regime, I seek clarification from the minister as to whether these devolutions will create a charge on community ambulance levy payers—that is, our community members—and whether they will have to carry the subcontractors' administrative costs, if it is subcontracted, which will be attached to that subcontracting.

Comment has been made about amendments that will be moved in consideration. I will be interested in the debate on those amendments. However, while I am on my feet I would like to raise one more issue in relation to revenue for state governments. It has not been dealt with specifically in this legislation, but I have small business and medium business owners coming to me to discuss their concern about payroll tax. They see it as a tax on growth. They see it as a disincentive to growth, and many of those businesses have made the decision not to grow through that threshold so that they have to pay increased payroll tax simply because they see the payroll tax as a disincentive on their business success or at least on their business growth. Many of them believe that they would be able to increase employment for people in their community if payroll tax was approached in a completely different way or, as some have said, abolished altogether because it is a tax on growth and a tax on the owners' genuine enthusiasm to see their businesses grow. I would put that to the Treasurer because I believe that their concerns are genuine. These are a mix of business types across-the-board—small businesses employing one or two people right up to businesses employing 10 or so people—who review their business growth on the basis of their payroll tax obligations. I look forward to the minister's response to those questions.

Mr WENDT (Ipswich West—ALP) (5.01 pm): Like many others here today, I am pleased to rise in support of the Revenue and Other Legislation Amendment Bill 2006, and I commend this bill to the House. The amendments in this bill relate to revenue laws administered by the Office of State Revenue and refer particularly to the Community Ambulance Cover Act 2003, the Duties Act 2001, the Fuel Subsidy Act 1997, the Land Tax Act 1915 and the Taxation Administration Act 2001. Extensions to the Community Ambulance Cover Act 2003 and the changes to the Fuel Subsidy Act 1997 are a direct result of measures that were announced in the 2006-07 state budget and will certainly benefit rural communities within my electorate of Ipswich West. These are all valuable amendments to extend or clarify revenue laws that are administered by the Office of State Revenue.

However, Mr Deputy Speaker, in this particular instance I would like to draw your specific attention to the changes in the Duties Act 2001. These changes include, among other amendments, changes to the existing first home transfer duty concession for established homes. As announced during the 2006 state election, the full transfer duty rebate threshold will be increased from the existing \$250,000 to \$320,000. This means that a person purchasing an established first home, valued at up to \$320,000, will pay no duty at all while, in addition, a person purchasing an established first home valued at over \$320,000 but less than \$460,000 will be eligible for a reduction in the transfer duty payable on this purchase. It should also be noted that no duty will apply to vacant land valued at up to \$150,000 and a reduction will apply to vacant blocks of land valued at over \$150,000 and up to \$300,000.

To the average family in my area, buying a home represents the greatest investment that many of them will ever make during their lifetime. Based on recent real estate data available from PRD Realty, the median price for a home in my area is roughly \$270,000 and a vacant block of land is \$130,000. As

can be seen, the planned changes will have a positive effect by helping many of my constituents to move into a home of their own for the very first time. As such, the very real benefits that these amendments will provide for families in my area who are often struggling to establish themselves in the community are obvious.

At a time when the family budget is stretched to its limits with trying to provide the day-to-day living essentials, it is also being called upon to meet ever increasing interest rates, which are a direct result of the Howard government's wayward policies. I firmly believe that the amendments contained within this bill will be a benefit, in real terms, to the average family whose one ambition is to have a home of their own at an affordable price.

This bill demonstrates the commitment of the Beattie Labor government to making homeownership more affordable for the average Queenslander and will help those in most need of housing assistance. As such, I believe that my constituents in Ipswich West will be keenly looking forward to the passing of this bill as a matter of priority.

Miss SIMPSON (Maroochydore—NPA) (Deputy Leader of the Opposition) (5.04 pm): In rising to speak to this debate, I would like to note that we always support taxation reform where it has a sensible approach to recognising that people can be overtaxed and can burden businesses and the average person. Governments have a responsibility, as it balances the budget and seeks to provide essential services, to ensure that the taxation it collects is not onerous or detrimental to the community to which it is supposed to provide a service. However, in speaking to this legislation, it is appropriate that I note that this government is actually reneging on earlier agreements in regard to time frames for the abolition of certain duties. A lot of members opposite vehemently opposed GST, but when the cash started to roll in they could not have been smiling more broadly. An example of that is the Premier himself.

This state has been one of the greatest beneficiaries of GST, yet the conditions of this state signing up to receive GST dollars was to reform its state based taxes and to abolish a raft of taxes. This legislation is going to remove some of those taxes but will do that very, very slowly. In fact, this legislation seeks to push out the time frame for the abolition of taxes that this government had agreed to abolish in exchange for GST dollars. Perhaps it should be renaming GST in regard to the way that this state government has taken the income. It is more of a take-the-cash-and-run approach to taxation because Queensland has benefited with a 70 per cent increase in revenues from GST since it started to receive those new income streams. It has been extremely beneficial for the revenue and the budget bottom line for Queensland. Unfortunately, as we have seen, the reform of other taxes has been very slow.

This bill covers a number of duties, such as mortgage duty and hire duty, which were agreed to be abolished by July 2006 as part of that agreement and taking the GST revenues in 1999. This bill puts in place the abolition of the higher duty from January 2007 and seeks to continue charging mortgage duty until 2008. Other states that have not been as lucky in the receipt or the size of GST revenues have actually moved far quicker in reforming some of those state based taxes to get GST revenue but, no, not Queensland. It has been a case of take the money and run and, unfortunately, has squandered the opportunity to invest a lot of those funding streams into the very needy areas of this state, such as infrastructure—and don't we see the results of that today!

The shadow Treasurer has an amendment to move in relation to this legislation because we are opposed to seeing these time lines pushed out. We believe that the agreement for abolishing these taxes must be timely. It should not be delayed. It should be in keeping with the commitment, spirit and intention of the original agreement, which was to move in regard to the abolition of state based taxes that have been mentioned.

I mention another aspect of this legislation that deals with amendments pertaining to the Auditor-General's role. I note that this legislation says that the Auditor-General is going to have the greater opportunity of auditing and scrutinising the performance of government agencies. Unfortunately, it does not go far enough.

This state opposition, the coalition, has been calling for some time for real performance auditing to be introduced. The crazy thing is that in this state a government can propose a budget, bring down a budget, say what it is going to do, run over budget, misspend in a number of areas and still not essentially have the powers for the Auditor-General to scrutinise areas of poorly spent or overspend of budget because there is not a real performance auditing standard that has been provided. This legislation does not go far enough. It does not, in fact, bring in that greater accountability which has, in fact, been introduced in other jurisdictions in Queensland.

Earlier in my contribution I outlined how this government has been willing to take the money and run in regard to GST but has been very slow in regard to reforming the state based taxes and removing those it had agreed to remove and even slower in regard to providing the very necessary powers of scrutiny for the Auditor-General to ensure that the money that it has and it says it will spend is spent properly.

Today in Queensland the legacy of this government is a lack of timely infrastructure to meet totally expected population growth. This government acts as if population growth were some sort of surprise. I once again refer to library research which clearly shows that the population growth, not only in the state of Queensland as a whole but also south-east Queensland, was entirely predictable. It is a poor excuse for the government to say that it has failing infrastructure because it just did not know.

I flag to this House that the state coalition will certainly be pursuing the issue of accountability, how those moneys and those taxes that are collected from the people of Queensland are actually spent and the appropriateness of the infrastructure and other services upon which it is spent and how well it is spent. What a tragedy that we see money going into the police having to watch failed infrastructure out the front door of Parliament House instead of being out catching criminals because this government does not know how to manage its resources and the good infrastructure and services of Queensland.

Ms NOLAN (Ipswich—ALP) (5.11 pm): This bill has two parts with which I choose to deal separately. The first is the abolition of hire duty and stamp duty on transfers of unquoted marketable securities from 1 January 2007. I had not intended to speak on that aspect of the bill but the shadow Treasurer's contribution today was at best so blatantly ill-informed or at worst so grossly dishonest that it simply cannot pass by without mention.

The Hawke and Keating governments were by any measure genuine economic reformers. They deregulated the financial markets, they floated the dollar, they privatised a number of Commonwealth owned enterprises and they commenced the process of national competition policy, which by any measure has been the greatest process of micro-economic reform that this country has ever seen. They reformed with such zeal that a degree of reform fatigue was widely accepted as one of the reasons for the ultimate fall of those governments. Indeed, commentators agree that in contrast the Howard government has lacked the stomach for root and branch economic reform. Up until the appalling IR changes, the Howard government had tried simply to pass off the GST—that is, a change in the administrative arrangements about taxation—as genuine economic reform. Even on that it has been awfully shift.

When the GST agreement was reached in 1999 it was trumpeted by the Commonwealth as 'a growth tax' that would provide the states with the funding to meet their commitments to health, education, policing and the like. Now the Howard government talks about the GST income as a windfall—a substantial change in the language. In 1999 the shadow Treasurer was still roaming the streets of Brisbane fighting with his nemeses Santo Santoro and Michael Caltabiano and desperately searching under logs and anywhere he could for a safe Liberal seat to walk into.

In 1999 I was a Treasury adviser, and as such I remember very specifically the detail around the agreement between the Commonwealth and the states on the GST. In clause 5, section 6, the agreement states—

The states and territories will cease to apply the taxes referred to in appendix A from the dates outlined below and will not reintroduce them or similar taxes in the future:

- Bed taxes, from July 1, 2000;

Ms Bligh: Which we never had.

Ms NOLAN: That is right; we never had a bed tax in Queensland. It was a tax they had in New South Wales. The agreement continues—

- Financial institutions duty, from July 1, 2001;
- Stamp duties on quoted marketable securities, from July 1 2001;
- Debits tax by July 1, 2005, subject to review by the ministerial council.

Clause 5 part 7 of the agreement states—

The ministerial council will by 2005 review the need for retention of stamp duty on non-residential conveyances, leases, mortgages, debentures, bonds and other loan securities, credit arrangements, instalment purchase arrangements and rental arrangements, and on cheques, bills of exchange, promissory notes and—

wait for it—

unquoted marketable securities.

One does not need to be a High Court judge to work out that bed taxes and the others that I initially mentioned had to go by the agreed dates, but the remaining taxes were to be reviewed.

Clause 44 of the agreement that the states and Federal Treasurer Peter Costello signed up to states this—

All questions arising in the ministerial council will be determined by unanimous agreement unless otherwise specified in this agreement.

Despite Peter Costello's claims in mid-2005, parroted today by the ill-informed member for Moggill, there was not in 1999 an agreement to remove taxes such as unquoted marketable securities. There was a written agreement that they should be reviewed and there was a written agreement that the result of that review must be unanimously agreed.

In his contribution the member for Surfers Paradise was a little bit closer to the truth. He did not at least blatantly mislead the House in the way that the member for Moggill just had. The member for Surfers Paradise suggested not that this agreement had been written, but that what the state government had done was breach not the words, not the actual content of the agreement, but, rather, its spirit. This is the Liberal Party looking somewhat like a scene from *The Castle*.

Those members who have seen the movie will remember the fantastic character, the Greek solicitor, Dennis Denuto. Members will remember him bashing his photocopier, tie askew, looking frustrated and angry. Members will remember him traipsing off to the High Court to argue a case about which he knows nothing and standing in front of the High Court judge played by Robyn Nevin saying, 'Well, Your Honour, it's, you know, the constitution, it's Wik, it's Mabo, it's the vibe of the thing'. The contribution by the Liberals today has been rather similar. Can't members see the member for Surfers Paradise standing up here, tie a bit askew, looking up to the Speaker and saying, 'Well, Madam Speaker, it's GST, it's tax reform, it's the constitution, it's the vibe of the thing'. This is what the Liberal Party have to contribute to the great narrative that has been economic reform in Australia over the past 20 years.

The Liberal Party cannot agree. The member for Moggill has had a blatantly different position from the member for Surfers Paradise. The member for Moggill has said that it was the content of the agreement; the member for Surfers Paradise has said that it was the spirit. Then we had the member for Maroochydore who managed in one speech to say both.

Their contribution is something like a scene from *The Castle*. The best they can manage is to either blatantly mislead the House or stand here all agog and suggest that it is 'simply the vibe of the thing'.

The second part of the bill that is before the House contains some changes to stamp duty, which will have the effect of making housing more affordable for all people but specifically for first-home buyers. The changes that we are making today will have a direct effect on housing affordability and, as such, they will come as great relief to first-home buyers in places like the outer metropolitan areas of my electorate—places like Raceview, Flinders View and Yamanto—where first-home buyers struggle to pay the cost of a new home. The average cost—not the high end, the average cost—of a house and land package in Queensland today is \$437,000, well over average annual earnings of \$62,400.

Housing affordability has become a big issue in this country in recent times. There is a furphy going around perpetuated by the Liberal Party, the Urban Development Institute, the HIA and others that housing affordability is somehow some kind of artificial construct brought about by the urban planning processes which seek to make our cities both liveable and sustainable. I will not engage in that debate today because I think it is probably a debate for another time. The notion that urban planning is the cause of problems with housing affordability is again a blatant untruth. I table for the information of the House an article I recently had published by the Brisbane Institute about that very matter. I think that if members opposite read it they might learn something about housing affordability as well. With those few words, I commend this bill to the House.

Tabled paper: Article by Ms Nolan dated 24 August 2006 titled 'What's Happened to the Australian Dream of Buying Your Own Home'.

Hon. AM BLIGH (South Brisbane—ALP) (Deputy Premier, Treasurer and Minister for Infrastructure) (5.22 pm), in reply: I have to say that the prospect of having the member for Moggill as the shadow Treasurer for the next three years fills me with a great sense of amusement and fun. What we have heard the second time we have seen the member on his feet is pretty much the same amount of claptrap that we heard from him the first time on a bill. When it comes to the member for Moggill, we can say that he is the gift that keeps on giving. There are 59 votes on this side of the House for him any time he needs them.

There is a central tenet of the debate for the member for Moggill, for the member for Maroochydore and for a couple of others who tried to buy into it, and I will start by endorsing wholeheartedly the facts that were put on the record by the member for Ipswich. The member for Moggill came in here and claimed that the states had come to an agreement with the Commonwealth to abolish mortgage duties and stamp duties by a certain date and not only had they now reneged on that agreement, but this piece of legislation before the House was somehow entrenching the reneging on the agreement. As the member for Ipswich has just outlined, the agreement with the Commonwealth in 1999 in the schedule is very, very clear. It is a commitment by the Commonwealth and the states that these taxes would be reviewed by 2005. Honourable members can go right throughout that paragraph and they will not find the word 'abolish' or any word that means 'abolish'. They will find no commitment in relation to dates. In fact, they will not find a single date in that paragraph.

The allegations of the shadow Treasurer, the allegations of the member for Moggill, like so many of his allegations, whether they are in relation to health, the economy or just about every time he opens his mouth, are slippery; they are half-truths and they are misreadings of documents. In this case the allegation that there was a deal with the Commonwealth to abolish mortgage duty on any date in 1999 is wrong. It is untrue. It is dishonest. It is utterly without foundation. It is befuddled and 'beFlegged'.

Like so much else that he has put forward, he is wrong in his claims about any original agreement. He might be a little confused because early on in the discussions about the GST there was a plan for the states to abolish mortgage duty. Members might recall that the federal coalition's original deal with the Democrats on GST on food forced Canberra to change its agreement with the states. The federal coalition had agreement with the states on the tax abolition program, but just one month later after the Democrats deal, its agreement with the states was undone because the Democrats deal about GST on food completely changed all of the financial structures and forecasts about the GST. The actual deal was the one that was read out by the member—

Ms Nolan: And it killed the Democrats.

Ms BLIGH: And it killed the Democrats at the same time. The arrangement is as was read out so clearly by the member for Ipswich. What Queensland agreed to do was to have a review of all of those taxes and review the need for the retention or otherwise. It is not a secret arrangement; it is an act of the Queensland parliament. We made sure that we put in place very transparent arrangements in relation to the GST. It is called the GST and Related Matters Act 2000, and the agreement with the Commonwealth is attached as a schedule to the act. I would suggest that the shadow Treasurer become a little more familiar with it.

So we had to do a review. Did we do the review? Yes, we did. Did we, as a result of that review, outline a range of taxes that would be abolished and dates on which they would be abolished? Absolutely; yes, we did. I will certainly admit publicly here, as has been done by my predecessor, the Hon. Terry Mackenroth, that there were some abolitions about which we were and remain worried about the timing. However, when it comes to people holding a gun at someone's head, the gun was held by the Commonwealth and it was held to the head of the states. Peter Costello is on the public record on numerous occasions committing to reneging on the GST deal and withholding GST if the states did not put in place the arrangements that have subsequently been agreed to by all parties. The member for Moggill claims to have it on 'good authority'—and one wonders who in Canberra is talking to him these days; but apparently he has some sure shot—that the Commonwealth did not agree with the states in relation to the revised timetable. I would refer him to Canberra's 2006-07 budget papers, which state—

The Australian Government has now reached agreement with all States on a schedule for the abolition of most taxes listed for review in the IGA.

Whenever I listen to the members of the opposition I am amazed at the way they refer to the GST. They talk about the Commonwealth government pouring GST into Queensland and this being some miraculous windfall that we are somehow not entitled to. This is not Peter Costello's money. This money does not belong to the Commonwealth government; this money belongs to the taxpayers of Queensland. They pay it and are entitled to see it spent back on the services that they need, particularly in a state that is growing as rapidly as ours is.

Our government has vigorously and aggressively sought to get a very fair share of the GST for Queensland. We have defended the share that we get against the whingeing and moaning from other states. We have defended our share and we have defended the federal allocation of that share and we will continue to do so. What is clear from the comments made by the member for Moggill today is that, given half the chance, he would roll over to Canberra; he would not stand up for Queensland. The taxpayers of Queensland need to be very conscious that the rapacious hand of Peter Costello is not one that would in any way be stopped by the member for Moggill.

Members opposite are always very keen to come in here and accuse this government of being a high-taxing government but I think it is timely, once again, for me to remind the House, particularly the new members of the House, that whenever they hear someone from the Liberal Party or National Party talking about high-taxing arrangements, accusing us of being high taxers, it would do them well to remember that the last time those opposite were in government in Queensland in 1996—which is not long enough ago for my liking—in the state budget that they introduced, their very first budget, what did they do? They introduced seven new taxes and charges—not one, not two, not three, but seven new taxes and charges.

Let us not forget what those new taxes and charges were. They wanted to introduce fees on ATM transactions and new cheque fees. They wanted new EFTPOS fees. They wanted a tyre levy and let us not forget the oil levy. They wanted national park fees—people would have to pay to go into national parks—and they wanted another tobacco tax. So they wanted to introduce seven new fees and charges. In the 8½ years we have been in government we have not introduced seven new taxes and charges, but that is what they achieved that in their very first budget.

Ms Nolan: That was straight after they froze capital works.

Ms BLIGH: That was at the same time that they froze capital works. So they had actually stopped working and wanted to increase taxes and charges. That is absolute economic genius! That is a plan of action for you: stop working and raise more taxes. They wanted more money to do less.

The other recurring theme whenever we hear someone from the opposition in any of these debates and discussions is a weaselly, whining attempt to undermine the success of the Queensland economy. And every time they do it they do themselves a great disservice. Yes, of course it is the job of the opposition to question government activity and to hold us accountable, but to question the Queensland economy in the 2006-07 year after its performance over the past 20 years, I would suggest to the member for Moggill, makes him look a fool, and he is the only person in the country who would be questioning the success of the Queensland economy.

Mr Lawlor interjected.

Ms BLIGH: I take the interjection from the member for Southport. There are continual claims that the economy is somehow in trouble and they are followed by allegations by the member for Moggill that somehow the business community is worried about our economic management. I spend an awful lot of time with the Queensland business community. Some members might have seen a new comedy program, the name of which is a set of words that I have heard very often in the last eight weeks when I have met with the business community. They say to me, 'Thank God you're here.'

All of this advice about how to provide services and infrastructure and how to appropriately tax Queenslanders is from the economic genius that delivered during the election campaign an economic plan that would have abolished \$2 billion worth of revenue from the budget and at the same time somehow delivered more nurses, more teacher aides and more police. So those opposite would have employed more nurses with \$2 billion less, they would have employed more teacher aides with \$2 billion less and, in addition, they would have paid more police with \$2 billion less coming into the kitty. That would have been a remarkable achievement, but I am still waiting for some explanation as to how it could be achieved.

Specifically, in relation to some of the questions that were raised by members other than the member for Moggill, can I explain to the member for Tablelands that LPG will not be eligible for the subsidy as LPG is not a motor spirit. It has never been eligible for the fuel subsidy because it is a gas. The amendment being proposed here this evening is designed to ensure that the subsidy for fuel goes to new fuels and is not extended to gas, which has never been eligible. I hope that satisfies her concerns in that regard.

In relation to the query by the member for Gladstone about first-home buyers who buy land and have to construct a home and live in it within two years, I understand her concerns. She would be aware that this is the first time we have ever had a first homeowner's grant to buy vacant land. What we are seeking to do is find some cut-off whereby we are not effectively subsidising people who are not legitimately in the market to move into a home as first-home buyers. I guess, like all of these things, when we are trying to draw a line we will always find a good case on the other side of it. I reassure the member for Gladstone that this is a new area of tax activity and tax relief. If genuine cases are brought to our attention over a period of time, we would obviously look at whether they require us to reassess that. I think two years is a reasonable period of time for legitimate first-home buyers whom we are seeking to assist. If it is the case that there is some hardship then, as I said, we would certainly look at that.

I implore members on all sides to think very carefully about how they will vote on this bill and how they will vote on the amendments that will be put forward by the opposition. I reassure members that the Queensland government entered into an agreement with the Commonwealth government last year—it was signed off by my predecessor, Terry Mackenroth, and Peter Costello—and this bill implements that agreement. Any suggestion to the contrary is utter rubbish and, frankly, endorsing that will reflect very poorly on those who do because it simply means that they have not done their homework. Before anybody rushes to take the advice of the member for Moggill on these issues, they should think carefully about the way the member for Moggill has managed a number of other issues of late.

Before concluding, I thank all of the officers of Treasury who have been involved in this legislation. This bill was required to be put together very quickly because it does implement an important election commitment. I know that it meant quite a bit of work to introduce the bill into the parliament in time for us to debate it before the end of the parliamentary sittings this year. I commend the Under Treasurer, Gerard Bradley, and particularly all of his officers who worked so hard on the bill. I thank members for their contribution to the debate and I commend the bill to the House.

