PROOF ISSN 1322-0330

RECORD OF PROCEEDINGS

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Subject **FIRST SESSION OF THE FIFTY-THIRD PARLIAMENT** Page

Wednesday, 10 March 2010

J MICKEL
SPEAKER

N J LAURIE
CLERK OF THE PARLIAMENT

L J OSMOND
CHIEF HANSARD REPORTER

WEDNESDAY, 10 MARCH 2010

The Legislative Assembly met at 9.30 am.

Mr Acting Speaker (Mr Jason O'Brien, Cook) read prayers and took the chair.

PETITIONS

The Clerk presented the following paper petitions, lodged by the honourable members indicated—

Robina, Medical Centre

Ms Bates, from 468 petitioners, requesting the House to allow urgent medical care signs after dark and to stop discrimination against visiting patients in the common visitor car park at the Medical Centre, 238 Robina Town Centre Drive, Robina [1854].

Point Talburpin, Mooring Zone

Mr Dowling, from 88 petitioners, requesting the House to extend the mooring zone at Redland Bay one kilometre south of Point Talburpin to enable the safe mooring of boats [1855].

Milla Milla, East Evelyn Road Intersection Upgrade

Mr Knuth, from 2,764 petitioners, requesting the House to upgrade the intersection of East Evelyn Road and Milla Milla-Malanda Road, via Milla Milla by providing lighting, signage, barriers and additional lanes [1856].

Gympie, Police Resources

Mr Gibson, from 1,462 petitioners, requesting the House to increase police presence in Mary Street, Gympie on Friday and Saturday nights [1857].

Petitions received.

TABLED PAPERS

MINISTERIAL PAPERS TABLED BY THE CLERK

The following ministerial papers were tabled by the Clerk—

Minister for Natural Resources, Mines and Energy and Minister for Trade (Mr Robertson)—

1858 Response from the Minister for Natural Resources, Mines and Energy and Minister for Trade (Mr Robertson) to two paper petitions (1375-10 from 1,013 petitioners and 1383-10 from 43 petitioners) presented by Mrs Sullivan and Mr Ryan respectively requesting that the House take action to ensure that Bribie Island is removed permanently from the list of potential desalination plant