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

Motion agreed to.

Consideration in Detail

Clauses 1 to 44, as read, agreed to.

Clause 45 (Replacement of s 272 (What is a *home* and *first home* for div 2)) and Clause 46 (Amendment of s 291 (Reassessment—concession under pt 6))—

Dr FLEGG (5.37 pm): We have heard a great performance today from those on the other side of the House, an absolutely wonderful performance, that the taxpayers of Queensland would have loved to hear. In relation to all of the promises made back in 1999 about abolishing taxes, they have basically said today, 'We didn't mean it at all.'

They can spin all they like, but Queenslanders went through the debate about the GST and the rationalisation of taxes in Queensland and they know that the GST was agreed to in exchange for the abolition of a range of state taxes. The government has now turned around and said, 'Oh well, we have found a loophole. We found a clause about a review. In case the revenue from the GST fell short because of exemptions for fresh food, there is suddenly a loophole and we don't have to live up to what the people of Queensland expected of us and the basis upon which the people of Queensland accepted the GST.'

They would have us believe that their colleagues in Victoria and Tasmania are just magnanimous, that they have decided to repeal these state taxes out of the goodness of their hearts, that there was not any commitment for Victoria and Tasmania to exchange and reform the state taxes. Of course, it is now history that there was not, in fact, a shortfall of GST revenue at all. In fact, it was the opposite. There was substantially more GST revenue than was forecast. It does not matter to those opposite who have put on this great stage show here today, even though they had a review in the event that GST revenue fell short—

Ms BLIGH: I rise to a point of order. The member is misleading the House. The review under the federal intergovernmental agreement does not make the review subject to GST falling short. It was the original agreement and he needs to understand that.

Mr DEPUTY SPEAKER (Mr O'Brien): Order! There is no point of order. The member for Moggill has the call.

Dr FLEGG: I have prepared, in consultation with the federal Treasurer's office, a number of amendments to this bill. I will confine my comments to this occasion. I move—

1 Clauses 45 and 46—

Page 27, line 17 to page 28, line 12—

omit, insert—

'45 Omission of ch 5 (Mortgage duty)

'Chapter 5—

omit.'

Ms BLIGH: I do not intend to speak long on this clause. I have made it clear that the government will not be supporting it. However, some facts need to be put on the record.

It is simply untrue to suggest that any state—Victoria, South Australia, Tasmania, Western Australia—had an agreement with the Commonwealth to abolish taxes on any particular date in 1999. The member is absolutely right that the GST was to be in exchange for the abolition of a number of taxes over a period. The date and process of those abolitions was the purpose of the review and the review was to be done by 2005. And it was. We now have a schedule of abolitions and this legislation gives legislative effect to the agreement with the Commonwealth government.

The member for Moggill places some weight on the argument that because Victoria and Tasmania are abolishing mortgage duty at a certain time, somehow that is evidence that Queensland should be doing it at the same time. If we look at the agreement we find that every state is abolishing different taxes and duties at different times over the next three to four years so that it suits the arrangements in each state, depending on the circumstances of their budget.

For the benefit of the House and the honourable member for Moggill I table, firstly, a timetable for mortgage duty abolition for each of the states as agreed with the Commonwealth. Yes, Queensland is abolishing mortgage duty at a different time than other states, but we are abolishing other duties earlier than they are. It is a set of arrangements that the Commonwealth has agreed with each of the states. Any suggestion that Queensland is reneging on that, double dipping or any other rubbish is just that. It is arrant nonsense without any substance.

I am probably going to be contradicted on this and I will not be surprised by that but, frankly, any suggestion that the federal Treasurer's office is seeking to assist the member for Moggill to change the intergovernmental agreement by some amendment is not plausible, is it?

Government members: No.

Ms BLIGH: Do members think that Peter Costello has sat down with the member for Moggill and decided to change the intergovernmental agreement that he made? Whatever else I might think of Peter Costello, it is my experience that when he signs on the line, he signs on the line. We made an agreement and we are sticking to it. He made an agreement and I believe that he will stick to it. Since making that agreement, he has not come back to the states and sought to renege on it. I do not

believe that he would be using the member for Moggill as his secret agent in such dirty and dastardly business. I am sure he has a much better list of secret agents, should he ever be in need of one. I seek leave to table the timetable for mortgage duty abolitions.

Leave granted.

Tabled paper: Document titled 'Timetable for mortgage duty abolition'.

Ms BLIGH: For the benefit of the House and, particularly, the member for Moggill I seek leave to table the GST and Related Matters Act 2000 schedule, which is the intergovernmental agreement. That is not a loophole to say that the states would have a review. That was the agreement and that is the substance of it.

Leave granted.

Tabled paper: Schedule to the GST and Related Matters Act 2000 titled 'Intergovernmental Agreement on the Reform of Commonwealth-State Financial Relations'.

Division: Question put—That Dr Flegg's amendment be agreed to.

AYES, 25—Copeland, Cripps, Dempsey, Elmes, Flegg, Gibson, Hobbs, Hopper, Horan, Johnson, Knuth, Langbroek, Lee Long, Lingard, McArdle, Malone, Menkens, Messenger, Nicholls, Seeney, Simpson, Stevens, Stuckey. Tellers: Rickuss, Dickson

NOES, 56—Attwood, Barry, Beattie, Bligh, Bombolas, Boyle, Cunningham, Darling, Fenlon, Foley, Fraser, Gray, Hayward, Hinchliffe, Hoolihan, Jarratt, Jones, Keech, Kiernan, Lawlor, Lee, Lucas, McNamara, Mickel, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, Palaszczuk, Pearce, Pitt, Pratt, Purcell, Reeves, Reilly, Roberts, Robertson, Schwarten, Scott, Shine, Smith, Spence, Stone, Sullivan, van Litsenburg, Wallace, Weightman, Welford, Wellington, Wells, Wendt, Wettenhall, Wilson. Tellers: Male, Finn

Resolved in the **negative**.

Clauses 45 and 46, as read, agreed to.

Clauses 47 to 69, as read, agreed to.

Clause 70 (Insertion of new s 571 and ch 17, pt 6, divs 3-5)—

Dr FLEGG (5.52 pm): I move the following amendment—

2 Clause 70 (Insertion of new s 571 and ch 17, pt 6, divs 3-5)—

Page 41, after line 20—

insert—

'Division 6 Savings and transitional provisions for ending of mortgage duty

'584 Transitional regulation-making power

- '(1) A regulation (a **transitional regulation**) may make provision about a matter for which—
 - (a) it is necessary to make provision to allow or facilitate the doing of anything relating to the ending of mortgage duty under the amending Act; and
 - (b) this Act does not make provision or sufficient provision.
- '(2) A transitional regulation must declare it is a transitional regulation.
- '(3) This section and any transitional regulation expire 1 year after the commencement of this section.''

Ms BLIGH: The government will be opposing the amendment for the same reasons that I outlined in response to the previous amendment.

Dr FLEGG: This amendment is basically along the same line as the previous amendment. Today, the Treasurer has made all sorts of excuses as to why we have to defer the abolition of these taxes and, in effect, why Queensland cannot afford to abolish them as it would be required under this amendment. It is a pretty extraordinary and circuitous argument to say that, under these GST arrangements, we now have to look as far out as 2011—12 years from that 1999 arrangement—to abolish some of the state taxes that all Queenslanders understood quite clearly were to be abolished as part of the introduction of the GST.

Quite frankly, I do not think that the Treasurer can convince any Queenslander that this was not part of the commitment for the introduction of the GST. The people of Queensland accepted it. After hearing the Treasurer's statements about the health of the Queensland economy, I do not think Queenslanders are going to believe that we now cannot abolish these state taxes, which were clearly understood to be abolished as part of the GST deal, until as late as 2011.

The members opposite can perform all they like, but they have absolutely no credibility at all. We have introduced these amendments specifically to hold this government accountable for the abolition of state taxes that were clearly intended to be abolished as part of the GST. We have been told by the Treasurer that the health of the Queensland economy and the strength of its books is not a reason. We understand quite clearly that the GST has delivered a sufficient windfall to this state. Let us be serious about this. Now we have this completely contradictory situation. Everybody knew that these state taxes were to go as part of the introduction of the GST. We have seen performances, excuses and backflips that our economy is no longer healthy enough to abolish them. I do not know whether the Treasurer is questioning whether the GST receipts have been sufficient to cover the abolition of these taxes. But she will not convince any Queenslander of that. We have moved these amendments to keep this government honest. It should abolish these taxes on 1 January 2007. Every Queenslanders knows that there was a commitment to abolish state taxes as part of the introduction of a GST. The government should just get on and do it.

Ms BLIGH: I am very happy to clarify for the member for Moggill that there is absolutely no dispute on this side of the House that it was the intention that these taxes would be abolished as part of the GST agreement. That is part of the agreement. Everybody knows that. Sleeping Beauty over here has woken up to it, but the rest of us have known that since 1999.

Was there an intention to abolish them? Yes, absolutely. There is no question about that. Was the timetable for the abolition to be by agreement with the Commonwealth? Yes, it was. Do we have an agreed timetable for the abolition of these taxes? Yes, we do. Is the abolition of those taxes factored into the forward estimates of the budget? Yes, they are. So, when I talk about the health of the Queensland economy and the projected surpluses for the next forward estimates years, I am factoring in the cost of the abolition of all of those taxes on the dates upon which they are agreed to be abolished.

I have to say that I find it passing strange that the member for Moggill describes a Commonwealth government agreement as an excuse. It seems an odd way for him to describe such an agreement between the states and the Commonwealth, particularly given that the current federal government is a government of his political persuasion. I find myself in the interesting position of saying that if it is good enough for Peter Costello—and it is, because he signed it—and if it is good enough for John Howard—and it is, because he signed up to it—then, frankly, it is good enough for our government. Nothing that the member for Moggill says is going to dissuade me or, I suspect, Peter Costello or John Howard of anything different. We will be opposing this amendment because, frankly, it is just as baseless, just as preposterous, just as lame and just as dishonest as the last one.

Division: Question put—That Dr Flegg's amendment be agreed to.

AYES, 25—Copeland, Cripps, Dempsey, Elmes, Flegg, Gibson, Hobbs, Hopper, Horan, Johnson, Knuth, Langbroek, Lee Long, Lingard, McArdle, Malone, Menkens, Messenger, Nicholls, Seeney, Simpson, Stevens, Stuckey. Tellers: Rickuss, Dickson

NOES, 56—Attwood, Barry, Beattie, Bligh, Bombolas, Boyle, Cunningham, Darling, Fenlon, Foley, Fraser, Gray, Hayward, Hinchliffe, Hoolihan, Jarratt, Jones, Keech, Kiernan, Lawlor, Lee, McNamara, Mickel, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, Palaszcuk, Pearce, Pitt, Pratt, Purcell, Reeves, Reilly, Roberts, Robertson, Schwarten, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Weightman, Welford, Wellington, Wells, Wendt, Wettenhall, Wilson. Tellers: Male, Finn

Resolved in the **negative**.

Clause 70, as read, agreed to.

Clauses 71 to 94, as read, agreed to.

Third Reading

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

Motion agreed to.

Long Title

Question put—That the long title of the bill be agreed to.

Motion agreed to.

CRIMINAL CODE (DRINK SPIKING) AND OTHER ACTS AMENDMENT BILL

Second Reading

Resumed from 12 October (see p. 196)

Mr McARDLE (Caloundra—Lib) (6.07 pm): It gives me pleasure to rise to make a contribution to the debate in relation to the Criminal Code (Drink Spiking) and Other Acts Amendment Bill. The bill itself amends three acts, those being the Criminal Code, the Corrective Services Act and the Dangerous Prisoners (Sexual Offenders) Act. It is the amendment to the Criminal Code that I want to spend a little bit of time on, at least initially.

There was an excellent discussion paper issued in April 2006 by the Model Criminal Code Officers Committee of the Standing Committee of Attorneys-General that provides an in-depth analysis of the current law and proposed amendment in relation to drink spiking. Added to that, our library has produced a publication, research brief No. 30 of 2006, which also overviews the position in some depth. I wish to thank the Acting Attorney-General for the briefing given to me by staff members yesterday.

There is little doubt that drink spiking has become more prevalent with technology's ability to manufacture more and more dangerous drugs and the use of these drugs and alcohol for some form of gratification in spiking the drinks of others. The media has often reported drink spiking concentrates on serious types of criminal behaviour—that is, the addition of a date rape drug such as Rohypnol without

the knowledge of the victim in order to induce an extremely inebriated state with the additional intention of taking sexual advantage of the victim. Milder cases may include the addition of extra alcohol or a different form of alcohol in a drink just to see the victim make a fool of themselves.

The Australian Institute of Criminology in July 2003 gave the following definition of drink spiking—

The term drink spiking refers to drugs or alcohol being added to a drink (alcohol or non-alcoholic) without the consent of the person consuming it. For an incident to be defined as drink spiking in this report, it need not involve further criminal victimisation, even though such offences can occur after an incident of drink spiking.

In the same document the AIC reported that between 1 July 2002 and 30 June 2003 between 3,000 and 4,000 suspected incidents of drink spiking occurred in Australia, with one-third involving sexual assault. In addition, between 15 and 19 suspected drink spiking incidents occurred per 1,000 persons during the same period.

The AIC went on to analyse police data, sexual assault data and its own hotline data to establish a number of factors in relation to drink spiking. This analysis highlighted the following points: four out of five victims are female; about one-half of drink spiking victims are aged under 24 while about one-third are aged between 25 and 34; the majority of reported drink spiking incidents have no associated criminal victimisation, indicating that prank spiking may be a common motivation for drink spiking; between 20 and 30 per cent of incidents reported to police involve sexual assault while it is estimated that about one-third of all drinking spiking incidents are associated with sexual assault; about five per cent of incidents involve robbery; and two-thirds of suspected drink spiking incidents occur in licensed premises.

Many victims do not know who the offender was. Drink spiking can be perpetrated by strangers or known acquaintances. Incidents involving sexual assault are more likely to occur with a known offender. Many victims experience memory loss after drink spiking. Apprehension of offenders is very uncommon. Forensic testing of blood and urine samples is relatively rare and does not conclusively prove that drink spiking has occurred. Lastly, the vast majority of incidents of drink spiking are not reported to police.

From that analysis, we can see that the prevalence of drink spiking can only be roughly estimated at this point. It is equally important to bear in mind that, as stated by the model Criminal Code Officers Committee discussion paper, the number of suspected drink spiking sexual assaults estimated to have occurred between 2002-03 is very, very small compared with the much larger number of sexual assaults in general which were reported to police during that year. Nevertheless, there is a trend of greater use of recreational drugs by our youth generally which appears to be spilling over into drink spiking without a full realisation of the implications, both physical and psychological, to the person being given the drugs.

A statement by the Drug Advisory Council of Australia issued on 23 October entitled 'Parents Blind to Drug Use' reads—

A recent survey has found that eight out of ten parents supervising teenage parties were unaware that there were alcohol, cannabis, cocaine, ecstasy or prescription drugs being used at a party they were supervising.

However, at the same party, three out of ten teenagers were aware of the drug use.

That statistic is telling as it shows teenagers are more acutely aware of drug use and the potential to use drugs in one capacity can lead to it being used in other ways.

The AIC report I referred to earlier also estimates that less than 15 per cent of suspected drink spiking sexual assaults are reported to police and only between 20 per cent and 25 per cent of suspected drink spiking non-sexual assaults are reported to police. This leads to the conclusion that the vast majority of suspected drink spiking incidents are not reported.

It is often assumed that drugs other than alcohol are being used in drink spiking, yet forensic evidence does not support this claim. Again, the model document discusses this point. It states that to date alcohol has tended to dominate results of drink-spiking allegations. It is not clear whether that is because alcohol is commonly used to spike drinks, whether it is because other drugs have left the body by the time of testing and only alcohol is left to test, or whether it is because people are unaware how much alcohol they are actually drinking. The only way to test the presence of drugs is to conduct scientific analysis. However, scientific analysis can only confirm whether or not drugs or alcohol are in the body at the time of testing and cannot confirm that a positive result means that a drink was spiked.

The various states and territories in Australia have different legislation dealing with drink spiking. Again referring to the model document, it divides drink spiking into six categories in relation to offences: firstly, drink spiking resulting in death; secondly, drink spiking causing, or with intent to cause, injury or harm; thirdly, drink spiking with intent to commit a sexual offence; fourthly, drink spiking with intent to commit an offence; fifthly, drink spiking with drugs other than alcohol without lawful excuse; and sixthly, drink spiking alcohol for a prank.

Queensland does have legislation for offences of murder and manslaughter that occur as a consequence of drink spiking. Similarly, drink spiking with intent to commit a sexual offence is an offence in Queensland, but the paper identifies a potential gap in Queensland legislation where it does

not appear to apply if the drink spiking agent is alcohol. In addition, Queensland does have legislation dealing with drink spiking with intent to commit an indictable offence but, again, there is a potential gap identified in the model paper as to whether or not it applies in the case of alcohol. Similar comments exist with regard to drink spiking with drugs without lawful excuse.

Turning to the bill as it currently stands, clause 4 outlines the proposed amendment and imposes the crime of drink spiking, which carries with it a penalty of five years, but it is a crime that can be dealt with summarily. When I spoke with the Acting Auditor-General's staff yesterday, I raised a particular concern in relation to the phrase 'stupefied and overpowered' as it appears throughout clause 4 of the document. My concern was on two levels. The first is that it moves away from the conclusion contained at page 29 of the model document which states—

Therefore the MCCOC recommends that all Australian jurisdictions enact an offence of 'mere' drink spiking (without further intent) that the offence be summary and that the offence be extended to any substance (any classification of poison, substance, drug, alcohol traditional aphrodisiac, etc) which is likely to impair the consciousness or bodily function of the victim, or which is intended to do so, whether or not the spiked drink is drunk wholly, partly or at all.

In essence, that quote refers to an absolute offence. That is, to be an offence drink spiking does not require an intent. Absolute offences, particularly of this nature, need to be treated with a great deal of caution. People can quickly find themselves painted into a corner with results that are unintended. In that regard, I feel that the model document is deficient.

The second concern I had, and it is also identified in the *Alert Digest* tabled today, is that the words 'stupefied and overpowered' place the bar at a very high level—a level that may well be very difficult, if not impossible, to attain. It was for that reason that I proposed an amendment to amend clause 4 changing the word 'and' for 'or', giving greater flexibility and, in my opinion, a more open approach on that question. We would have divided on that point as there are real concerns with a bill dealing with a matter of this nature that would be almost impossible, or impracticable, to implement. I understand the Acting Attorney-General is now moving an amendment to the bill and is going to replace the existing clause 4 in total.

Mr Welford: Taking up your ideas.

Mr McARDLE: I also understand the word 'and' has been replaced by the word 'or' and a definition of the phrase 'stupefied or overpowered' is to be inserted into the amended bill.

The second subclause of clause 4 that raises some concerns is subclause (6) as it currently stands. The concern stems from comments made in the model document that highlight the use of alcohol is, or at least is believed to be, of greater frequency in drink spiking incidents than any other substance. In essence, subclause (6) allows a person to spike a drink with alcohol provided it was done as a prank.

Under the bill as it currently stands before the House, we would have enormous difficulties in how on the one hand we acknowledge that the substance of alcohol in any form is one of the major drink-spiking substances and how the use of that substance can be excused on the basis that it is a prank. In addition, one would need to wonder how many times alcohol was administered as the drink-spiking substance to no longer be a prank and to move into the realm of where it would be caught by the terms of the bill. In addition, if we are going to accept that drink spiking is an offence and we are going to accept that it is not an absolute offence, then there is no reason, when intent is required to be proven, that it should be an offence when alcohol is the substance administered.

The second concern with subclause (6) is the use of the word 'prank'. This is clearly identified in the *Alert Digest* tabled in the House today. I believe that the digest makes a very concise statement as to their concerns and the use of the word 'prank' where it states—

The committee can see why the motivation of merely working a playful prank would be relevant to the question of the appropriate sentence to be imposed following conviction of the offence. However, the committee questions why it is thought that it should not be an offence at all to administer a substance with the relevant intent, simply because it was done as a playful prank. Put another way, why is someone justifiably liable to 5 years imprisonment for doing precisely the same act with precisely the same intention and outcome as another but absent the motivation of a playful prank?

Accordingly, it was my intention to propose an amendment deleting subclause (6). In my opinion, there was no basis for the subclause to stand in the bill in its current form. If we are going to make a clear statement with regard to drink spiking then we should be uniform.

We are teaching our young people to be cognisant of the risks and dangers of alcohol assumption. It is therefore inappropriate to condone a prank drink spiking with alcohol which could result in serious consequences. One could easily imagine a young person of 18, 19 or 20 years of age consuming what they believe and what would normally be a reasonable amount of alcohol still permitting them to drive a motor vehicle; however, the drink they consumed being spiked with alcohol puts them over the legal limit. We know that section 24 of the Criminal Code is no longer available in drink-driving offences. This, therefore, places at serious risk this person and other road users as a consequence of the drink spiking. A person could simply claim that it was a prank and there is the risk that the perpetrator could walk free.

This may be considered an instance that would not occur on a frequent basis. However, it illustrates the concern I had in relation to the provision. I have now had a chance to read the new clause 4 that will be circulated in the consideration in detail stage. Concerns are addressed firstly by removing the word 'and' and inserting the word 'or' and defining the phrase 'stupefied and overpowered' on an inclusive basis. Equally, the current subclause (6) of clause 4 has been replaced by subclause (2) of the new clause 4, which no longer uses the word 'prank' and in fact places a reverse onus of proof on a defendant to establish that the person who consumed the substance would have done so willingly if they had known it existed. That certainly removes a major concern that we had and we appreciate the Acting Attorney-General's role in that.

The Corrective Services Act 2006 is amended, in essence replacing the current practice of allowing prisoners convicted of a sexual offence to be granted resettlement leave under section 74 of the Corrective Services Act. This practice recently reached public attention through a photograph and an article appearing in one of the local newspapers. The community was outraged that sexual offenders were permitted to be transferred to work camps to perform reparation work in the community. This was seen as unacceptable and rightfully so. The amendment has now been placed before the House to ensure it cannot occur again whilst at the same time still permitting such offenders to leave jail on compassionate, health or medical reasons.

I note that the explanatory notes accompanying the bill indicate that reintegration of sexual offenders in the community will now occur via the transitions programs with a view to addressing the core factors that lead to reoffending. The opposition has no objection in relation to the amendment to this particular act.

Amendment to the Dangerous Prisoners (Sexual Offenders) Act 2003 adds examples under section 16(2)(a) of the conditions for supervised release of certain types of offenders. The opposition has no question as to the viability and in fact necessity for the examples to be put into practice, and in particular we heartily enforce the wearing of monitoring devices to establish the prisoner's location when it is required. My question, however, to the Acting Attorney-General stems from a conversation I had yesterday with members of the Acting Attorney-General's staff. I was informed that in early 2007 monitoring devices would physically be used in Queensland. I posed a series of questions to the staff members present including, firstly, what is the budgeted figure for this implementation? Secondly, who will physically monitor the wearing of the devices given, I assume, probation officers or officers involved in the supervision of prisoners released under this section will not be so involved? Will the monitoring of the devices be controlled from Brisbane or will there be a series of officers throughout Queensland? If so, can the Acting Attorney-General advise where they may be? Will there be legislation brought into the House in relation to the devices? Lastly, if legislation is to be brought into the House, when can that be expected to occur?

As I said, the opposition does not oppose this section of the bill and, in fact, has frequently suggested monitoring devices be fixed to sexual offenders. If I may pose a question to the Acting Attorney-General: turning to subclause (7) of the new clause 4, the document that I have in front of me still has the term 'dangerous drug' defined within what I call the definition section of section 7. I may be wrong, I may not have read the document completely, but I do not think the term 'dangerous drug' appeared in the context of the amended document. It may just be an oversight.

Mr Welford: I think it is in the amendments to drink spiking.

Mr McARDLE: I apologise. Thank you, Acting Attorney-General. On the basis of those comments the opposition will be supporting the bill, and I again thank the Acting Attorney-General for his amendments.

Mr LAWLOR (Southport—ALP) (6.26 pm): Drink spiking is a modern and growing phenomenon. It can take various forms, from the addition of drugs like Rohypnol to drinks and also the adding of alcohol, for instance vodka, to alcoholic or non-alcoholic drinks. A report in 2004 by the Australian Institute of Criminology found that the exact number of drink-spiking incidents was impossible to accurately calculate. However, an estimate for the period 1 July 2002 to 30 June 2003 was that between 3,000 and 4,000 suspected incidents of drink spiking occurred in Australia. Four out of five victims are females, about half the victims are aged under 24, one-third are between 24 and 34 and one-third of the drink-spiking cases were associated with sexual assault.

Other Australian jurisdictions are considering similar legislation to the legislation currently before the House. Once again the Beattie government is at the cutting edge of this growing problem. This government has given priority to this legislation and it is important to note that it is coming in in time for schoolies week, which commences in Queensland on 18 November. That is a time when the incidence of drink spiking is quite prevalent.

The offence will apply to a person who administers or attempts to administer a drink or a substance to another person without that other person's knowledge of the presence of the substance with the intent to cause the other person to become stupefied or overpowered. It is immaterial whether the substance is capable of having the effect intended, it is immaterial if the victim is a person other than

the intended victim. These are the sorts of offences that occur quite regularly in nightclubs where people can pick up different drinks so it might not actually be the intended victim. It is also immaterial whether the spiked drink is in fact consumed or not.

There is a defence for an accused to prove that the substance was administered or attempted to be administered as a playful trick. This defence is only available when the substance in question is not a dangerous drug as defined in the Drugs Misuse Act, where the prank is a trick of a playful nature and not a trick of a malicious nature. The bill as introduced contains a defence that the onus is on the accused whether the act was a prank and involved no predatory motive. This defence will be removed and replaced with a new subsection which modifies the operation of section 24 of the Criminal Code but only where alcohol is the spiking agent. Section 24 provides an excuse from criminal responsibility for a person who does an act under an honest and reasonable but mistaken belief in the existence of a certain set of circumstances. For the purpose of the offence in section 316A, the accused will be excused from criminal responsibility if he or she was under an honest and reasonable but mistaken belief that the victim would not have objected to the addition of alcohol. This approach is more consistent with the policy intent of the bill, which is to ensure that people do not consume alcohol or other drugs without their knowledge. The maximum penalty for this offence is five years imprisonment and will be capable of summary disposition at the election of the defendant. The penalty reflects that this is not a trivial offence but one that this government regards seriously.

As I said before, it is timely for schoolies. The perpetrators of these acts are not actually schoolies but what has been defined as toolies and even maybe people my age who might be defined as droolies. I am not wanting to be frivolous about this, but it protects the schoolies from the attention of toolies and droolies.

Sitting suspended from 6.30 pm to 7.30 pm.

Mrs STUCKEY (Currumbin—Lib) (7.30 pm): I rise this evening to speak to the Criminal Code (Drink Spiking) and Other Acts Amendment Bill 2006. Honourable members have already heard some startling and frightening statistics from the shadow Attorney with regard to drink spiking. The bill seeks to establish a new offence of unlawful drink spiking by amending the Criminal Code through the insertion of section 316A. The bill also restricts leave of absence for prisoners detained for sex offences contained in schedule 1 of the Corrective Services Act 2006 and clarifies that a judicial authority can order that a released prisoner be electronically monitored during the period of a supervision order by amending the Dangerous Prisoners (Sexual Offenders) Act 2003.

Further to the discussion paper on the issue of drink spiking released in March 2006 it was recommended that all Australian jurisdictions enact an offence of drink spiking which would extend to any substance that would be likely to impair the consciousness or bodily function of the victim or which is intended to do so whether or not the spiked drink is drunk wholly, partly or at all. The potential harm that may befall people who are victims of drink spiking can result in serious and tragic consequences. Unfortunately, we seem to be hearing of these consequences more and more frequently in the media, in our *Sunday Mail* on the weekends, when we hear of either drugs or alcohol being used to disable people, often for sexual favours.

Drink spiking needs to be incorporated in the Criminal Code as an offence on its own so that a clear message can be sent to the community that this potentially deadly activity will not be tolerated. The current Queensland legislation allows for drink spiking to be prosecuted under a range of provisions, but the offence is not merely that of drink spiking. In order to successfully convict an offender it is necessary for them to cause death or serious injury to the drink spike victim or prove that the offender spiked the drink with the additional element of intent to commit a further indictable offence. This additional element of intent can be hard to prove in cases where the offender has been unable to carry out a further indictable offence for some reason.

The proposed changes to the legislation will incorporate the offence of specific 'drink spiking' into the Criminal Code. Through the proposed new section 316A(1), the offence will apply to a person who administers or attempts to administer in a drink a substance to another person without the other person's knowledge of the presence of the substance with intent to cause the other person to be stupefied and overpowered. The offence extends to any substance that would be likely to impair the consciousness or bodily function of the victim or which is intended to do so, whether or not the spiked drink is drunk wholly, partially or at all. However, no additional element of intent to further victimise or harm the victim is needed for the proposed offence. This addresses the current shortfall of having to prove this additional intention.

While these propositions are sound, a major problem lies in the existence of a proposed defence to the offence of unlawful drink spiking. That is where the substance was administered or attempted to be administered as a prank. Under the proposed section 316A(6) there is the opportunity for offenders to manipulate the circumstances to claim their actions were a playful trick rather than a malicious trick. While the defence does not apply where the substance used in the spiking was a dangerous drug, it is unfathomable to understand how the Beattie government could condone such reckless and dangerous behaviour as mere pranks.

Mr Lawlor interjected.

Mrs STUCKEY: Drink spiking is not acceptable behaviour in our society and excuses should not be made for this dangerous and life-threatening practice, and I am sure the member for Southport would agree.

Given such a high rate of drink spiking occurring amongst acquaintances and friends, a clear message needs to be sent to the community that so-called 'pranks' with potentially very serious consequences cannot be tolerated. Drink spiking of any substance that would be likely to impair the consciousness or bodily function of the victim is wrong and will now be punishable.

Innocent victims unknowingly and unwillingly have their drinks interfered or tampered with by persons known or unknown to them, placing them in vulnerable and sometimes lethal situations. The victim may well be the designated driver of a group of friends and any impairment would place others' lives at risk also. The victim may be on medication that reacts negatively with alcohol or another substance which, once again, places them in a highly dangerous position.

This week the Scrutiny of Legislation Committee saw fit to seek information from the Attorney in this regard. It seems the Attorney listened to them and to the shadow Attorney, who has foreshadowed his own amendment and has put forward an amendment that appears to satisfy the concerns raised.

Mr Wells: What a guy!

Mrs STUCKEY: I do not think I will make comment on that. According to a 2004 national report compiled by the Australian Institute of Criminology, between 3,000 and 4,000 suspected incidents of drink spiking occurred between 1 July 2002 and 30 June 2003.

Bearing in mind that schoolies will shortly be descending upon the Gold Coast and elsewhere in Queensland, I ask all of those attending to look out for one another. It is not okay to knowingly stupefy or overpower another person as a joke, nor is it funny to watch someone pass out or convulse as they may not recover ever.

In common with many members in this House, I have genuine concerns about the impacts of drink spiking on the lives and continuing mental health of the victims. Unidentified drugs can have a detrimental impact on people's lives. It has been medically proven on countless occasions that drugs can result in psychoses and other mental illnesses, some of them with irreversible side-effects. We must continue to provide appropriate mechanisms and avenues of review to address opportunities for prevention.

It is further on this theme of prevention that I raise the additional amendments in this bill in respect of the Corrective Services Act 2006 and the Dangerous Prisoners (Sexual Offenders) Act 2003. I acknowledge here that once the time has been served, according to our current laws, offenders will be released back into the community. I support the additional example inserted by clause 10 and any measure to ensure that the community is given increased levels of protection.

When there are questions relating to an offender being a serious danger to the community, on the expiration of their sentence and subsequent release we need to go a step further. Clause 8 of the bill seeks to restrict claims for leave by prisoners for only health or compassionate reasons, which I believe is in the best interests of the community. With that brief contribution, I commend the bill to the House.

Mr WETTENHALL (Barron River—ALP) (7.38 pm): I rise to support the bill and the proposed amendments to the Criminal Code. The people of far-north Queensland and Cairns in particular have major concerns about violence, assaults and sexual assaults that occur in relation to and connected with alcohol abuse. This legislation is an important plank in the fight against those occurrences.

Cairns is well known as a party town where tourists and locals alike enjoy the many offerings at licensed venues and other places in the region. Certainly there has been anecdotal evidence that drink spiking has occurred in Cairns. That of course is something that directly affects the people in my electorate of Barron River, which takes in the northern suburbs of Cairns.

This is an important piece of legislation that will act very importantly as a deterrent to drink spiking. As the research that has been undertaken has noted, it is notoriously difficult to quantify the extent of this type of antisocial behaviour that we know as drink spiking, which is all the more reason for the introduction of an offence of this type.

Drink spiking has been an emerging problem over the last few years. The phenomenon of drink spiking includes the addition of drugs and alcohol into alcoholic and non-alcoholic drinks without the knowledge or consent of the person consuming the drink. Although all states and territories have offences for when drugs or alcohol are administered with the intention of committing a further offence, such as sexual assault or causing harm to the person, no Australian jurisdiction has a drink spiking offence simpliciter. As has been mentioned before by other members, this is groundbreaking legislation.

This legislation and its amendments to the Criminal Code arise from recommendations of the Model Criminal Code Officers Committee, which in turn was referred the issue by the Standing Committee of Attorneys-General. The Model Criminal Code Officers Committee recommended that all Australian jurisdictions enact a summary offence of drink spiking. We have gone further and made this an indictable offence that will be able to be dealt with summarily at the election of the defendant, but significantly the offence carries a maximum term of imprisonment of five years. That is appropriate given the potential physical and mental harm that may flow from falling victim to drink spiking.

Under the Queensland Criminal Code Act there are a number of offences that are of a related nature, including section 218(1)(c), where an offender administers a drug or other thing to a person with intent to stupefy or overpower the person to enable a sexual act to be engaged in, which carries a maximum penalty of 14 years imprisonment; section 316, where an offender administers, or attempts to administer, any stupefying or overpowering drug or thing to any person with intent to commit an indictable offence, which carries a maximum penalty of life imprisonment; section 322, where an offender causes any poison or other noxious thing to be administered with intent to injure or annoy another and thereby endangers the person's life, which carries a maximum penalty of 14 years imprisonment; and section 323(1)(b), where an offender causes any poison or other noxious thing to be administered with intent to injure or annoy another person, which carries a maximum penalty of seven years imprisonment. This offence plugs a gap in the Criminal Code for the offence of drink-spiking simpliciter. The commitment to make the maximum penalty for five years necessitates that drink spiking be an indictable offence. Given the serious consequences to victims and that this is an emerging problem, that is entirely appropriate.

Under the provisions of the offence, where a person administers, or attempts to administer, a substance to another person, it is irrelevant whether the spiked drink is in fact consumed. It is irrelevant if the victim is a person other than the intended victim, which is appropriate given the often crowded conditions that are experienced in particular in licensed venues where drinks can be left unattended and consumed by persons regardless of the intention of the person who spiked the drink. It is irrelevant if a victim was already stupefied or overpowered to some extent before the drink spiking.

The bill introduces a defence that will be removed by proposed amendments that create a defence which modifies the operation of section 24 of the Criminal Code and brings it into line with the defence provisions but only where alcohol is the spiking agent. Section 24 of the Criminal Code Act provides an excuse from criminal responsibility for a person who does an act under an honest and reasonable, but mistaken, belief in the existence of any state of things. Under proposed new section 316A, an accused will be excused from criminal responsibility if he or she was under an honest and reasonable, but mistaken, belief that the victim would not have objected to the addition of alcohol. That is an entirely appropriate amendment to the act, making it consistent with the remaining defence provisions under the Criminal Code and is more consistent with the policy intent of the original bill, which is to ensure that people do not consume alcohol or other drugs without their knowledge.

As I have indicated, this is an issue that is of major concern in the community. Day in, day out we hear stories of tragedy in the media of offences that are connected with the abuse of alcohol and other drugs. This is a timely response to that community concern and to the recommendations and the research that has been undertaken. Most importantly, in my view it will act as a strong deterrent and have an educative function to people who might consider spiking other people's drinks without their knowledge or consent.

Mrs CUNNINGHAM (Gladstone—Ind) (7.46 pm): I rise to support the changes contained in the Criminal Code (Drink Spiking) and Other Acts Amendment Bill 2006. It is a sad indictment on our society that drink spiking has become a phenomenon that this legislature has to address. I think when it first occurred many people rated it as something that was for a very select, infantile and particularly destructive group of people. However, it has spread considerably to the point where not only are young people vulnerable when they go out to enjoy social activities but also it is an added concern for parents who have young people who are old enough to go out to nightclubs and hotels but who perhaps are not particularly familiar with the low-lives that we can come across in our lives.

I do not think anyone would question the severity of the penalties that are proposed. In fact, there would be some people across Queensland who would say that they need to be tougher. Disappointingly, in the information that has been provided, studies show that between 1 July 2002 and 30 June 2003 between 3,000 and 4,000 suspected incidents of drink spiking occurred across Australia. That is a significant number. Disappointingly, too, the majority of those victims are women. Most of them are very young, under the age of 24, and a third are aged between 25 and 34 years. So they are young people who are going out to have a good time. They themselves are of an age where they just want to have a nice time, yet there are these low-lives around who want to opportunistically take advantage and, worse, sexually assault them.

We have read in the papers about young people who, after the events of a night out, have come to and perhaps realised that something may have happened but the nature of the stupefying drugs means that they have no recollection of the incidents and therefore it is very difficult and I am sure

frustrating for police to be able to follow through and find the culprits. Whilst the explanatory notes talk about GHB and Rohypnol, with the broad cross-section of drugs available, it could be any number of prescription and non-prescription drugs that could be added to alcoholic drinks.

Importantly, this legislation recognises as an offence additional alcohol that is added to either alcoholic or non-alcoholic drinks with the intention of rendering the person taking the drinks less than cautious and unable to make firm and safe decisions. It is stated in the legislation that the offence will apply to a person who administers or attempts to administer in a drink a substance to another person without the other person's knowledge. Whilst I acknowledge the exception about the prank, I will be interested to see how that transpires over time in terms of actual events. How often will perpetrators who are genuinely intending harm to another person use that defence and how easy will it be—or the opposite—for the legal system to prove or disprove that it was a prank? I guess that that is something that only time will prove. Only a person of little imagination would use alcohol or drugs as a prank. I am sure that there are funnier and much safer ways of playing a trick on somebody whom I am sure the prankster would purport to care for.

The offence also accommodates the actions of, as the second reading speech calls it, generous bar staff who add extra alcohol to the drinks of good or regular customers. The legislation states that the staff would only be caught up by this legislation if they added the alcohol without the knowledge of the customer and if they did so in an attempt to stupefy the customer.

As I said at the beginning of my contribution, drink spiking has not only caused a new level of discomfort and concern to young people enjoying themselves but has also added a significant level of concern to parents. I congratulate the minister for introducing this legislation so that it will be in force before schoolies week. There has been an influx of people inappropriately attending schoolies' functions, particularly on the south and north coasts where schoolies celebrations are concentrated. In the last couple of years, special efforts have been made to try to exclude those people from the events, through either the use of wrist bands or other means of identification. There are people who think that some of those young people, particularly young women, are easy targets for this kind of dangerous practice and I hope that this legislation gives them cause to rethink.

This legislation also amends the Dangerous Prisoners (Sexual Offences) Act 2003 to allow the courts to order that a released prisoner be electronically monitored. Not that long ago the media reported a little bit of controversy about the success or otherwise of electronic bracelets. I would be interested in any response from the minister on this issue.

I read the proposal that this legislation will allow a serious sexual offender to apply for parole when perhaps they should more appropriately be retained in custody as allowed under legislation that was passed last year, or maybe the year before, relating to the detention of dangerous prisoners or sexual offenders. I hope that, over time, there is not a reluctance to hold truly dangerous sexual offenders in detention after the completion of their sentence but, in lieu of holding them, placing them under monitored supervision—not that one should exclude the other. There are genuinely dangerous people. A couple of people were not affected by the legislation and were released prior to its enactment. They were allowed back into the community and, quite frankly, they should not have been. That is nobody's fault. The legislation was not in place at the time.

I will be interested to see how this new legislation works in actuality. I hope that the community's confidence in the judicial system is not undermined by a reticence on the part of the justice system to retain dangerous prisoners in custody after the expiry of their sentence, preferring this as an option. This is a tool, but certainly there are individuals who should be retained for a considerable period.

I believe that the community will welcome the amendment to the Corrective Services Act, which will restrict the granting of a leave of absence to sex offenders and restrict leave to compassionate or health and medical reasons. On behalf of my community, I believe that even on those bases these prisoners should be accompanied at all times because they are considered to be serious offenders.

Although it did not happen so much at the last election, in many previous elections we have had a ballot on law and order. There are those in the community who are particularly concerned about civil liberties and they say that the competition between the major parties and others on law and order issues endeavours to find the lowest common denominator. When we talk to people in our communities, they tell us that they want people who are attempting to do the wrong thing to be prosecuted and sentenced appropriately. Drink spiking is something that has emerged as a very dangerous and very unacceptable activity. There are a few more superlatives that I could use, although probably not in this place. It is an activity undertaken by people who have absolutely no morals or regard for anybody but themselves. I certainly commend the legislation.

Mrs SULLIVAN (Pumicestone—ALP) (7.56 pm): I rise to support the bill, but I will be confining my remarks to the drink-spiking issue. Currently in Australia, states and territories have offences that address incidents where drugs or alcohol are administered with the intention of committing a further offence. However, no Australian jurisdiction prohibits mere drink spiking.

The object of this bill is quite simple: it will amend the Criminal Code to include a specific offence of drink spiking, carrying a maximum penalty of five years imprisonment. The act of drink spiking has existed for a long time in one form or another, but it is becoming a growing problem. Drink spiking occurs when alcohol or another drug is added to a person's drink without that person's knowledge or consent. A spiked drink can result in a person becoming stupefied or overpowered and is likely to impair the consciousness or bodily function of a victim. It is a very dangerous practice and one that can lead to death.

It is extremely difficult to determine the exact number of drink-spiking incidents that happen. This is due in part to a number of factors, including the covert nature of the act, the fact that many go unreported and that people attribute their experience to their own alcohol consumption, memory loss over the incident, the difficulty in verifying where the reported incident happened, and victims knowing their attackers. However, it is estimated that annually there are between 3,000 and 4,000 drink-spiking incidents in Australia and most victims are younger women, but women and some men of all ages are vulnerable.

Under the new offence of drink spiking, it is irrelevant whether in fact the spiked drink was or was not consumed. It is irrelevant if the victim was a person other than the intended victim and it is irrelevant if the victim was already stupefied or overpowered to some extent before the drink spiking.

Research has shown that the vast majority of drink-spiking incidents happen in licensed premises that have nightclub style entertainment. However, when one of my constituents, Tammy Bretherton, a Bribie Island resident and mother of five daughters, told me of her anguish over one of her daughter's drinks being spiked, I realised that the problem was not confined to the inner suburbs of Brisbane. I found out that there had been a number of drink-spiking incidents in the electorate and proceeded to take some positive steps to educate people on the dangers of drink spiking.

Tammy suggested that, since licensed venues did not have to carry warnings about drink spiking, maybe I should encourage them to do so. I did just that. I visited local clubs and pubs. To their credit, not one manager or owner said, 'No' to the placing of warning signs in their facilities. Under the heading of 'Drink Spiking Happens', the signs read—

Be aware that rapists are using this new strategy
Educate yourself about drink spiking safety
Stay together with trusted friends
Monitor drinks constantly
Avoid tasting or exchanging drinks with others
Refuse any drinks from open containers
Throw away drinks that taste funny or salty

On the bottom it says, 'For support call the 24 hour Sexual Assault Helpline on 1800010120'.

The information sign was produced with the sponsorship of the state government and reproduced with the permission of the Gold Coast Sexual Assault Support Service. Signs can now be found on walls in licensed venues in the Pumicestone electorate, including the Bribie Island Hotel, the Bribie Island Bowls Club, the Solander Lakes Bowls Club, the Blue Pacific Hotel, the Bongaree Bowls Club, the Bribie Island RSL, the Toorbul Tavern, the Beachmere Bowls Club and the Sundowner Hotel. There are a couple of other local licensed venues that I have not had time to approach but, from the response received to Tammy Bretherton's request so far, I am confident that they will want to display the warnings, too.

The Liquor Licensing Division is working with other state government agencies, licensed premises and community organisations to help stamp out this dangerous practice. I commend the bill to the House.

Mr LANGBROEK (Surfers Paradise—Lib) (8.00 pm): I rise to speak to the Criminal Code (Drink Spiking) and Other Acts Amendment Bill 2006. Drink spiking should be a crime. The schoolies invasion is about to hit the electorate of Surfers Paradise and I am grateful that we are having this discussion before the festival kicks off. I would like to place on record that I am very appreciative of this legislation being moved up the parliamentary agenda.

In preparing my contribution to today's discussion, I went back to the discussion paper on drink spiking, which was released in April this year. The discussion paper was prepared by the Model Criminal Code Officers' Committee of the Standing Committee of Attorneys-General. This discussion paper recommended that each state and territory introduce laws to create a stand-alone drink-spiking offence where no further intent to harm the victim need be shown. Since the release of these recommendations, South Australia has been the first jurisdiction to introduce laws to make it an offence to spike another's food or drink. During the election campaign, it was announced that Queensland would follow suit.

I found it so disturbing that, despite fact that drink spiking is a real problem and compromises the safety of Queenslanders, the Beattie government did not care to contribute to the standing committee. The Beattie government did not care to be involved in the think-tank that resulted in the recommendations that has state governments around the country introducing laws to make drink spiking a crime. The committee members, as noted on page 2 of the discussion paper, which I table, included a representative from the New South Wales Attorney-General's Department, a representative from the

South Australian Attorney-General's Department, two representatives from the federal Attorney-General's Department, a representative from the Victorian Department of Justice, a representative from the Tasmanian Department of Justice, a representative from the Northern Territory Department of Justice, a representative from the ACT Department of Justice and a representative from the Western Australian Crown Solicitor's office.

Tabled paper: List of members of the Model Criminal Code Officers' Committee of the Standing Committee of Attorneys-General.

There was no representative from Queensland. I was stunned when I saw this on page 2 of the discussion paper. In April 2006, the only state without a representative was Queensland. I was so stunned because I could recall hearing the Premier during the election campaign—

Government members interjected.

Mr LANGBROEK: I can hear that the members opposite are stunned as well. During the election campaign I heard the Premier say that drink spiking was a concern of his government.

How are we meant to accept that drink spiking is such a concern for the Beattie government when it did not offer a representative to contribute to this discussion paper and reap the benefits of being engaged in the very standing committee that was formed to tackle the threat that drink spiking poses? This meeting was held in April 2006.

As I have said already, I am delighted that we are debating making drink spiking a crime before the next schoolies festival where the potential for drink spiking on a mass scale is quite real for the large number of young people who will be in the area. I am glad that the election forced the Beattie government to acknowledge that drink spiking is an issue, but it is shameful that the election is the only reason the government cared to acknowledge the problem.

The defence for the new crime of drink spiking is again proof that the Beattie government did not attend the committee. The discussion paper shows that, after surveying the relevant existing laws in each jurisdiction, the committee found that the real weakness in the current legislation was in the less serious matter of drink spiking where no further harm is caused to, or intended to be caused to, the victim of the spiking—in other words, prank spiking. Accordingly, the committee recommended that all Australian jurisdictions enact an offence of mere drink spiking without further intent, that the offence be summary, and that the offence extend to any substance—any classification of poison, substance, drug, alcohol or traditional aphrodisiac—which is likely to impair the consciousness or bodily function of the victim, or which is intended to do so whether or not the spiked drink is drunk wholly, partly, or at all. The committee recommended that the states should not only enact laws specifically against drink spiking but also not provide a defence for prank spiking as the potential for harm still exists in cases of prank drink spiking.

I note that an amendment has been made to the original clause 4 to substitute a new clause 4 thereby substituting a new section 316A. The amended new section 316A does not contain the defence of 'prank', as was contained in subsection (6) of the introduced provision. Someone in the department must have eventually got around to reading the discussion paper of the think-tank of which the Beattie government did not care to be a part. However, as noted in the amendment's explanatory notes, the amended offence provides an excuse for an accused who adds alcohol to a drink of another person but at the time honestly and reasonably believes that the other person would not have objected to the addition of alcohol. I am not sure what the other members of this House think, but to me this amendment may have omitted to use the word 'prank' but, in effect, still allows an excuse for those conducting prank drink spiking. So despite this attempt to acknowledge the recommendations of the discussion paper, the government has still disregarded the advice to not provide a defence to the act of drink spiking. Consequently, the strength of the legislation is not as strong as it could or should be.

The nature of drink spiking makes the gathering of evidence to prove the crime of drink spiking quite difficult. The difficulty in enforcing this new law is only going to be harder with this bucks party defence, because it provides a get-out clause for this crime that should be recognised as exactly that: a crime. Drink spiking should not only be seen as being those frightening cases at the extreme of the continuum—those being the cases that we hear about in the media when date rape drugs are added to drinks, commonly an alcoholic drink, without the knowledge of the victim in order to induce an extremely inebriated state in the victim with the additional intention of taking sexual advantage of the victim or actually doing so. That is one end of the continuum. But milder cases include the addition of alcohol to a known alcoholic drink as a prank just to see the victim make a fool out of themselves, for example.

The Australian Institute of Criminology says that there is no single typical incident of drink spiking. Rather, drink spiking appears to be a complicated phenomenon that can occur in a variety of locations with a variety of victims, with a variety of different spiking additives for a number of different reasons resulting in disparate effects and consequences. The Australian Institute of Criminology has said that, based on its research, four out of five victims are female; that about half of drink spiking victims are aged under 24 while about one-third are aged between 25 and 34; that the majority of reported drink-spiking incidents have no associated criminal victimisation, indicating that prank spiking may be a common motivation for drink spiking; that many victims do not know who the offender was; that the vast majority

of incidents of drink spiking are not reported to police; that apprehension of offenders is very uncommon and that forensic urine and blood testing is relatively rare and does not prove conclusively that drink spiking has occurred. In light of those comments, prank drink spiking should not be an excuse. The enforcement of these laws, in recognition of what the AIC has said, is going to be hard enough without having offenders being able to claim, 'He—or she—'wanted to get like that'. Despite the proposed amendments, in essence the bucks party defence is still provided.

Drink spiking should not be permitted under any circumstances. That is the message that we need to be sending with these laws. There is nothing funny about it. There should be no excuse for drink spiking. There should be no defence for drink spiking. Whether or not it was a prank may be relevant to the question of the appropriate sentence to be imposed following a conviction of the offence. However, it should not be a defence.

The explanatory notes suggest that the reason for the proposed new offence of drink spiking is to implement the recommendation of the MCCOC. That committee's recommendation focuses on an offence that has regard to the nature of the substance used and includes any substance that would be likely to impair the consciousness or bodily function of the victim, or which is intended to do so whether or not the spiked drink was consumed. Thus, the recommendation seems to be that the offence would be committed without intent if the substance is, in fact, likely to impair the consciousness or bodily function of the victim. The offence would also be committed if that intention could be proved regardless of whether, in fact, the substance was consumed.

The explanatory notes seem to accept and reinforce this recommendation by stating that the relevant existing Criminal Code provisions all require some further intention either to commit an indictable offence or to further victimise the victim. However, the proposed offence in new section 316A requires in all cases that, in addition to administering the substance, it be proved that there was an intention to stupefy and overpower, the definition of which has now been expanded. This goes well beyond the recommendation of the MCCOC—something that the Beattie government would have known had it attended and contributed to the committee.

In fact, the Scrutiny of Legislation Committee said that the intention requirement probably goes beyond the requirements of the existing offence that is contained in section 323B of the Criminal Code. So the question has to be asked: is making this new offence, with its current elements, a fruitless exercise?

The Scrutiny of Legislation Committee would suggest so, as I read it. The Scrutiny of Legislation Committee has made several recommendations concerning the drafting of the clauses. I believe they should be acknowledged and changed.

As I have said before, drink spiking should be a crime. Enforcing this new crime is going to be a hard enough task due to the difficulty in proving drink spiking has occurred without having laws which have the Scrutiny of Legislation Committee asking the question: is the legislation unambiguous and drafted in a sufficiently clear and precise way? Enforcing this new crime is going to be a hard enough task due to the difficulty in proving drink spiking has occurred without the having a buck's party defence included within the provision.

The Beattie government should have involved itself in the Model Criminal Code Officers Committee. If it had, schoolies at this year's festival would have had properly drafted laws protecting them. Schoolies do not need stunts. Queenslanders do not need stunts. They need watertight laws that can be enforced. They need laws that will protect their welfare, not the interests of offenders.

Mrs MILLER (Bundamba—ALP) (8.10 pm): I rise to speak in support of the Criminal Code (Drink Spiking) and Other Acts Amendment Bill. The bill seeks to amend the Criminal Code by inserting a new offence of unlawful drink spiking and also to amend the Corrective Services Act 2006 and the Dangerous Prisoners (Sexual Offences) Act 2003.

Out and about in the electorate of Bundamba I have to report to the House that there is widespread support for this bill mainly because parents do not want their children to be subject to drink spiking. I have been talking to many mothers over the last week or so. What they have been telling me is that if their daughters, in particular, want to go out and have a good time at a club or a pub one of their greatest fears is that they will be subject to drink spiking. It is every mother's nightmare and I am sure it is every father's as well.

The statistics show how prevalent this is. I know it has been said before but it is worthwhile repeating that between July 2002 and June 2003 between 3,000 and 4,000 suspected incidents of drink spiking occurred in this country and four out of those five victims were female. They are horrendous statistics. GHB and Rohypnol are drugs that are used for drink spiking. Other drugs are put in as well. Alcohol is also put into non-alcoholic drinks. The intention of these criminals is really to make young women pass out and thus make them vulnerable to sex attacks and violent attacks. It is a dreadful crime.

I also want to talk about the health risks. If a young lady orders a drink and the drink has been spiked she risks having an allergic reaction. She could risk experiencing severe vomiting or diarrhoea. There could potentially be fatal consequences of these health reactions. They could also choke.

I place on the record that my community is very pleased that the law will be in place for schoolies week this year which starts on 18 November 2006. In fact, many hundreds of grade 12 school leavers in the electorate of Bundamba venture down to the Gold Coast and also to the Sunshine Coast for schoolies week. I speak on behalf of those parents because I know—

Mr Rickuss: Don't they go to Ipswich?

Mrs MILLER: No, Ipswich people do not spend schoolies in Ipswich if they can possibly avoid it. They tend to go down to the Gold Coast and to the Sunshine Coast. Some of them even go on boats around the Whitsunday for the Christian schoolies week.

The parents are very happy that these laws will be in place because it gives them some sense of reassurance that if someone has been drink spiking it will be an offence. The maximum penalty for drink spiking is five years imprisonment. I think that is quite appropriate.

I would like to talk briefly about the amendment to the Dangerous Prisoners (Sexual Offences) Act 2003. This amendment is to clarify that a court can order a released person to be monitored as a condition of a supervision order. I went to New Zealand a little while ago to have a look at this type of monitoring system. I have to say that I was quite impressed by it. The monitor is like a black watch which is attached to the ankle. There is a lot of technology in relation to this. It is very good technology. I think we should use more of it in this country.

I did ask them about having this monitoring system attached to released prisoners. Basically they said that there was no issue with it and it works very well. It is very good legislation. My community certainly supports it. I commend the bill to the House.

Mr RICKUSS (Lockyer—NPA) (8.15 pm): I rise to support the Criminal Code (Drink Spiking) and Other Acts Amendment Bill 2006. This is one of those bills that every member of the parliament will actually support. It makes sense. I am glad to see that the amendments that the member for Caloundra mentioned will be made. It is a common-sense, practical bill. No-one wants the drinks of their young teenagers or young adults, whether they be male or female, spiked. It is totally inappropriate. I must admit that a lot of us who are speaking on this bill we are bit holier-than-thou. I am sure we have all had double rums or triple rums at different times.

Mr Lawlor: Speak for yourself.

Mr RICKUSS: Haven't you ever had that? As stupid youths we might have done it to one of our mates to see their reaction. It does not make a lot of sense. I want to ask the minister whether there will be any education program.

Mrs Sullivan: I started it.

Mr RICKUSS: The member has started it. Are the Health and Education departments going to promote this legislation? I was talking to my learned friend the member for Bundaberg and he was saying that similar offences are really not enforced that often.

Mr Lawlor: Tell us about schoolies in Plainland.

Mr RICKUSS: They all go down to Bob Porter's Plainland pub. Very few people are charged with issuing a stupefying drug. There should also be an education program. We really have to educate young people that it is not a prank and that they cannot do it. It is a serious offence. Let us do something about it. Let us use our common sense and not have this sort of thing happen to young people. Most of them do seem to be young women, unfortunately. It would be terrifying for anyone who has young daughters.

The other provision in this bill is the bracelets for dangerous prisoners. The coalition has supported this for years. I think it is about time that this radio frequency electronic monitoring is utilised. It is a great step forward. I fully support the use of this type of monitoring. Let us start using the technology. The only thing is that we have to make sure it is good technology.

Ms STONE (Springwood—ALP) (8.18 pm): I rise to speak briefly in the debate on the Criminal Code (Drink Spiking) and Other Acts Amendment Bill. The bill addresses the serious problem of drink spiking. Drink spiking is not just an Australian issue; it is a worldwide problem. No longer is it about some alcohol being poured into a drink to make someone a bit tipsy. Today it has become dangerous and there are serious consequences. Drink spiking has become a serious problem with the use of drugs being placed into drinks quickly and easily.

It includes the addition of drugs and alcohol into alcoholic or non-alcoholic drinks without the knowledge or consent of the person consuming the drink. I can remember attending a conference and watching a training program that showed two people chatting at a bar—a regular scene in bars throughout the world every night. Someone lent over to have a chat. At the normal speed of the program

we could not tell what they were doing but they were actually putting a tablet form of drugs into the drinks. It was only when they slowed the video down that we could actually see the crime occurring. What it showed me was just how quickly and easily something like that can be done. So it certainly alerted all of us at that seminar just how huge a problem this could be and how alert one has to be.

Today pubs and clubs staff are doing what they can to assist in reducing the risk of this problem. In the past, staff would have opened a bottle and perhaps just served it into a glass or taken off the lid and left it on the counter. Today, when someone goes into a pub or club they usually get the bottle top loosened but they do not take that bottle top off. They usually leave the bottle on the counter for people to take the lid off. That is to reduce the risk of drink spiking.

I have heard complaints from the public about the lack of service today. They talk of the old days and the good service people would get. I say to people that there is not a lack of service now and it is not that staff are not doing their job; the staff are actually protecting people from drink spiking.

It is not only clubs and pubs where this problem is occurring. It can occur anywhere—at private parties, barbecues, restaurants and sporting events—so we need to be vigilant. We have all read articles on drink spiking occurring on dates or with friends visiting friends, so it is not always in a large crowd situation nor is it always done by a stranger. No matter where people are, the fact is that drink spiking is dangerous and usually has serious consequences for the victim. Research clearly shows that it is usually associated with sexual assault.

Given the potential for further victimisation and the physical and mental harm that can occur, it is clear that a new offence is warranted and expected by the community. Today the bill before the House will insert a new offence of drink spiking into the Criminal Code. It will apply to an offender who adds a substance to a drink intending that another person will, or might, consume it without the knowledge of the presence of the substance that will stupefy or overpower.

With the annual schoolies week nearing, the issue of drink spiking is something that parents have been raising with me. They tell me that they are concerned for their school-leaving daughters or sons in respect to this problem. Young people, especially young ladies, have also raised this issue and their concerns about drink spiking with me. I know that my community would certainly support this bill.

There is no doubt that the community and the liquor industry are very keen to see those offenders caught. I am pleased that the offence will carry a maximum penalty of five years imprisonment. This penalty does reflect that the government is taking this very seriously and demonstrates that it is not a trivial offence.

The Liquor Industry Action Group, Logan Corridor, meet regularly, and drink spiking is an issue that has been raised and discussed at meetings. Once again, I thank the police and the liquor industry stakeholders for working together and coming up with practical solutions to lessen the risk for their patrons. When the LIAG representatives and I go out to the high schools in my area next week to speak with the school leavers, it is certainly an issue that we will be discussing with them.

I want to take this opportunity to thank Murray Jamieson, president of the LIAG, Logan Corridor, for all his hard work and dedication to LIAG since it began. It will be very hard to fill his place as he was very passionate and dedicated to ensuring our LIAG was successful and had great outcomes for the industry, the police and the community. I wish him well in his move to north Queensland.

I also welcome the implementation of a new system of parole where all sexual offenders are required to apply to a parole board for early supervised release. When approving the supervised release of an offender, the parole board is able to order the electronic monitoring of an offender. This system will be particularly useful in enforcing a released prisoner's compliance with a curfew. This amendment will allow for greater surveillance of released prisoners and therefore provide heightened community protection.

In finishing, the new offence of drink spiking will ensure that a very strong message is sent that this government will not tolerate those who seek to prey on others through spiking their drinks. The bill clearly demonstrates that this government is committed to enhancing community safety through its tough on crime and causes of crime policy agenda. I commend the bill to the House.

Mrs PRATT (Nanango—Ind) (8.23 pm): I rise to speak to the Criminal Code (Drink Spiking) and Other Acts Amendment Bill. I doubt that anyone who has heard of the Dianne Brimble case could ever doubt the necessity of introducing this form of legislation. In the past, it was often thought of as a harmless prank by a few to spike the punchbowl at the local dance. Spiking is a dangerous activity. Events occur under the guise of spiking that would never, ever occur if a person had not drunk such a drink. The substances used range from alcohol to drugs, such as GHB, Rohypnol and other seriously dangerous drugs. Spiking is a premeditated act. The spiker prepares or obtains the substance he or she plans to use, finds a victim, and, without any consideration for the welfare of the victim or possible allergic reactions, administers a substance with the sole purpose of making the victim pliable to their often unwelcome advances.

Drink spiking has to be one of the worst crimes on record. It can lead to a range of actions but primarily sexual assault or another suspect action. It is a sad indictment on society that we even have to address this situation, but we find continually—as harder drugs are available and as other activities are available, such as the internet, and as science advances society—that we have to face situations and begin to monitor unwelcome actions by unsavoury types.

Drugs have become a part of our communities, especially for our youth who feel that they cannot have fun without taking what they call recreational drugs. According to the minister's second reading speech, half of the victims who suffer from spiking are aged under 24 and one-third are between 25 years and 34 years, primarily women. That is a shameful set of statistics.

This act targets the most vulnerable in our communities—our young people who are just starting to find their wings and who are going out into places that perhaps they have very rarely been to before—and they are putting themselves out there to be easy targets. They are the prey of perverted predators. These predators are committing a premeditated crime. This legislation needs to hit as hard as it possibly can. Too often we find that the general public are disappointed by the punishments brought down by the judiciary. I can only hope that in the case of drink spiking there will be no such leniency.

It is no accident that perpetrators use mind-stupefying drugs. They do not want the victim to remember, and it must be questioned how many of these spikers will actually ever face court. I note that the bill addresses the intent of the spiking, regardless of the consumption of the drink. With schoolies week almost upon us, this legislation is timely and essential. I doubt that any parent would not be grateful for it, although the fear of their sons and daughters receiving a spiked drink will remain forever in any parents' mind.

The offence allows for the action of generous bar staff to their customers as long as the customer is aware of such actions. My husband used to work in a bar. In past years bar staff would often say, 'Here's another one on the house.' They would double the drink or whatever. It was a common act by the publican or the bar staff to reward long-term drinkers and loyal customers. Whatever the reason, it was quite common, but it was always with their knowledge.

The word 'prank' has often been used, and it has been used in this bill. In the past it was the hope of seeing others making fools of themselves or girls coming across and giving a kiss to the bloke who inspired them to spike the punch. This prank mentality is common at hen's nights and at buck's nights. Although drinking excess alcohol of someone's own free will can make fools of us all, I believe any spiking in any circumstances should not be tolerated. If it is to be a crime to spike any food or drink, as it should be, then there should be no exceptions. There should, however, be considerable education for the young.

I note that the legislation will carry a maximum penalty of five years. As I read in the papers every day, so few offences currently ever appear to receive the maximum penalty. I wonder whether we should always say that there is a minimum rather than a maximum. They should not go in, get a penalty of five years and be out in a few months. It should be said, 'You will go in for a minimum of three or five years. If you don't behave yourself, you'll stay a little bit longer.'

This bill also amends the Dangerous Prisoners (Sexual Offenders) Act 2003 which states that the court can order that a released prisoner may be electronically monitored as a condition of a supervision order. This also is a very welcome amendment to the Criminal Code. These are both good amendments. Both will be welcomed by parents and communities alike. I commend the bill to the House.

Mrs SCOTT (Woodridge—ALP) (8.29 pm): I may be well outside my area of knowledge in addressing this bill tonight, but I am happy to speak up against drink spiking, which is embodied in this bill, the Criminal Code (Drink Spiking) and Other Acts Amendment Bill 2006. At the very heart of this bill is respect for each person's individual responsibility. Excessive and indeed binge drinking has become a serious problem, in particular with young people at this time, and responsible alcohol service is expected of licensed venues. At this time of year, as many youngsters prepare to enjoy schoolies week, many a nervous parent is offering good advice to their youngsters; as well as teachers, nurses, counsellors at school and people like Ms Barbara Stone warning about responsible behaviour, including moderation in alcohol consumption and recommendations that friends stick together and look out for each other.

Drink spiking may at times be a mild prank, but in this bill we are talking of serious cases where the victim may suffer major health issues or their safety may be threatened. While no true statistics are available it is estimated that several thousand cases may occur in any given year throughout Australia. The victims are mostly female and the intent is often to render the victim in a vulnerable position and may result in sexual assault.

The Criminal Code already has provision for penalties for those who spike a drink with a drug to carry out an offence against another person, but this new offence deals with the intent of the individual, whether or not the substance is consumed and whether or not the substance would cause the intended effect. In other words, the intent is the crime.

It is a sad fact that when people are out socialising predators can be on the lookout for a vulnerable individual. Although it is well known that no drink should be left unattended and each individual must be alert to what they are drinking, sadly we need to have increased penalties to send a clear message that this behaviour will simply not be tolerated. The offence of drink spiking will thus carry a penalty of a maximum of five years imprisonment.

As we enter the festive season, which is a time of students celebrating the end of their formal schooling, with end-of-year functions and the like, we want everyone to remain safe and to survive the season without accident or becoming the victim of a crime such as we are referring to tonight. Everyone deserves to be in charge of what is taken into their own system and I am very happy to commend the bill to the House.

Mr WELLINGTON (Nicklin—Ind) (8.32 pm): I rise to participate in the debate on the Criminal Code (Drink Spiking) and Other Acts Amendment Bill 2006. There is no doubt that drink spiking is a problem in our community. Unfortunately, I worry that the prevalence of this problem may be greater than we believe. I am very pleased that the debate on this bill has been brought forward so that there can be an enforceable law in Queensland prior to the official start of schoolies week celebrations, which I understand start on 18 November this year.

I would hope that the debate in this chamber and the passing of this bill into a new law in Queensland will create a greater awareness of the issue of drink spiking and the problems that flow from it in our community. We are all responsible and have a very important role to play in increasing the awareness of this problem in our community. I would hope that as a result of the debate in this parliament the media and the community will also promote the awareness of this new law in Queensland and try in whatever way possible to lift awareness in the minds of the young people who may be potential victims of drink spikers. I will support the toughest law possible to try to prevent drink spiking happening in Queensland and I commend the Acting Attorney-General for bringing forward this debate that we are having tonight.

The other issue I wish to touch on is the Dangerous Prisoners (Sexual Offenders) Act Amendment Bill. Coincidentally, I was talking with a number of officers of Corrective Services over the weekend who were talking to me about their concern in relation to the state government's ability to actually carry out the monitoring and policing of sexual offenders who have been released in our community. When I read the Acting Attorney-General's explanatory notes I noted that he referred to the electronic monitoring being reliable technology that has been used in a number of international and Australian jurisdictions as an enhanced surveillance regime for previous offenders. The notes also refer to radio frequency electronic monitoring that will be utilised which can be used to restrict the movement of released prisoners at particular times of the day. I would ask the minister in his summing-up to please explain to the House how there will be the ability to actually monitor the movement of the prisoners to ensure that they do travel only within the restricted areas.

I note also in the explanatory notes that the Acting Attorney-General says that the cost of implementing the electronic monitoring will be met from funding allocated to the Department of Corrective Services. I hope that in his summing-up the Acting Attorney-General is able to clarify how there will be the checks and balances to ensure that there will be reliable monitoring of prisoners who may be referred to this monitoring program.

Without further ado, I again commend the minister for bringing forward the debate on this very important bill and let us hope that we can save many lives as a result of this becoming a valid law in Queensland.

Hon. RJ WELFORD (Everton—ALP) (Acting Attorney-General and Minister for Justice) (8.36 pm), in reply: I thank all honourable members for their contribution to this debate. I appreciate the support of the opposition and I thank the shadow spokesperson for his support following the briefing that I arranged for him. As many members have indicated, drink spiking is a matter of considerable concern which all members agree needs to be addressed. As the member for Surfers Paradise indicated, it is timely that we address this matter in the context of the approach of schoolies week.

I will speak very briefly in relation to these issues before we go into consideration in detail. I will be moving a number of amendments which I think will improve the drafting of the law and give better effect to the intentions of the parliament in relation to dealing with those circumstances where a person may have, in the case of alcohol, been poured a drink of greater strength than was perhaps intended but in circumstances where I do not think any reasonable person would regard it as something justifying criminal charges. That is addressed in the amendments that I am moving.

A number of members have raised the issue of electronic monitoring. The Beattie government has made election commitments in relation to this and funding has been provided in the 2006-07 budget to establish a program of electronic monitoring. The Minister for Police and Corrective Services is currently assessing the various technologies that are available for this purpose so that prisoners under supervision orders pursuant to the Dangerous Prisoners (Sexual Offenders) Act will be subject to

electronic monitoring which will significantly relieve the burden on individual officers currently responsible for complying with the conditions of supervision set by the court pursuant to orders under that act.

So far as I am aware, there is no specific legislation required for that electronic monitoring to be implemented. The amendments to the DPSO Act and provisions of the Corrective Services Act already allow for the introduction of electronic monitoring. That will be introduced once the appropriate technology is purchased by the Department of Corrective Services. The monitoring, of course, will be a normal part of the responsibilities of Corrective Services officers as part of the Department of Corrective Services' responsibility for managing prisoners, whether they are detained in custody or whether they are on community based orders or supervision orders under the dangerous prisoners legislation.

Once the technology is adopted, I think we can be confident that appropriate supervision will occur. The member for Nicklin raised this issue. The reason that the Minister for Police and Corrective Services is currently looking at the technology alternatives is to ensure that we have a reliable mechanism for monitoring those who are subject to supervision orders. Of course, it is theoretically possible for a person subject to electronic monitoring to remove the monitor in some way. They are not meant to be removed and they are designed, as I understand it, not to be removed easily. However, they will notify the relevant authorities in the event that some irregularity is identified in relation to the removal of the monitoring device. I am sure much more information will become available to members of the House once the Minister for Police and Corrective Services has more to say about it.

As I say, I think all that needs to be said about this legislation has been said by all members who have made contributions to this debate. I thank them for their contributions. I now commend the bill to the House.

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

Motion agreed to.

Consideration in Detail

Clauses 1 to 3, as read, agreed to.

Clause 4 (Insertion of new s 316A)—

Mr WELFORD (8.43 pm): I move the following amendment—

1 Clause 4—

At page 4, line 14 to page 6, line 8—

omit, insert—

'316A Unlawful drink spiking

- '(1) A person who administers, or attempts to administer, in drink a substance to another person (the **other person**) without the other person having knowledge of the substance with intent to cause the other person to be stupefied or overpowered is guilty of a crime and is liable to imprisonment for 5 years.
- '(2) If the substance is alcohol, for section 24 only, the circumstances in which the other person is taken to have knowledge of the alcohol include where the other person would not object to the administration of the alcohol if the other person had actual knowledge of it.
- '(3) The following matters are immaterial—
 - (a) whether the lack of knowledge of the substance is lack of knowledge of the presence at all of the substance or of the particular quantity of the substance;
 - (b) whether the substance is capable of having the effect intended;
 - (c) whether a particular person is intended to be the person to whom the substance is administered or attempted to be administered.
- '(4) A reference to causing the other person to be stupefied or overpowered is—
 - (a) a reference to causing the other person to be stupefied or overpowered in circumstances where the other person is not intending to be stupefied or overpowered at all; or
 - (b) a reference to causing the other person to be further stupefied or overpowered in circumstances where the other person is not intending to be further stupefied or overpowered at all or to the extent intended by the person who administers, or attempts to administer, the substance.
- '(5) This section does not apply to an act lawfully done in the course of the practice of a health professional, the carrying out of a function under an Act or the performance of the responsibilities of a parent or carer.
- '(6) In relation to an attempt to administer a substance, for this section and section 4, attempt includes adding a substance to drink in preparation for the administration of the substance.
- '(7) In this section—

adding a substance, to drink, includes, without limiting section 7, the following—

 - (a) cause to be added to drink;
 - (b) substitute drink with other drink containing the substance;

(c) take any step to provide drink containing the substance instead of other drink.

circumstances, where the other person is not intending to be stupefied or overpowered, includes any circumstance of timing, place, condition, or way of stupefaction or overpowering.

dangerous drug see the Drugs Misuse Act 1986, section 4.

drink includes water, beverage, or other liquid, intended or prepared for human consumption.

health professional has the meaning given by the *Health Services Act 1991*, section 60.

stupefied or overpowered includes—

- (a) a state of intoxication caused by alcohol, a drug or another substance; and
- (b) behavioural change caused by a dangerous drug, whether or not the mind is otherwise affected.

This amendment substitutes a new section 316A of the Criminal Code. It removes the defence of 'prank' as previously drafted and includes terms which capture the point that I made a moment ago in the second reading debate about circumstances where a person can plead a defence of honest and reasonably mistaken belief in circumstances where the person affected would not have objected to the addition of alcohol. It does not apply to dangerous drugs; it only applies to circumstances where alcohol is involved.

It also addresses the concern that the shadow minister raised in relation to the use of 'stupefy and overpower' in the original draft. It changes it to 'stupefy or overpower' and provides a definition of that so as to be effective not only in relation to alcohol and dangerous drugs which are depressive but those which are stimulants as well. So a person can be stupefied or overpowered even though the nature of the drug is not to stupefy in the conventional sense of that word in circumstances where dangerous drugs are involved.

Amendment agreed to.

Clause 4, as amended, agreed to.

Clauses 5 to 10, as read, agreed to.

Mr WELFORD: Before we terminate the debate on the clauses, I table the explanatory memorandum in relation to the amendment just moved.

Leave granted.

Tabled paper: Explanatory Notes for amendments to be moved during consideration in detail by the Attorney-General.

Third Reading

Question put—That the bill, as amended, be now read a third time.

Motion agreed to.

Long Title

Question put—That the long title of the bill be agreed to.

Motion agreed to.

HEALTH LEGISLATION AMENDMENT BILL

Second Reading

Resumed from 11 October (see p. 68).

Mr LANGBROEK (Surfers Paradise—Lib) (8.46 pm): I rise to speak to the Health Amendment Legislation Bill 2006. Before I begin, I would like to thank the staff, Cynthia Kennedy, Jeremy Kirby and Helen from the department, for their briefing on the legislation at the end of the first week of parliament resuming. The bill's main objective, as noted in the explanatory notes, is to amend the 13 health practitioner registration acts to provide greater opportunities for the recruitment of medical and allied health professionals. The coalition understands that we need to provide these opportunities because the Beattie Labor government has overseen an exodus of 800 doctors from Queensland Health every year. These are opportunities the Queensland coalition understands that we need to provide because the lack of planning in Health from the Beattie Labor government over the last 8½ years has led to an exodus of health professionals from the Queensland health system.

The Queensland coalition and I are more than happy to support the main crux of this bill and its objectives, but it cannot go without saying that the bill needs a step up if we are to overcome the crisis in the health workforce that has been created by the Labor government's failure to plan. Time and again in Health we have watched those opposite embarking on quests as a form of reaction. The Beattie Labor government has allowed the system to be run down and to fall into a state of crisis before deciding to act. This is yet another example of watching those opposite work their way towards a means to fix the crises that they should have foreseen and prevented well before now.

The bill amends a total of 19 Health portfolio acts, 13 health practitioners registration acts as well as the Tobacco and Other Smoking Products Act, the Transplantation and Anatomy Act, the Mental Health Act, the Radiation Safety Act, the Private Health Facilities Act and the Health Services Act. I will turn my attention to the registration acts before looking at the other six pieces of legislation that this bill seeks to amend.

The bill seeks to amend the Medical Practitioners Registration Act 2001—a piece of legislation that has already been amended this year. At the end of March this year the Medical Practitioners Registration Amendment Bill was debated. The then shadow health minister and now Leader of the Liberal Party made the most poignant point with regard to what those, these and future reactionary changes the Labor government will have to make to practitioners registration legislation in light of the health workforce crisis that it has watched grow out of control. The member for Moggill said—

In many respects this is a very unusual bill to have before the House. To be legislating that the Medical Board must speed up the applications for registration of doctors but at the same time uphold the standards and quality of doctors practising within Queensland seems to me a very odd measure to have to legislate for.

It is quite an odd measure. However, that is the situation the Labor government has put itself into—a situation of reaction, a situation caused by the Beattie Labor government overseeing the development of the health workforce crisis in Queensland to the extent where the need to provide greater opportunities for the recruitment of health professionals has led to the fast-tracking assessment of professionals and other desperate ploys to recruit.

In licensing health professionals, registration aims to protect the community by ensuring the quality and safety of health services provision. At the end of 2005, the Australian government's *Productivity Commission research report: Australia's health workforce* suggested that when a health professional is required to be registered to practise it should be on the basis of uniform national standards for that profession and that overseas trained health professionals should be assessed against the same standards. However, when they do not meet the standards required for unconditional registration, the registration authority could, if considered appropriate, allow them to work under specified terms and conditions. These sorts of sentiments are being made in recognition that there is a health workforce crisis. These sentiments were echoed in the Davies report, which found that staffing shortages were more acute in Queensland than in any other state in this country.

Included in the Davies report was a section dedicated to what is needed to make area of need registration effective and safe—an area of need being an area in need of a medical service. The Davies report found that a defective system of area of need registration exists in Queensland. The report found there were two aspects of such registration that were the reasons the system was defective. The first involved the making of decisions by the minister's delegate, pursuant to the Medical Practitioners Registration Act 2001, that an area was an area of need. The second involved the process of registration under section 135.

The report defined an 'area of need' as a geographic area in which the general population need for healthcare is not met. It is determined by examining a range of factors including Medicare statistics, health workforce data and evidence of unsuccessful attempts to recruit an Australian doctor to a position. The report noted that it is necessary to consider the last of these factors—evidence of unsuccessful attempts to recruit an Australian doctor to a position—in a context in which steps have already been taken to fulfil the government's aim 'to encourage both new and existing general practitioners to relocate to rural areas through a variety of incentive programs'.

The report went on to note that the only incentive offered to new general practitioners to go to rural areas was the rural scholarship system. The report stated—

There was no evidence of any incentives provided to existing general practitioners to relocate to rural or even provincial centres to work in public hospitals. Given that it was in the context of such incentives having been provided that ... areas of need would be determined, in my opinion there can be no genuine area of need decision made unless such incentives are provided ...

This is what the Davies report said. It went on—

It is therefore essential that, without delay, incentives be provided to Australian trained doctors to work in hospitals outside metropolitan areas ... Only after those incentives are in place can a realistic area of need decision be made.

So the Davies report concluded that incentives must be provided to Australian trained doctors, established as well as recently graduated, to relocate to provincial areas where further medical staff are required and that guidelines must be provided to the board as to how to determine whether an area is an area of need for a medical service. This bill goes towards recognising those recommendations of the Davies report.

The Medical Practitioners Registration Act 2001 is to be amended by this latest bill to enable the minister or delegate to decide an area of need for a stated class of medical practitioners in the state, to specify the key criteria for making such decisions and to allow area of need decisions to remain in force for up to four years. It will also allow junior medical officers to transfer between area of need positions without affecting their registration and allow deemed specialists and senior medical officers to undertake supervised training in health facilities throughout the state without affecting their registration. The bill will

also set standard conditions on special purpose registration so that registrants must practise under supervision and obtain general or specialist registration within set time frames. These amendments aim to reduce the red tape involved in processing area of need applications and give medical graduates greater employment certainty which will hopefully, as a result, increase Queensland's capacity to attract such graduates.

There should, as this bill aims to do, be greater scope for practitioners in area of need positions to transfer to other positions or facilities and to receive further training. As I said, the bill seeks to do this by allowing junior medical staff to transfer, for example, to a high-level junior position or to another facility without affecting their registration. This gives junior medical staff greater mobility and employers greater flexibility to manage. The safeguard here, being prior notice of transfers, has to be given to the Medical Board. The bill also allows for specialists and senior medical officers to transfer to practise at other health facilities in the state for training purposes without affecting their registration with the same notification requirements applying.

The criteria to be considered for making area of need decisions include a shortage of medical practitioners to provide a medical service at one health facility and whether it is reasonable for the service to be provided at another facility. These criteria were recommended in the Davies report and will give greater transparency and accountability to the area of need process.

The Davies report suggested that special purposes registrants should practise under supervision only and should progress to general or specialists registration within a specified time frame. The bill amends the act to require applicants for special purpose registration to submit a supervised practice plan and, as a condition of registration, practise only in accordance with the plan. Set time lines are the feature here. For example, registrants in the area of need category must do so within four years after obtaining special purpose registration. This will improve the quality of medical services in the area by ensuring that all international medical graduates progress through a process which will lead to an Australian standard qualification.

The AMA, which, like the Queensland coalition, supports much of this bill, does have concerns here, however, about the follow-up capacity of the Medical Board with respect to supervised practice plans mentioned in clauses 80, 81 and 86. There is no doubt that the Medical Board has more onus being put on it. But can the people of Queensland be confident that there will be adequate monitoring or supervised practice plans, just as the previous shadow health minister expressed concern about the Medical Board having to speed up applications but at the same time uphold the quality?

In seeking to improve health outcomes in areas of need, a reduction in the maldistribution of the health workforce through amendments like these have to continue to be a high priority for this House. There is no doubt that healthcare provision in rural and remote areas poses particular challenges. However, the health workforce outlook in rural and remote Australia is far from universally negative. Greater use of new technologies to enable arms-length care, funding related initiatives such as practice improvement grants and a strong focus on regionally based education and training, which may be particularly beneficial in the long term, are targeted initiatives. It is the Queensland coalition's goal to bring these to the attention of the Beattie Labor government. The Beattie Labor government needs to start addressing our health crisis with foresight, with vision and with the aim of preventing what has happened to our state's health system from happening again as its priority.

I would like to refer again to the Productivity Commission report again on the health workforce. The commission stated that, whatever particular policy settings are adopted to enhance health workforce outcomes in remote areas and elsewhere, it is very important that a 'whole-of-workforce' perspective is brought to bear. To date, reactionary policies have focused heavily on the medical workforce. While medical practitioners are integral to the provision of quality care, some participants suggested that nursing and allied health have often been the 'poor cousin' in policy deliberations.

The bill also amends the Dental Practitioners Registration Act. In the course of my research for this bill, I spoke to some very experienced dentists who finished their careers in the public health dental service and who commented that they felt that they did not get the same work satisfaction or were not as valued by members of the public and the bureaucracy for the work provided as they had been in private practice or, indeed, in public dental health provision some years before. This can lead to problems of motivation for hardworking professionals who may then decide to practise elsewhere or end up regarding it as 'just a job' and may explain why Queensland Health has trouble attracting more than the 300 dentists mentioned in the Forster review who attempt to treat the approximately one million Queenslanders who are eligible for public dental health services.

The crisis of available dental care in rural and regional areas seems intractable. The numbers are alarming and the causes are quite varied: lack of funding for public clinics, poor salaries for those working in them, lack of educational initiatives, affordability of services, availability of fluoridation, the cost of training and so on. But really it boils down to one thing: there are not enough dentists. The public dental sector is completely overwhelmed and will continue to be for the next few years until extra graduates come out.

One cannot underestimate the dental health crisis. The October 2006 report from the Australian Council of Social Services identified 40 per cent of Australians are unable to get help when they need it, with more than half a million people waiting for more than two years for public dental services. In June 2002, the waiting time for a Queenslander on average was 17 months.

Ms Struthers: Why was that? Because they scrapped the federal dental assistance scheme.

Mr LANGBROEK: I take that interjection. The program was introduced during the last term of the Keating government. It then expired. Many programs expire after one term.

With the increasing number of people seeking dental care and the shortage of dentists becoming more critical, it is frightening to speculate on the length of time that Queenslanders will be waiting in 2006. One can safely say that Queensland Health is unable to meet the demand for oral health services and is having problems recruiting and retaining dentists. Again, the changes that this bill seeks to bring in need to be seen for what they are: a reactive approach to a crisis situation that has been coming for many years.

How did we get to this? Why have there not been workforce analyses done sooner to identify the current workforce climate in this state? I remind the minister of one of the basic recommendations of the Forster review: there needs to be better workforce planning and monitoring of workforce trends. Increasing places at universities will not have an impact on the workplace for at least 10 years, yet the workforce problem exists now. Today in Queensland, the crisis we have in health, and specifically oral health, has everything to do with a lack of planning and checks carried out by those opposite.

The amendments in the bill will give effect to a national—not a Queensland government—initiative established by the Australian Health Ministers Conference in November 2003 to address the shortage of dentists in the public sector. The national initiative is called the Public Sector Dental Workforce Scheme. Like changes to the area of need registration, the scheme was introduced with the intention of alleviating workforce shortages in the public sector, including in rural, regional or remote areas of the country.

Under the Public Sector Dental Workforce Scheme, graduates from approved overseas dental programs in Canada, Hong Kong, Malaysia, Singapore, South Africa and the US may be granted an exemption from the Australian Dental Council preliminary examination. Eligible practitioners will be given a form of restricted conditional registration, enabling them to practise in the public sector for a period of up to three years, during which time the ADC final examination must be undertaken, as well as an occupational English test. Upon passing the final examination, practitioners will be entitled to full registration and will be able to practise in both the public and private sectors. In essence, it is a scheme to streamline into Australia the entry of dentists with comparable qualifications to Australian trained dentists to work in the public sector. Our overseas trained practitioners are valued members of the health profession and enrich our multicultural society. However, the failure of past medical workforce policies, particularly to accommodate public hospital and rural medical workforce needs, has led to Queensland becoming increasingly reliant on overseas trained doctors and dentists to sustain our medical force.

The bill implements the scheme by creating a new category of special purpose registration for those dentists. Applicants will be assessed by the Dental Board of Queensland in accordance with the fitness to practise criteria outlined in the act. Having an advisory body on board to assess qualifications stands us in good stead. The Dental Board will keep close tabs, but I am sceptical about getting overrun with dentists. Many of the countries we will be recruiting from do not have an oversupply of dentists. They will have to have a written offer of employment and be supervised by a dentist who, after a certain period, will have to fill out ongoing reports and will have to register every year. The Dental Board has been asked to draft a supervision program similar to that which applies to graduating students now. Graduates are reassessed after a month and then there are increasing periods when they are reassessed as an assessment of progress.

We need to ask: how will supervision programs affect dentists? In November 2005 the Dental Board of Queensland released a document providing guidelines for supervised practice. The board outlined four levels of supervision: direct supervision, contemporaneous supervision, broad supervision and distant supervision or mentoring. The board has noted that level 2 supervision is the most likely to occur in circumstances of initial employment in the Public Sector Dental Workforce Scheme. With level 2 supervision, the supervisor shares with the registrant responsibility for the individual patient. Thus, the supervisor should be in the workplace at all times. The supervised registrant is responsible for ensuring that he or she practises within the confines determined by the supervisor, and that the supervisor is informed of the management of individual patients. Are the supervising dentists being taken away from serving the public and do we have enough dentists to supervise without plunging the waiting list times into further crisis?

I am also aware of the attractive packages we can offer overseas trained dental graduates because many of the countries that we have approved are also in the grip of dental staff shortages. When the Premier went to the UK, he was obstructed by Ken Livingstone, the Mayor of London, from trying to pinch graduates when the UK is also in the midst of a health workforce crisis. Is this to occur

again? All I am saying—as I have said before—is that not all of those countries have an oversupply of dentists. Those countries may not be particularly enamoured with us taking their graduates when they need them.

The bill will also change the Dental Practitioners Registration Act to allow interstate and New Zealand dentists to provide professional services in Queensland in an emergency or while a patient is being transported, giving effect to the request of the Dental Board of Queensland that section 270 of the Medical Practitioners Registration Act be replicated in the dental provisions. This is a good practical provision and a good change achieved by inserting new section 230A under clause 45 of the bill. With regard to replication, under the remaining 11 health practitioner registration acts all boards will have the ability to approve short-term registration and will have expanded delegation powers regarding their registration functions.

I turn back to the Public Sector Dental Health Workforce Scheme. Like other initiatives to engage overseas trained professionals, this scheme is now needed to meet the demand on Queensland's public health system which has been put into crisis. However, we have to keep this solution in perspective. It is a short-term solution. These amendments are needed because the registration boards have been ill equipped through legislation to cope with the change that recruiting overseas trained professionals has brought. The needs of overseas trained graduates in terms of entry standards, induction, professional support and ongoing education and training have to be properly recognised.

I think that this is an appropriate time to revisit the Forster review, which recommended a change in the workforce to better retain health professionals. The review noted the need for immediate short-term solutions to recruit more professionals, but also noted the need for long-term measures. The review said that a long-term plan should include reforms to improve organisational culture, the provision of staff amenities, removing frustrations, providing safe working environments, peer support for isolated practitioners, just salary arrangements, more efficient work practices and simplified industrial awards. The review also said that we need to show a strong commitment to education and training, better workforce planning and monitoring of trends and, to enable the improved provision of equitable, timely and sustainable oral health services, an increased interaction with the private sector, including outsourcing and mixed public/private models.

Outsourcing is an idea that the Beattie government has not yet cared to acknowledge as sound. Despite the fact that we have an oral health crisis in this state, I do not foresee those opposite coming to their senses on this point after they so loudly condemned the coalition's plan to outsource health services as recommended in several reports during the latest election campaign.

Before moving on, I acknowledge that clause 46, regarding the protection for persons involved in supervising special purpose registrants, confers immunity from proceedings or prosecution on supervisors who honestly and on reasonable grounds give information to the board on request and that this raises issues of possible fundamental legislative principles.

Section 129 states that if a special purpose registrant is registered on condition that they carry out their practice under supervision, the board may ask a person involved in the supervision to give information to the board about the supervised practice. Clause 46 of the bill provides that supervisors are not liable civilly, criminally or under an administrative process for giving this information. The conclusion of this clause raises the question of whether or not conferring this sort of immunity from proceedings or prosecution is being made with the appropriate level of justification.

I agree with the drafters of the explanatory notes, which state that the provision is defensible on the grounds that supervisors have a vital role in protecting the public through the effective supervision and assessment of special purpose registrants. Without this immunity, there is a risk that they would be less likely to provide candid and comprehensive reports and information about the registrants whom they supervise.

I turn now to the Pharmacists Registration Act 2001. Clauses 191 and 192 of the bill seek to clarify the intent of the Pharmacists Registration Act 2001 in relation to pharmacy businesses owned and controlled by registered pharmacists with some exceptions, one of which is the dealing with the business by trustees in bankruptcy, liquidators, receivers or administrators if the business or pharmacist becomes insolvent under administration. It explicitly states that these situations do not offend against section 139B of the act. Several lenders had previously expressed disquiet to the Pharmacy Guild of Queensland about the legal status of the types of security, mortgage, bill of sale et cetera that they sought from pharmacists borrowing to set up or purchase pharmacy businesses.

The amendments will address these concerns to the benefit of a pharmacist's choice of lenders while not derogating from the principle that ownership and control of pharmacy businesses should virtually always be vested in registered pharmacists. So the bill will clarify that a person, such as a mortgagee, who has an interest in a pharmacy business arising out of a mortgage, bill of sale or other security does not own the business. Section 139G, which currently specifies that the trustee in bankruptcy and liquidators do not commit an offence against section 139B, also applies to administrators and receivers. Mortgages, bills of sale or other securities in relation to a pharmacy business are not void to the extent that they give rights to administrators, receivers or receivers and

managers. In summary, the lack of this legislation has been an issue for some lenders up until now. If a business goes, security is compromised by uncertainty. They will now lend with confidence. So this is a commendable change.

So, too, are the changes to the Radiation Safety Act 1999. The bill seeks to achieve consistency with the National Directory for Radiation Protection, endorsed by the Australian Health Ministers Conference in July 2004. In effect, it is achieving better uniformity in radiation protection practices between jurisdictions. The act is to be amended to expressly provide as one of its objectives the protection of the environment. These are very good changes. The bill does this by amending sections 4, 140 and 210 of the act. The act will also be amended to allow the more timely acquisition of certain radiation sources that are used to carry out diagnostic and therapeutic procedures.

The amendments in this bill that relate to the Transplantation and Anatomy Act 1979 are seemingly operational. They simplify the requirements governing the taking of skeletal muscle or oral tissue for research purposes and clarify that matters, such as tissue biopsies, may be taken only from adult donors.

I turn now to the amendments to the Tobacco and Other Smoking Products Act. I would like to take this opportunity to remind the minister that, no matter how tough the laws, without enforcement tough laws are as effective as having no laws at all. Recently, in a media release the minister claimed that Queenslanders had embraced the new smoking laws after an enforcement blitz conducted in the two weeks following the grace period of the laws' introduction resulted in only two Queenslanders between the Gold Coast and Cairns being issued with on-the-spot fines. I believe that most people try to do the right thing and have been obeying the laws, but I find it hard to accept that a targeted police blitz on licensed venues over two weeks resulted in only two infringements between Cairns and the Gold Coast being issued. In particular, with this bill we are clarifying definitions of non-smoking areas, from which I infer that people have been confused and subsequently caught when it was not the intention of the legislation.

After the smoking bans came into force, up until 30 September 2006, 1,016 fines were issued. Allegations had been circling that Queensland Health officers who were assigned to conduct the blitz were not happy with the burden that had been placed on them by the Beattie government. In this context, it may be the case that the blitz was not conducted as thoroughly as reported and more infringements would have been recorded had people been targeted as much as the government suggested that they were going to be. I am more than happy to discuss and support the amendments to the act that this bill seeks to make. However, I ask the minister to keep in mind that laws that are not enforced are worse than no laws at all.

The bill clarifies the intent of a number of provisions in the act concerning the advertising, display and promotion of smoking products. Clause 290 of the bill inserts a new section 26W, which establishes a broader criteria for the meaning of an outdoor eating or drinking place, including sporting fields, shopping centre food courts, and festivals or other events held in parks. I appreciate that the government says that it is going to continue educating businesses and operators about what the changes will mean to them.

Smoking is prohibited within four metres of any entrance to an enclosed space, including temporary structures such as a circus tent and at all entrances, not just the main entrance. But the clarification needs to go further. A gap in the current Tobacco and Other Smoking Products Act 1998 allows for a lack of buffers preventing smoke from a designated outdoor smoking area entering an enclosed part of a licensed premises. Currently, section 26ZA of the act provides only for the requirement to have a buffer along the perimeter of a designated outdoor smoking area where the area is adjacent to other outdoor areas. The gap in this approach is that licensees are not required to have any buffer between a designated outdoor smoking area and an enclosed area when they are directly connected. Although usually there would be a wall separating an enclosed area from any outdoor area, this is not the case in many modern establishments. Typically, the enclosed area flows to the outdoor area, with the two areas only occasionally separated by a series of connecting folding doors. Another common occurrence is to have large connected windows that may open up to remove up to 60 per cent of a wall. As buffers are required only between designated outdoor smoking areas and adjacent outdoor areas, a licensee may have a smoking area directly connected to an enclosed area without any buffer, thus without any barrier preventing the smoke from entering the enclosed areas.

These connecting folding doors and window arrangements can be seen at many licensed premises throughout Brisbane, as folding doors and windows have been popular since the end of the 1990s. An example of the problem can be seen at the Shelter Bar in the Story Bridge Hotel at Kangaroo Point. One of the two smoking areas designed by this licensee has no buffers at all. Smoke from the area flows directly into the enclosed area with a bar being less than five metres from the smoking area. One perimeter of the smoking area is directly in front of an enclosed area and the two areas may be separated by a wall of folding doors. However, these doors are left open during normal licensed hours. Two of the other perimeters of the smoking area do not have any buffers. Occasionally, a two-metre buffer is used for one end. The third perimeter is along the street and so does not require a buffer as it is not adjacent to another outdoor area of the premises.

Another area that is not covered by section 26ZA of the act is entrances to a smoking area. A gap left as an entrance to a smoking area would be a breach of the current section if a screen impervious to smoke was used as a buffer under section 26ZA. An example of this problem can be seen at the designated outdoor smoking area of the Victory Hotel in Brisbane's CBD. Yesterday afternoon I attended the Victory Hotel with the member for Kawana to do some research. I can say that I was rigorous in my research.

Although the hotel makes considerable efforts to comply with the legislation, its designated outdoor smoking area would still breach the current section owing to the two open entrances to the area. Although there may be a level of understanding in enforcement regarding entrances, it serves to bring the law into disrepute to place something in the statute book that must involve a degree of disobedience or leeway to be workable and which encourages licensees to have a room-to-move approach to their statutory obligations. Any successful attacks on this legislation will greatly undermine public confidence in the policy, encourage licensees not to be compliant and greatly disadvantage any licensee who seeks to comply with the legislation versus a licensee who seeks to take advantage of any gaps. This issue is not fully addressed in this bill by its amendments to section 26ZA.

New section 26W, which is inserted by this bill, defines what is an outdoor eating or drinking area for the purposes of where a person may not smoke outdoors. The effect of the new greatly expanded definition in proposed section 26W is attempted to be mitigated by subsection 4 of that section. The proposed new section 26W(4) is a new way to designate a smoking area in an outdoor eating or drinking place. The proposed new section 26W(4) and the proposed addition of a new subsection to 26ZA in the bill adds to the confusion about the effect of the proposed section 26W(4) and again encourages licensees to believe that they may designate a smoking area under section 26W(4), thus avoiding their obligations under sections 26ZA to 26ZC of the act.

However, only after a detailed look at the legislation can it be seen that even if a licensee designated a smoking area under section 26W(4) would this area be caught by the definition of 'designated outdoor smoking area' as an area in which smoking is allowed and the obligations under sections 26ZA to 26ZC would need to be complied with. The chances of this being contested in court are high. The consequences of a win to a licensee would render sections 26ZA to 26ZC redundant.

To remove any doubt or encouragement to a licensee to try to avoid their obligations under sections 26ZA to 26ZC, a further subsection should be added to the proposed new section 26W that could prevent a licensed premises from having a designated outdoor smoking area under section 26W(4) and to not include the proposed new subsection to section 26ZA, or at least remove the word 'licensed' from the reference to 'licensed outdoor area of the premises'.

Despite this bill's amendments, I would seek clarification from the minister with regard to golf courses. The Gold Coast is littered with golf courses, as many would be aware. But since the introduction of the smoking laws some members and staff at some of the Gold Coast licensed golf courses have been perplexed by the application of the laws. At one course, pursuant to a smoking management plan created in lieu of the tough new smoking laws, signs had been placed around the golf course stating that food is not allowed to be eaten in the rough.

When the new laws were introduced the laws made the whole golf course a licensed area. As 50 per cent of outdoor licensed areas must be nonsmoking the club has had to measure its holes and make 50 per cent of the golf holes non-smoking holes. This is what happens. On non-smoking holes members cannot smoke but can eat and drink. On smoking holes members cannot eat but can smoke and drink. In the rough between all holes on the course, meaning the buffer zones between smoking and non-smoking holes, members may not smoke, drink or eat. Members are ostensibly not even allowed to have food in their possession on smoking holes as food is not supposed to be taken into smoking areas.

The application of the laws on licensed golf courses is quite ludicrous. I understand the minister was advised of the difficulties in applying these regulations to golf clubs but that he refused to grant exemptions. Again we see no development with this bill except to broaden the criteria and potentially confuse club members and staff more.

I appreciate the provisions of clause 288. The clause amends section 26U to clarify that a person contravening section 26R(1) by smoking in an enclosed place must comply with a direction to stop the contravention. The clause also amends section 26U(2) to clarify that a person conducting an on-site food service commits an offence if this person continues to provide food or drink to another person who has not complied with a direction to stop. This is a good change. A new subsection 3 makes it an offence if the person conducting the food business was not aware that the contravention was happening.

The bill also seeks to ban the supply of smokeless tobacco products such as nasal snuff and chewing tobacco. These changes are worthy of consideration as Queensland Health has reportedly received a number of inquiries from retailers interested in selling these products. Retailers would only be inquiring if a possible market seemed apparent to them. I notice that the member for Darling Downs is not here to give a passionate defence for the practice.

My theme today has been that the changes this bill seeks to make are reactive changes. But the Beattie government's attempt to outlaw smokeless tobacco products before they become a major problem is a move made with foresight and worthy of bipartisan support. Smokeless tobacco products are highly addictive. The nicotine delivery capabilities are very high, increasing the potential for nicotine dependence in users. There is also evidence that the use of these products also increases the risk of developing oral or throat cancer, other oral diseases and cardiovascular disease. Let us get rid of these threats to the health of Queenslanders as our counterparts in New South Wales, the ACT, Victoria, Tasmania and Western Australia have already done.

A bill to ban smokeless tobacco in Australia was introduced into federal parliament at the end of the 1980s. This was an Australia-wide piece of legislation and meant that smokeless tobacco could only be brought in for personal use. Smokeless tobacco products include chewing tobacco and what is commonly known as snuff or powdered tobacco used for nasal or oral ingestion. In the US the public health community's campaign against smokeless tobacco dates back to the 1980s, starting with a landmark *New England Journal of Medicine* study showing that women and young people who used snuff had a risk of mouth cancer four times as great as nonusers.

I have had representations from people telling me that smokeless tobacco is a safer alternative to cigarettes and wanting us not to support these amendments. As I have indicated when I contacted the people advocating opposition to this part of the bill, individual importing and the cost thereof are matters for the federal jurisdiction. I do note, however, that the federal customs tariff has been raised from \$2.33 to \$290.74 per kilo, making smokeless tobacco financially unobtainable to most users, but I have no issues with this either as this whole practice is a scourge. The Queensland coalition cannot and will not be party to legislating a less dangerous form of commercial tobacco sale. Whilst I am sympathetic to those who have contacted me, we agree with the government's stance on this.

The bill also makes amendments to the Mental Health Act 2000. It is quite an interesting change and will enable the classified patient scheme under chapter 3 of the Mental Health Act to be applied to persons who are lawfully held or detained in custody, but not yet charged under prescribed state and Commonwealth legislation. This sort of change is to stop a repeat of the bizarre Cornelia Rau case. Had this clause been in effect and Ms Rau were able to be treated, it probably would have led to her identity being revealed before she was detained at the Baxter Detention Centre—a detention that has now led to a compensation claim against the government. This move is a good one and considers the health interests of a detainee pending charge by allowing them to receive possible appropriate mental health services.

Minor amendments are being made by this bill to the Private Health Facilities Act 1999, including rectifying an operational deficiency relating to the disclosure by another party of information provided under the act. Clause 227 amends section 147, which imposes a duty of confidentiality on persons who obtain information in the course of their function under the act. However, section 147(4)(c) enables information to be given to the Commonwealth, another state or an entity of the Commonwealth or state under specified conditions, including that the entity must not give that information to anyone else. This provision has been creating operational barriers for the Commonwealth and other state governments which engage independent researchers and contractors to conduct specific tasks on their behalf. So, to address this situation, the restriction imposed by section 147(7) is to be modified by this bill to specify that if an entity is given information under section 147(4)(c) it must not give this information to anyone else unless the disclosure is permitted by the relevant prescribed agreement or is permitted by the chief executive in writing.

Amending the Health Services Act to enable the appointment of inspectors with appropriate powers to investigate alleged breaches of the confidentiality clauses under sections 33 and 57, and not just section 62A, is needed. I will unashamedly admit that I am still in the process of contacting the many health related boards and associations in the state to introduce myself as the new shadow minister for health in Queensland. Many were kind enough to offer their thoughts on this latest bill and I thank them for that. In conclusion, I think the Forster review put it best—it can no longer simply continue doing what it is currently doing. This bill starts to acknowledge this conclusion.

Ms STRUTHERS (Algester—ALP) (9.26 pm): In the interests of the good health of all members and given the late hour I intended to just make a couple of comments on the Health Legislation Amendment Bill. As members all know, the public health system in Queensland is filled with dedicated doctors, nurses, allied health staff and others—thousands of people who work each day with skill and compassion to care for all of us when we are sick. Our public health system has some of the best locally trained and overseas trained health professionals in the world. The problem, though, is that we need many more of these trained practitioners around the state to ease the pressure on our public hospitals. When implemented, this bill will do a number of things to increase the availability of doctors to practise in Queensland whilst, at the same time, apply stringent standards for their registration and supervision.

That is very clearly what the public of Queensland want in order to feel confident with the system. Many people have said to me and expressed in many forums around the state that they want to make sure that overseas trained doctors who bring great skills into this state are registered and supervised properly in their practices around the state. Certainly this bill takes a number of steps to secure that heightened supervision and improved registration.

I want to take this opportunity to thank local people in my area who supported a petition that I was running with many of my colleagues around Queensland. It was calling for more doctors for Queensland. This was a call on the Howard federal government to fund more university places to give local people more opportunities to train as doctors in Queensland. Over 600 signatures were collected locally. This goes back to the point I made earlier that people understand that we have a problem that is not unique to Queensland. There is a health practitioner shortage nationally and world wide. People were very willing to come and to talk to us when we were doing this petition at shopping centres and other public spaces. They would talk about issues and express their concerns. They really accepted that we need to push the federal government to open up university places for locally trained people with talent but also make sure that overseas trained doctors coming in are properly registered and supervised.

More funded university places is one important step but it is long term. In the short term we need to attract and retain highly skilled overseas trained medical practitioners. I want to commend the minister, Stephen Robertson, and the Premier for the efforts that they have been making internationally under the work for us strategy and other strategies that have been in place at conferences and expos, particularly in Europe and the UK, to attract people to Queensland. Some of the figures released earlier this year indicated that we had an increase of 311 doctors, over 1,300 nurses and over 546 allied health professionals. The information I have available to me is that those numbers have been increasing since those earlier figures were released. We are well on track with those very important initiatives.

This bill brings important amendments to the Medical Practitioners Registration Act that will reduce the red tape in processing area of need applications and will give junior medical staff greater mobility. This means employers will have greater flexibility to manage the medical workforce and give international medical graduates greater employment certainty. At the same time, tighter safeguards for supervision and registration of these doctors will be in place. The amendments will also encourage the upskilling of senior medical staff, enabling them to more easily transfer to other public health facilities for training purposes.

As the member for Surfers Paradise acknowledged, the doctor shortage is a global phenomenon. He talked about the situation in the UK. He acknowledged that Queensland Health was also unable to meet the demand for oral health services in Queensland, but he failed to acknowledge the federal government responsibility in this. I do not think many people realise how mean spirited this Howard government is because John Howard is such a clever, shifty politician. However, one of John Howard's meanest, dirtiest acts in 1996, when he was first elected, was to scrap the public dental assistance scheme that had been in place under previous federal Labor governments.

John Howard would not realise how important that sort of scheme is to working people in Australia. He would not realise the cost of going to see dentists, like our friend from Surfers Paradise, in private practice. He would not have any idea that people neglect their teeth because they cannot afford to see a dentist in the private system. We need a strong public dental health system that is nationally supported and funded. What did John Howard do in 1996 when he was first elected? He scrapped that scheme. Federal Labor has committed to restore that scheme. The Queensland government has done its bit at the state level. We have tried to fill the gap year in, year out since then. It is a very difficult system to work in when there is not federal support. I commend the amendments in this bill that are an attempt to do more to at least attract overseas trained dentists into our system. However, unless we get that federal support from the mean-spirited Howard government, we really are pushing the wheelbarrow uphill.

An honourable member: It's like pulling teeth.

Ms STRUTHERS: It is like pulling teeth; that is right. I commend this bill to the House. I commend the efforts that the health minister, his staff and departmental officers are making through the Health Action Plan. We are on track to create a great new system in Queensland. It is a system that has, in many ways, world-class elements to it, but until we increase those numbers in our health workforce we are certainly going to experience some difficulties. We are on track with that recruitment strategy. I commend the minister for his efforts, and I commend this bill to the House.

Mr RICKUSS (Lockyer—NPA) (9.32 pm): I rise to speak to the Health Legislation Amendment Bill 2006.

Mr Robertson: Be nice.

Mr RICKUSS: The shadow spokesman was very comprehensive in his debate on this bill.

Mr Robertson: Yes, he was.

Mr RICKUSS: So I will be rather brief. It is really an omnibus bill that covers a lot of the health area.

Mr Robertson: Are you going to talk about subclauses (a) and (c)?

Mr RICKUSS: Of the Health portfolio, yes, I will. I will tell the minister about all the clauses.

Mr Robertson: Thank you. I look forward to that.

Mr RICKUSS: During the preparation of this bill the Davies report was looked at. We want to get more doctors into the state. I think every member in the House will support that. However, I do encourage the minister to ensure that the protocols are satisfactory and that we do not have any more Dr Patels; I do not think we really need that in this state. Let us have a uniform national standard. That is what this is all about. Let us have doctors. Everyone realises that some of the foreign doctors are great. There are a lot of foreign doctors in the Lockyer. Our health system would struggle without them. They are very competent doctors. Some of the South African trained doctors are extremely good, particularly on gunshot wounds.

Mr Lawlor interjected.

Mr RICKUSS: They are also not bad on knife wounds. It really is important that this bill is supported by all sides of the House because we need to encourage doctors into Queensland.

The Dental Practitioners Registration Act 2001 is given some coverage in this bill, too. There are not enough dentists in Queensland. Australia is struggling to find enough dentists. I think it is actually a worldwide phenomenon. We really do need more dentists. The problem with this is that if we bring in dentists who are inadequately trained, the extra effort to train these dentists by experienced dentists could hinder the workforce, not help the workforce. This could become a real problem for the area. Let us be careful what we do with dentists.

I have a question for the minister regarding the banning of nicotine products. Nicorettes and that sort of thing are not affected by this, are they? They are okay?

Mr Robertson: Yes, they are just fine. We issue them in hospitals.

Mr RICKUSS: Is that right?

Mr Robertson: Yes.

Mr RICKUSS: The thing is, we do not know whether the old tobacco chewers can just start chewing Nicorettes now. I suppose—

Mr Robertson: That's an option.

Mr RICKUSS: That is an option, is it? That is probably what is going to happen.

Mr Robertson: I have received letters from your electorate.

Mr RICKUSS: Have you?

Mr Robertson: I have.

Mr RICKUSS: What, about tobacco?

Mr Robertson: Indeed.

Mr RICKUSS: Right. I do not actually know a lot of tobacco chewers, I must admit.

Mr Robertson: I was surprised; they clearly ignored you.

Mr RICKUSS: I am surprised, too. I honestly do not know a lot of tobacco chewers. Maybe they realise that I am not a tobacco chewer myself and that the minister was a smoker for a long time.

Mr Robertson: Indeed, but reformed.

Mr RICKUSS: That probably helps.

Mr Robertson: Saw the light.

Mr RICKUSS: I was told just before that the minister actually gave it up for the Health portfolio. That was a big ask.

Mr Robertson: I almost took it back up.

Mr RICKUSS: The minister has taken it back up?

A government member: He almost did.

Mr Robertson: Almost.

Mr RICKUSS: Almost. Does the minister only smoke cigars now?

Mr Robertson: No. Pure as the driven snow.

Mr RICKUSS: Pure as the driven snow. Does the minister still feel like a smoke when he has a beer, though?

Mr Robertson: No. Get on with it.

An honourable member: You could talk about this all day.

An honourable member: We'll be here all night.

Mr RICKUSS: All right. We have to support this. Unfortunately, I cannot see that chewing tobacco is a great disadvantage to society.

Mr Robertson: There is a real issue with throat cancer. That's the issue.

Mr RICKUSS: Yes, there is a real issue with throat cancer. There is one other thing I want to mention while the minister is here. In regard to the Criminal Code drink spiking legislation that went through—and I realise it is in another portfolio—is the health department going to run an education program on that for the young people to—

Mr Robertson: We already do.

Mr RICKUSS: So that is going to be—

Mr Robertson: Yes, we run a safe drinking promotion.

Mr RICKUSS: Even though the legislation is quite effective, that puts out more information about it. I thank the minister.

Mr HINCHLIFFE (Stafford—ALP) (9.37 pm): I acknowledge the importance of the Health Legislation Amendment Bill. I also acknowledge the minister's and the government's efforts in addressing the needs of our quite excellent state health system, especially in terms of recruitment and health professionals, across the whole of our health profession and health system in Queensland. I am particularly proud to have within my electorate the Prince Charles Hospital, which is currently one of Australia's leading cardiothoracic hospitals and will, in 2007, provide the full range of general hospital services to northsiders. Even with the tremendous support of the Beattie government for this valuable initiative, the greatest challenge faced by Prince Charles is recruitment. I commend the amendments contained within this omnibus bill, as the honourable member for Lockyer referred to it, that seek to address these challenges within our health system.

Further, I note the amendments to the Transplantation and Anatomy Act. I take this opportunity to thank the minister for his support of the recent 10th anniversary celebrations of lung transplants at the Prince Charles Hospital. What an inspiring team of health professionals and cohort of patients we saw there on that day. The minister's presence was very much appreciated.

However, tonight I draw honourable members' attention specifically to part 17 of the bill, which amends the Radiation Safety Act to ensure consistency with the national directory for radiation protection amongst the 19 Health portfolio acts amended by the bill. It is envisaged that once implemented the amendments to the Radiation Safety Act will remove any doubt that the primary objective of Queensland's radiation safety legislation is to protect the health and safety of individuals as well as the environment and demonstrate Queensland's commitment to initiatives endorsed by the Australian Health Ministers Conference.

In July 1998 the health ministers endorsed the McNulty report, which provided broad recommendations about a new regulatory model for radiation protection in Australia. Following cooperative work amongst the states, territories and the Commonwealth, the Commonwealth enacted the Australian Radiation Protection and Nuclear Safety Act 1998, which provided for the establishment of the Australian Radiation Protection and Nuclear Safety Agency. One of the key statutory functions of the agency is to promote uniformity of radiation protection and nuclear safety policy and practices across jurisdictions of the Commonwealth, states and territories. Consequently, responsibility for the development of the NDRP—the National Directory for Radiation Protection—was transferred to that new agency.

The first edition of the national directory comprised three parts: part A, which sets out the agreed general principles and overall framework for radiation protection; part B, which sets out the uniform regulatory requirements which are adopted by each jurisdiction within its particular regulatory framework; and part C, which sets out guidance material to assist regulators to consistently adopt best practice approaches to radiation protection and safety.

After extensive consultation over a period of five years the health ministers have endorsed this first edition of the national directory in 2004 and subsequently confirmed that each jurisdiction should proceed with implementing it.

In response to the minister's determination along these lines, Queensland Health undertook a review of the Radiation Safety Act 1999 as well as the Radiation Safety Regulation 1999 to ensure that Queensland's legislation met the agreed principles and overall framework for radiation protection as outlined in that new national directory.

In order to achieve consistency with the national directory, the Radiation Safety Act is to be amended to expressly provide as one of its objectives the protection of the environment. Currently the object clause of the Radiation Safety Act does not expressly provide for the protection of the environment. Consequently, the bill before the House amends section 4 to specify that the main object of this act is to protect persons and the environment from the harmful effects of particular sources of ionising radiation and harmful non-ionising radiation.

The radiation safety and protection measures provided under the Radiation Safety Act were developed in accordance with the internationally accepted principle of the time—that is, if human beings are adequately protected other species will also be protected. For example, under Queensland's radiation safety legislation, environmental radiation protection is achieved through restrictions on the discharge of radioactive materials into the environment.

Consequently, only limited amendments were needed to be made to other sections of the act to clarify the various regulatory mechanisms under the act and how they apply also to the protection of our environment. For instance, I welcome an amendment to section 140 to specify that an inspector may issue a prohibition notice if an inspector reasonably believes that there are circumstances causing or likely to cause immediate health risks to any person or immediate risk to the environment or such risks are likely to arise in relation to the carrying out of a radiation practice.

Further, section 210 is to be amended to specify that a regulation may be made to exempt a radiation source from the act or a provision of the act if the exemption poses negligible health risks to any person or adverse effects on the environment.

Do not think that this is a case of totally handing over our regulatory responsibilities to a national regime. Importantly, our own Queensland Radiation Advisory Council was consulted about the proposed amendments. The advisory council is established under the Radiation Safety Act to advise the health minister about radiation safety and protection matters including proposed amendments to the act and the application of radiation safety standards in Queensland.

At both a national and state level it is recognised that a variety of agencies such as mines, environment, emergency services, occupational health and safety and transport agencies have legislated responsibility for aspects of radiation safety. So, while the Radiation Safety Act is the principal piece of legislation in Queensland dealing with the possession, use, disposal and transportation of radiation sources, the legislative framework for radiation protection extends beyond the Health portfolio. To this end, I congratulate the Minister for Health and his department, Queensland Health, for consulting with the range of agencies on that next phase of improvements in radiation protection—agencies including the Department of Industrial Relations, the Environmental Protection Agency, the Department of Natural Resources and Water, the Department of Mines and Energy, the Department of Emergency Services, Queensland Rail, Queensland Transport and the Department of State Development.

Radiation protection is obviously an area of public policy with manifold challenges, and I commend the government on its continuing cooperative work with the Commonwealth and other states and territories. There is work already to develop the second edition of the National Directory for Radiation Protection, and it has already commenced nationally building upon the regulatory framework established by that first edition.

The issues to be dealt with in this next iteration include the disposal and management of radioactive waste, security requirements to be implemented by persons dealing with or using radioactive sources to decrease the likelihood that these sources could be used for malicious purposes, radioactive substances inventory control, regulation of intense pulse light sources used in the cosmetic industry, extremely low frequency electric fields, codes of practice for radiation safety in medical applications, veterinary science and industrial gauging. It is intended that these issues be addressed by the National Directory for Radiation Protection to further the goal of national uniformity of radiation protection. The amendments to Queensland's radiation protection legislation contained within the Health Legislation Amendment Bill will build the platform for this work. I commend the bill to the House.

Ms LEE LONG (Tablelands—ONP) (9.46 pm): I rise to contribute to this debate on the Health Legislation Amendment Bill 2006, which once again is an extensive bill covering 19 Health portfolio acts, including 13 health practitioner registration acts, the Tobacco and Other Smoking Products Act, the Transplantation and Anatomy Act, the Mental Health Act, the Radiation Safety Act, the Private Health Facilities Act and the Health Services Act.

Public health is the most important responsibility of government and at a state level that revolves around our public hospital system and the services offered through it, and ancillary and support activities such as professional registration.

Our existing public health system is still in dire straits. I know members from the government side will say that there are record budgets and that there are great changes on the way, but we are yet to see the results. Before the 'Dr Death' scandal broke, to the shame of all involved, we were repeatedly told that nothing was wrong. Health minister after health minister stood up and said that all was well. They told us that systems were in place to protect patients and to ensure that doctors were appropriately qualified, were properly supervised where needed and were monitored by relevant professional bodies among other things. Yet when the independent examiner looked he found many of the lethal problems were caused by a poisonous culture which had infected the entire department.

We do not hear much about that today, nor do we hear much about how that culture was fertilised and encouraged under more than a decade and a half of Labor government. What we do hear is that the lack services, the closing of wards and so on is being caused by a shortage of doctors, specialists, nurses, dentists, physios and other allied health professionals.

Among provisions in the bill before us today are quite a number dealing with amendments to the 13 acts governing the professional registration of health practitioners. These changes are aimed at making greater opportunities available for the recruitment of these desperately needed professionals, and as far as that goes it is very welcome. However, I believe we need to do much more. How can we fund pedestrian bridges for the convenience of some Queenslanders when others are losing services from their local hospitals because of budgetary constraints? How can we have more spin doctors working for this government than there are reporters in the state's biggest newspapers yet at the same time the same government is providing scholarships to just 50 new doctors a year against a need of hundreds and hundreds? In 2004-05 just one department, that of the Premier and Cabinet, spent millions on advertising alone. I believe that this government is spending more on spin than on training doctors, and that is a shame.

We should be offering not 50 scholarships per year, but hundreds. I am sure that after six years of training there would be more than 50 supervised hospital positions across the state for them. By all means look at amendments such as those before us today so that overseas trained medical professionals are more readily able to come here and help address the immediate short-term problem, but do not say that it is a long-term solution.

This government has a capacity to do something substantive about this problem itself and not rely on the federal government. It has a duty of care to provide a certain level of public health services in the Queensland hospital system. It has the funds. It simply must spend them on training our own Queensland born and bred health professionals. While making the registration of medical practitioners more flexible to help in the short term, we must take matters into our own hands in the longer term.

Another change which I believe has failed to deliver is the change from ward based nurse training to academic nurse training. Under the new system the average age of nurses has increased until it is now around 42 years of age. The only explanation is that far too few young nurses are coming into the public hospital system and even fewer of them are staying. It is true that more and more demands are being made of our nursing staff. In large part this is due to the shortage of doctors. If it can be proven that we really do need supernurses, then so be it. But even in that case I firmly believe the ward based system should still be reintroduced as a complementary stream to the kind of patient care that is so necessary to the recovery and wellbeing of patients. We need to remember that it is the care and health of patients that is at the centre of what we are debating today—patients not clients, sick and injured Queenslanders, human beings, and not accounting units or anything else. People who pay their taxes, fees, levies and charges should be entitled to at least basic dignity and care along with treatment for their ailments. They should not be made to feel unwelcome at a public hospital.

In conclusion, these changes to the registration process will make it easier to bring in more doctors and professionals. However, we must make sure that they are able to work in hospitals with sufficient wards, enough beds and adequate equipment and facilities so that they will want to stay in our public hospital system—at least until we train our own professionals.

Ms CROFT (Broadwater—ALP) (9.51 pm): It is my pleasure tonight to rise to speak in support of the Health Legislation Amendment Bill 2006. This legislation demonstrates the wide-ranging modifications that are required to support the government's actions to improve health in Queensland for all Queenslanders. Some aspects of the legislation are obvious in their intent and importance. However, this cannot be said for the lesser known changes to the Transplantation and Anatomy Act. Unknown to most, the legislation is being updated to better reflect and support the provision of training opportunities for both our doctors and other allied health professionals. The study of human anatomy is essential for many health professionals, and the newly established medical and oral health programs at Griffith University, Gold Coast campus, are being supported by the state-of-the-art facilities in the anatomy department. These facilities do not just train new staff but also provide ongoing professional training opportunities for existing health professionals. Thus the Griffith University anatomy facility also provides existing health staff with the chance to perform training workshops to improve existing skills and to train in new skills. The establishment of the Griffith University anatomy facility has been overseen by Professor Allan Cripps, Pro-Vice Chancellor of Health, and Dr Helen Massa, Head of the School of Anatomy, with expert technical guidance from Gino Cepen from the Office of Technical Services. This has resulted in the state-of-the-art facility at the Centre of Medicine and Oral Health in Southport adjacent to the Gold Coast Hospital.

Griffith University's \$6 million facility is designed to ensure that not only the highest standards in workplace health and safety are experienced by staff and students in their quest to study human anatomy, but that they always value and respect the contributions of body donors and their families. The

establishment of the newest body bequest program in Australia at Griffith University has contributed to the updating and modification of the legislation that we are discussing tonight. Like all bequest programs, Griffith University's body bequest program aims to facilitate the ongoing provision of education in human anatomy whilst providing generous members of the local community the opportunity to contribute to the training of future generations of health professionals through the donation of their body after death. This personal donation by an individual and their family is considered one of the most generous donations granted to the students and staff of Griffith University.

Anatomy schools around the country perform a vital role in the ongoing training of our health staff, and many of the changes in the Transplantation and Anatomy Act reflect the vision of the need to maximise the sharing of resources, both locally between institutions in Queensland and between states. This ensures that both Queensland and Australian professionals will always benefit from the examination of the human form.

Medical research into the genetic and pathological basis of disease can also be facilitated through these modifications to the act, ultimately aiming to improve the treatment and prevention of those diseases. Thus I support all aspects of the current legislation and commend the effort and vision of all those who have contributed in both obvious and less obvious ways to the training of our health professionals. I commend the bill to the House.

Mrs CUNNINGHAM (Gladstone—Ind) (9.55 pm): I wish to speak to just three areas of this legislation. The first one is the minor definitional changes in relation to the restrictions imposed on smoking in certain places. At the outset I say that I support the smoking legislation—the prohibition of smoking legislation is probably more accurate—100 per cent. My dad died from smoking related diseases. In common with a lot of men of that generation, he started smoking when he joined the Army and was issued with cigarettes as a stress coping mechanism. He was never able to give it up subsequently. In fact, a gentleman passed away in my electorate not long ago. The federal government is giving his wife a hard time because it is claiming that his death is not related to cigarette smoking, yet he commenced smoking in the Army.

Having said that and having said I wholeheartedly support the legislation, there are a couple of consequences of this legislation that I wish to bring to the minister's attention. Whilst the results were probably intended, there are practical implications that I believe we as a parliament need to consider.

The first one and I think the most important one relates to a visit I made to the Royal Brisbane and Women's Hospital. Three months ago I had the very fortunate opportunity to visit one of my daughters who had a child. I was up there for all the right reasons. When I visited her on a number of occasions I found it distressing to see the number of what appeared to be quite ill people having a smoke outside on the footpath at the Royal Brisbane and Women's Hospital. We can stand in here and discuss the appropriateness or inappropriateness of cigarette smoking. However, when somebody is in hospital suffering from an illness, or is traumatised or has had an accident, it is probably not the ideal time to suggest that they give up smoking as they are probably stressed in other ways. Withdrawal from cigarette smoking is probably something they would find very difficult to cope with additionally.

There is also the argument about nicotine patches and chewing gum that people can take to alleviate their addiction to nicotine. I wonder whether there is a designated smoking area for patients within the hospital precinct that is separated from other patients. As I said, I do not support cigarette smoking. However, on the few occasions that I visited the hospital I saw people attached to drips—and they were not their partners—who had their head and neck heavily bandaged. So they had obviously suffered trauma to the head area. In one instance they were standing on the footpath in inclement weather. They were standing outside on the footpath, near the bus stop sign, having a cigarette. I am not sure that is appropriate to their healing process. As I said, we can stand here and talk about the pros and cons of cigarette smoking but I ask if the minister can look at providing a more appropriate place for them to have a cigarette if that is what they need to do.

The second instance that I wish to raise is probably a little less defensible but I will raise it anyway because of the passion of the community member who raised it with me. During the recent election campaign, we had a 'meet the candidates' meeting at Boyne Valley, which is one of the more remote parts of my electorate. Many Peaks is a town that 100 years ago was a very vibrant and active town. Indeed, the area was larger in population at that time than Gladstone's population because of the gold rush. There were quite a number of buildings, including a number of hotels and churches, at Many Peaks. The number of hotels has now shrunk to one—the Many Peaks Hotel. Hophy, the publican who runs the hotel, was, to say the least, aerated about the new smoking laws because his clientele are heavy smokers almost without exception and he has his entire pub clientele sitting out the front. There is not too much out the front for them to sit on—they sit on the road reserve actually—while the bar is completely empty. Hophy had had a good night when we had our 'meet the candidates' meeting and he was vocal to say the least.

Mr Pitt: Had the odd shandy?

Mrs CUNNINGHAM: Or 10—and he was emphatic in his comments in relation to what impact the designated smoking areas had had on his patronage. The only reason I raise this is that we know in this legislature that one size does not fit all in Queensland. Again, I reiterate that I do not support smoking. I think it is a very intrusive habit not only for the smoker but also for those ill-fated enough to be around smokers and who have to put up with the pall of smoke. He was very vocal in expressing the impact of the legislation and I thought that that was important to mention.

Mr Robertson: You cannot be half-pregnant.

Mrs CUNNINGHAM: I agree, but his point was that his entire clientele was sitting out on the front veranda and on the road reserve because they were not allowed inside. No-one was inside. I raise it because he was very vocal and concerned about it. I have to say that I am probably more concerned about the Royal Brisbane and Women's Hospital scenario where people are inappropriately receiving medical attention on the footpaths.

The second comment that I wish to make is in relation to the area of need. The bill introduces new guidelines for determining areas of need, and this is as a result of work done by the task force. I have written to the current Minister for Health about a particular issue in my electorate. All of those small communities in my electorate that have no medical facilities at all—all but the city of Gladstone—have been designated areas of need: Yarwun, Targinnie, Boyne Valley, Ubobo, Many Peaks, Nagoorin, parts of Mount Larcom and Bracewell. I do not believe that any private practitioner would set up in those communities because they are so small. Some of them are continuing to diminish; others are growing.

I have had one particular doctor come to me to talk about servicing those areas of need but establishing doctor services in Gladstone. To date, he has been unsuccessful in being able to reach some sort of agreement with the department of health. That is partly a state issue but a lot of it is a federal issue as well, and I do acknowledge that. It may be that this bill will address some of those concerns. I would put that to the minister. Where a designated area of need is declared, it may be that the services are best provided in a more central location, particularly when the distance travelled is minimal and where those community members go to those central locations to shop anyway. A number of those communities that I have cited do not have shopping facilities at all. One or two like Ubobo have a small store but the rest do not, and people commute into Gladstone, Calliope or Boyne Tannum to get the necessities of life.

The third and final issue I wish to raise is the mental health issue in the legislation. It is proposed that a new part be inserted into the act which sets out various procedures following the end of lawful custody without charge. The Scrutiny of Legislation Committee—and I value its *Alert Digest*; I do not always refer to it but I do value the insights that the Scrutiny of Legislation Committee provides—in its summary states—

The committee notes that cl. 121 of the bill extends the assessment processes of the *Mental Health Act 2000* to persons who are in lawful custody, or lawfully detained, without charge under a prescribed Act of the State or Commonwealth.

Whilst neither the Minister's Speech nor the Explanatory Notes provide any indication of the categories of persons in contemplation, the committee assumes they might include persons held in immigration detention centres.

This extension of the assessment provisions of the *Mental Health Act* does not appear to the committee to be objectionable.

Could the minister clarify whether the committee's assumption is right and that the *Mental Health Act* amendments will include persons held in immigration detention centres? Further, the *Alert Digest* states—

The committee notes that under proposed s.21B of the *Transplantation and Anatomy Act 1979* ... the consent required for removal of particular tissue from an adult person's body for research purposes is to be as stipulated in an external document, the National Statement on Ethical Conduct in Research Involving Humans.

When I was on the Scrutiny of Legislation Committee one of the repeated concerns was the complexity that is involved in our legislation where a reader of the legislation does not get the full picture of the implications, intent and the overarching obligations when external legislation is used unless it is footnoted in the legislation. People just do not have the opportunity and often they do not have the resources to go and find these other documents. The *Alert Digest* continues—

The committee seeks information from the Minister as to whether consideration was given to incorporating the relevant consent requirements in the bill itself rather than by incorporating, by reference, an ambulatory external document.

I look forward to the minister's response and clarification on those matters.

Debate, on motion of Ms Male, adjourned.

ADJOURNMENT

Hon. RE SCHWARTEN (Rockhampton—ALP) (Leader of the House) (10.06 pm): I move—

That the House do now adjourn.

School Support Staff

Ms LEE LONG (Tablelands—ONP) (10.06 pm): I rise to speak in support of the school administration staff at our Queensland state schools. For all the talk about smart states, government priorities, future-proofing economic development, new technologies and so on, the truth is that the future of Queensland is not in the hands of government; it is in the hands of our children. They are the ones who will build it. They are the ones who will shape it. The future is theirs and it is our duty to ensure that they have the tools with which to build it as they see fit.

First among those tools that we can provide is education—an education grounded in the basics—reading, writing and arithmetic, and now IT, and an education with the clear message of Queensland and Australian values that make up our heritage. Those things, I believe, are provided first and foremost by dedicated professional teachers working in well-equipped schools and backed up by the skilled and experienced support staff. And we do have at least some of those things. If the Queensland state schools in my electorate are any example, our teachers are outstanding and the support staff highly efficient and facilities are being improved.

But while the support staff, administration staff, ground staff, registrars and so on are miracle workers, the sad truth is that they have no choice in that. For our children to be properly educated, for Queensland to have a sound future, our support staff have to work miracles because that is the only way that they can meet the ever-increasing demands and burdens placed on them by this government. They feel that there is insufficient recognition of the significantly increased workloads that they are asked to be responsible for. Long gone are the days when they performed just basic administration. They are now highly skilled workers using and keeping pace with IT systems, managing school HR and so on. This entails a great deal of responsibility that should be recognised by this government, which is supposed to be the working man's party.

Instead, recent Labor governments have clearly set out their attitude—shift more and more duties down the chain of command, push task after task out of district and regional offices and on to individual schools, ask for more and more but never provide anywhere near enough money or resources or increased staff numbers to handle the additional burden. The education system I believe survives only because of the dedication and commitment of its staff, both teaching and support. They care for Queensland kids. They give them all that anyone could expect and then they give them more. So for those dedicated, committed people to protest in public rallies to highlight their situation it must be very bad indeed.

I call on those opposite to listen to the voices coming from the grassroots of Queensland Education and act now before we have another department of families or another Queensland Health on our hands. Our future and our children's future demand it.

Quest Business Achievers Beenleigh Awards

Mr MOORHEAD (Waterford—ALP) (10.09 pm): I would like to bring to the attention of the House the fabulous efforts of Quest Community Newspapers and the Beenleigh-Yatala Chamber of Commerce in hosting the Quest Business Achievers Beenleigh Awards on Friday, 27 October 2006. I was privileged to attend this function on behalf of the Minister for State Development, Employment and Industrial Relations, John Mickel. My neighbour, Margaret Keech, the member for Albert and Minister for Fair Trading, Tourism and Wine Industry Development, was also there. Beenleigh is quite lucky to be represented in this House by two members. While there are many fabulous nominees and winners, there are a few winners I would like to mention specifically. What is important about these three winners is not only their achievements in creating jobs for our community but also their contribution to our community generally.

Crandon Wesche Financial Planners, led by director Michael Crandon, was awarded the Beenleigh Yatala Junior Chamber of Commerce Award. Michael Crandon has generously donated his time and expertise to the Beenleigh Junior Chamber of Commerce. Local Chaplain, Frank Barnes, runs a great junior chamber program, bringing local high schools together to perform volunteer work to support our community.

Teys Brothers Beenleigh was represented by Garry Teys and was awarded the Beenleigh Yatala Chamber of Commerce High Achievement Award. Teys Brothers has been a major contributor to the Beenleigh economy for the past 50 years or more. Teys Brothers has a proud history of supporting local community groups in holding functions to continue their good work.

Bill Heck OAM and the Heck Group were awarded the Award of Chamber Excellence for their contribution to the values of the chamber in Beenleigh and surrounding districts. As the owner of the Rocky Point Sugar Mill, the Heck Group has contributed not only to the proud history of Beenleigh but also to the future of our community. Most recently, Mr Heck, along with Anker Laursen of the Beenleigh Historical Village and Mrs Keech, the member for Albert and minister for tourism, was successful in having a tourist information centre located at the Beenleigh Historical Village.

I thank Ian Campbell, Ray Goodey and the team at the *Albert & Logan News* for their hard work in conducting the awards. I also recognise the hard work of the Beenleigh-Yatala Chamber of Commerce. Under the leadership of President Geoff Kempe, business growth and jobs growth is sure to be strong in the Beenleigh area.

Robina Stadium

Mr STEVENS (Robina—Lib) (10.12 pm): Mr Deputy Speaker, I thank you for the opportunity to talk about a matter of great concern to me and to the Robina electorate. The Robina stadium is being built by the government and we thank them for that very generous act. Unfortunately, provision has been made for only 600 public car spaces in the stadium. That has been based on the very successful Suncorp Stadium. That has worked well in Brisbane where there are many rail and bus connections and as the stadium is located in the centre of the city. The Gold Coast is a lineal city and the train, in particular, runs along the western spine of the city. Our bus services are nowhere near the equivalent of those in Brisbane in terms of the funding received from the state government.

Unfortunately, we are sure that the provision of only 600 public car spaces will impede the long-term success of the Titans, the National Rugby League franchise. The Gold Coast has already suffered from the loss of National Rugby League teams. Further public car spaces, so that members of the public can drive to the stadium, should be provided now. For instance, at the Dairy Farmers Stadium where the Cowboys play, thousands of public car spaces are available. At Robina, something similar needs to be put in place now before the land is taken up. Seventeen hectares are available right next to the stadium. It is publicly owned flood land. It should be protected by the government in conjunction with the Gold Coast City Council to provide the parking necessary for the long-term success of this franchise.

Without a doubt, if that is not done we will see parking throughout the neighbourhood of Robina. Traffic flows will be impeded. The member for Mudgeeraba should be very concerned about the upgrades being carried out on the roundabouts between Mudgeeraba and Robina, because Main Roads is already saying that, because only 600 car spaces will be available at Robina, only 600 cars will go to the games at the stadium. That is not correct. People from Southport, Coolangatta, Runway Bay and Burleigh will not have an opportunity to drive to the facility.

On the Gold Coast, for some events such as the Indy, which happen once a year, bus transport has worked. However, the stadium will be used week in, week out. The success of the Titans requires public parking in the vicinity of the stadium. The management of the Robina Shopping Centre will not allow parking in the centre car parks. Quite clearly, now is the time to do something.

Gold Coast Garden Awards

Mrs SMITH (Burleigh—ALP) (10.15 pm): Yesterday, green-thumbed tenants from across the Gold Coast were recognised at the 2006 Department of Housing Garden Awards presentation. These annual awards are open to all tenants of the Department of Housing who live in the local area, and are a great way of rewarding and encouraging residents to enhance their properties with landscaping or gardens.

This year there were 96 entries from across the Gold Coast region, which is a great result. The awards are free to enter and the focus is on gardens that reflect pride in a home or neighbourhood and not those that are large or expensive.

Having just moved from a house to a unit, I now realise how important the garden was to me. It was an oasis where I could sit and dream, but it has now been replaced by a balcony with a very sick looking pot plant on it. Beautiful gardens contribute a great deal to the quality of life of a community. Tenants put a great deal of work into their gardens and deserve acknowledgement. These public assets are being lovingly cared for by their occupants.

Categories cater for all types of gardening excellence and include small gardens for courtyards and balconies, house gardens, gardens created by children, group gardens, practical gardens and waterwise gardens. The waterwise garden category was added in light of current drought conditions in many areas of Queensland and to recognise water-saving, environmentally friendly gardening techniques. The award was won by a very excited Helen Fugger from Biggera Waters.

Extra special congratulations go to the residents of Stephens Street, Burleigh Heads, who picked up the award for the best group garden. This is a special award not only because it speaks of a great deal of cooperation and community spirit but also because it is in my electorate. Congratulations also to the tenants from 34 Mattocks Road, Varsity Lakes who received a Commended Certificate.

The children's garden section was hotly contested and it was wonderful to see young children expressing creativity in their gardens. Emma and Ryan Corby from Nerang were the winners of this section.

The balcony garden section was the most popular section and there were many wonderful examples of how to create a colourful display in a very small area. This section was won by Yvonne Leslie of Miami and it certainly gave me some ideas on how to improve my own balcony.

All entrants received a certificate, a photo of their garden, a plant and a voucher for garden products from Bunnings. I would like to congratulate all participants in the 2006 Gold Coast Garden Awards for their ever-increasing efforts to create beautiful gardens and green neighbourhoods.

Tambo-Clermont, Road Sealing

Mr KNUTH (Charters Towers—NPA) (10.18 pm): Today, on behalf of the residents of Clermont and Alpha, I tabled a petition calling on the state government to take action and seal the Clermont-Alpha-Tambo road. For more than 25 years, residents of the mining and rural communities have lobbied governments to completely seal this road, but those pleas have fallen on deaf ears. In the 2001 RACQ unroadworthy roads survey, the Alpha-Clermont road was regarded as a disaster. The comment was, 'It was a goat track 50 years ago and still is today.' Road users are constantly faced with a rough loose surface, poor road shoulders, dangerous washouts and deep ruts, and any slight veering will send a driver down an embankment and into a tree or into an oncoming prime mover.

In the past 10 years, a high number of accidents have been reported. At least 12 accidents have involved government employees attempting to do their jobs. One local constituent who was involved in an accident 25 years ago stated that, after all these years, the condition of the road is worse than it has ever been, yet traffic has increased and it is a frightening experience when passing triples on the highway.

Every day, students attending the Mistake Creek State School travel in excess of 100 kilometres on a road that even seasoned travellers decline to use. Their safety is in jeopardy and should be of the utmost importance. There would be mass hysteria if children in the more densely populated areas had to face the dangers that those children face on a daily basis.

This is a state road. It is not under the jurisdiction of the local authorities, yet the plight of all road users has been conveniently ignored by the state for years. The road boasts spectacular scenic sites of the Narrien and Drummond ranges. Tourists who seek an outback experience are missing out, as locals will not recommend travelling this road. Tourism Queensland has sent a letter to the Mistake Creek community, supporting the sealing of this road, and I table it for the minister for transport.

Tabled paper: Letter dated 25 September 2006 from Regional Director, Whitsundays and Mackay, Tourism Queensland to Rhiannon Moriarty.

The Clermont-Alpha-Tambo road is often used by livestock carriers, general suppliers, locals and tourists. It is also a major trucking route for companies from as far south as Adelaide. It is part of the type 2 road train route that links the west to the north and the south and, as I said, it is home to the magnificent Narrien and Drummond ranges.

Sealing the road makes plain common sense. It would relieve transport pressure on the coastal highways, create a new inland highway, increase tourism, save lives, reduce accidents and provide a much-needed boost to the local communities of Clermont, Tambo, Alpha, Jericho and western Queensland. I call on the Minister for Transport to recognise the importance of sealing this road and to seek extra funding through the Cabinet Budget Review Committee. Main Roads has conservatively estimated the cost to seal at approximately \$20,000 a kilometre. At this rate and with the current expenditure, the road could be sealed within six to eight years.

Morayfield Railway Station Artworks

Hon. KW HAYWARD (Kallangur—ALP) (10.21 pm): Tonight, I am pleased to speak in this parliament about the honour of having the opportunity to perform the official unveiling of a Queensland Rail art project at the Morayfield Railway Station. This project was a joint initiative of Queensland Rail and the Morayfield East State School. It is pleasing that Queensland Rail is involved with the community of Morayfield with this project. It has been a fantastic project. Anyone who has the opportunity to see the Morayfield Railway Station—

Mr Lawlor interjected.

Mr HAYWARD: I am pleased to hear that the member for Southport is looking forward to having a look at it. It is a worthwhile exercise. It provides a great opportunity to see how a local community, through such an exercise, can take ownership of a railway station, in this case the Morayfield Railway Station. Also, train travellers get to enjoy the images every time they enter the station to get on a train and again when they return home.

Students from years 5,6 and 7 of the Morayfield East State School came up with the designs. They worked with the artist, Cameron Stelzer, to paint walls, shelter sheds, bicycle lockers and other surfaces at the station with images based on the theme of community pride and, I thought importantly, train safety.

I also want to take this opportunity tonight to recognise the parents who came along to support those students and, of course, the recently appointed principal of the school, Jeff Geise, who spoke about the involvement of the Morayfield East Primary School in the project.

As I said before, the artwork is based on the theme of community pride and train safety. It was a great event. It was good to see Caboolture Shire Councillor Lynette Devereaux there and also the former member for Cook, Bob Scott—who I know is well known to many members of this parliament—and his wife, Jenny. Bob was able to link up with Jeff who previously was the principal of the Normanton State School many years ago when Bob was the member for Cook up until 1989.

As a result of this exercise, the Morayfield Railway Station has been brought to life. The bright artworks at the station have changed the whole feel of the place. I hope—and I am told this—that the artwork will help reduce graffiti at the station. I have read some research to support this contention. We all know that every year Queensland Rail spends a lot of money getting rid of graffiti. It would be great if that money could be spent on community artwork at railway stations in Queensland. This is a great project that has the support of the community. It is a great partnership between Queensland Rail and the Morayfield East State School.

Lockyer Electorate, Prison Proposal

Mr RICKUSS (Lockyer—NPA) (10.24 pm): I rise to talk about discussions that have been held about a super prison to be located somewhere in south-east Queensland. The Gatton area has been discussed. I am a bit disappointed in the minister in that she has not included some of the local people in those discussions. The minister has had discussions with departmental heads. They came down from Toowoomba to have those discussions. Unfortunately, no members of the Gatton Shire Council or I, as the local member, were informed of these discussions. If the minister wants support for this proposal from the local community, she must include the local people. The only way she is going to get support for the proposal is if she takes the local community with her.

A lot of infrastructure in the form of health, police and social services has to be considered before the local community would be interested in having a super prison located north of Gatton or south of Laidley. This is one of the real problems with this government. It has to take on board some of the concerns of the local community. It is important to the local areas that they have input into such proposals.

There is virtually no transport infrastructure in the Lockyer Valley. There is a bus/rail which, unfortunately, is underutilised. The electric rail line stops at Rosewood. It would be a great asset if that rail line was extended to Gatton. In terms of health facilities in the Lockyer Valley, which has a population of about 60,000 people, there are hospitals at Laidley and Gatton but those hospitals cannot cope with the number of people in the area. They are small rural hospitals. Police resources are also stretched. There is a large area to cover. Such services would definitely have to be considered before any discussions were held about this super prison proposal.

The social services for the area will also have to be considered. There is a need for rehabilitation centres and more public housing. A lot of issues must be considered before the minister could expect the local community to support a super prison to be located in the area.

As well, the recycled water project is an important project for the Lockyer Valley. It is great to see this government, after 10 years, finally come on board. It is a bit late. It is a bit like Paul on the road to Damascus—it has seen the light. Unfortunately, the government seems to be procrastinating as to whether it should actually undertake the project. I do not know what is going on. The project is months behind schedule and it has only just started. It appears that about \$200 million of federal government funding is available for the project. The Coordinator-General needs to get a grasp of the situation and take the project forward. Otherwise, that federal government funding will be lost. This is a real worry to me as the local member.

Greenslopes Electorate, 150-Year Land Sale Anniversary

Mr FENLON (Greenslopes—ALP) (10.27 pm): This year marks 150 years since the first land sale in the Stones Corner-Coorparoo area. To honour this occasion, on 21 October 2006 a celebration was held to mark the 150th anniversary. Two venues hosted the celebrations for this occasion. There was a step back in time at the beautiful Queen Alexandra Home in Coorparoo, which included musical memorabilia and a live musical time line from 1856 to 2006. There was also a vintage car display, a vinyl record and book fair and a local historical display.

Hanlon Park in Stones Corner was the other venue, and events included reliving the way sports were played before the invention of the PlayStation: the egg and spoon race, the three-legged race and the sack race. Of course, there was also the lamington eating competition where no water was allowed.

Historically, 10 country allotments were offered for sale. They stretched from Bennetts Road to Burnett Swamp and were the beginning of what is now known as Coorparoo and Stones Corner. In 1956—50 years ago—there was a week-long celebration from 20 to 27 October of the founding of the area. This included church services and competitions. Of the 10 country allotments, these were bought by five gentlemen of the time, at the dearest price of 108 pounds for 87 acres and at the cheapest price of 34 pounds for 34 acres.

According to the *Moreton Bay Courier* of Saturday, 25 October 1856, lots 35 to 45 were sold by the government on 21 October 1856 at the courthouse in Brisbane. The original auction was advertised in the *Moreton Bay Courier* of 11 October 1856 for Tuesday, 21 October.

In terms of political history, the first representative of the area was Mr Alexandra Macleay, who was actually a representative in the legislature of New South Wales. Hansard did not start keeping records until 1864. The area was represented by two members—George Edmonstone and Henry Buckley. Mr Edmonstone seldom spoke. It is recorded that he said—

In respect to the proposition of carrying the European telegraphic wire overland, it was monstrous in the extreme. The force sufficient to protect the line from injury would oblige us to incur a liability which, in the state of our finances, would be quite unjustifiable. I find it necessary to adopt a submarine telegraph instead.

The cumulating of a festival such as this not only marks an interesting part of history of this area but also shows that community spirit can still prevail 150 years on. As part of the day, three schools, over 15 community groups, two levels of government and the great-great-grandchildren of the original landowners were involved. I commend all of those people who were involved in this fantastic activity in the local community and especially my colleague Catherine Bermingham, who did so much of the organising and gained support from the Brisbane City Council.

Herbert River District, Sugar Cane Crop

Mr CRIPPS (Hinchinbrook—NPA) (10.31 pm): I would like to draw the attention of members to an interesting article which appeared in the *Courier-Mail* on Saturday, 14 October 2006. It drew attention to two issues in north Queensland that are of considerable concern to that region. One was the shortage of labour in the Mareeba district as far as the mango industry is concerned and the ability of mango growers to harvest their crop this season. The other issue, which I would like to comment on in more detail, is the circumstances that plague the 2006 harvest of the sugar cane crop in the Herbert River district. The two main concerns are the unseasonable wet weather that has prevailed throughout the current harvesting season and what the growing and harvesting sectors have described as the poor performance of the CSR mills in that area.

The performance of the mills has been subject to strong criticism from the local Canegrowers organisation and from operators in the harvesting sector in terms of the frequent breakdowns at the mills and the numerous derailments of cane bins on the tramway system. These problems are said to be the result of a basic lack of investment in the mills as far as maintenance is concerned. This criticism is levelled at the corporate management level of the CSR rather than mill management at the local level, which can only use what resources are provided by the parent company.

The very serious concern is that there will be standover cane in the Herbert River district as a result of the ongoing unavailability of the mills. I do not have to elaborate on the seriousness of that prospect for those members in this place who come from sugar cane-growing areas. Undoubtedly, there have been very significant difficulties during the season as a result of unseasonable wet weather. For example, parts of the Herbert River district received 22 inches of rain on the first weekend in September. That is highly unseasonable and record rainfall for that time of year during a critical time in the sugar cane harvesting season.

However, the bottom line is that during the 17 weeks of the 2006 crushing season so far I understand it the mills in the Herbert River district have been unavailable for 281 hours as a result of breakdowns rather than harvesting being suspended as a result of wet weather. This means that the

industry as a whole in the Herbert River district cannot take advantage of harvesting the crop in the period when commercial cane sugar or ccs is at its peak. The longer the cane stands in the field past this peak period the less sugar is produced, and this will be reflected in reduced returns for all sectors involved in the industry—growers, harvesters and millers.

Skilled labour issues are just as pertinent in the sugar industry. There is a strong incentive for experienced harvester operators and haul-out drivers to accept high-paying positions in the mining sector due to the inefficiencies being experienced during this and previous harvests. Over the last couple of decades, there has been a strong emphasis on the sugar industry to increase its efficiency by achieving best practice in its operations. There needs to be reciprocity between sectors if the industry is to advance as a whole. Other milling companies and operations in similar circumstances are achieving much higher levels of availability. The CSR needs to address the issue of its performance in the Herbert River district.

Ipswich Greenhouse Challenge; Ipswich Women's Development Network

Ms NOLAN (Ipswich—ALP) (10.34 pm): Today I informed the House of the Ipswich Greenhouse Challenge, a new initiative developed by a network of Ipswich businesses, along with some work that I have done, to improve the city's greenhouse performance. The Ipswich Greenhouse Challenge is just getting underway.

In 2004 I brought together a similar network for a different but also worthy community cause. The Ipswich Women's Development Network was established in that year, the centenary of women's suffrage in Queensland. The network brought together representatives from the Ipswich Chamber of Commerce, Quota, Zonta, and, in the early stages, the local branch of the Australian Institute of Office Professionals alongside one of Ipswich's two female councillors, Cheryl Bromage.

The network's founders decided that if we did not promote the achievements of Ipswich women no-one else would, and so we established the clear aims of promoting the status of women in Ipswich and supporting the region's young women by creating opportunities for them. I am pleased to announce to the House today that after two years of cooperation and hard work the network has today received advice that it has formally been incorporated.

In that two years, in addition to working on the legalities of incorporation—a lengthy task in itself—we have held a couple of successful functions with inspirational women, Betty Churcher and Associate Professor Heather Beattie, as speakers. Through our fundraising efforts we have established a \$5,000 annual scholarship named in honour of Heather Bonner, another fantastic Ipswich woman, to enable an Ipswich woman to study at our local university, UQ Ipswich.

Next week invitations will go out next week for our upcoming event—a cocktail function at UQ Ipswich titled 'Women's next frontier: the glass ceiling or the sky'. The event will take the women's spotlight onto one of Ipswich's growing industries—aviation—with the primary guest speaker being Emma Moore, one of the most senior women in Boeing Australia. Having worked closely with some wonderful Ipswich women on the network over a couple of years now, I am thrilled that today we have reached this milestone of incorporation. I hope that the women of Ipswich can join us for our upcoming event and I extend this invitation to them. I look forward, now that the network is formally established, to promoting the achievements and the status of Ipswich women for many years to come.

Motion agreed to.

The House adjourned at 10.37 pm.

ATTENDANCE

Attwood, Barry, Beattie, Bligh, Bombolas, Boyle, Choi, Copeland, Cripps, Croft, Cunningham, Darling, Dempsey, Dickson, Elmes, English, Fenlon, Finn, Flegg, Foley, Fraser, Gibson, Gray, Hayward, Hinchliffe, Hobbs, Hoolihan, Hopper, Horan, Jarratt, Johnson, Jones, Keech, Kiernan, Knuth, Langbroek, Lawlor, Lee Long, Lee, Lingard, Lucas, McArdle, McNamara, Male, Malone, Menkens, Messenger, Mickel, Miller, Moorhead, Mulherin, Nelson-Carr, Nicholls, Nolan, O'Brien, Palaszcuk, Pearce, Pitt, Pratt, Purcell, Reeves, Reilly, Reynolds, Rickuss, Roberts, Robertson, Schwarten, Scott, Seeney, Shine, Simpson, Smith, Spence, Springborg, Stevens, Stone, Struthers, Stuckey, Sullivan, van Litsenburg, Wallace, Weightman, Welford, Wellington, Wells, Wendt, Wettenhall, Wilson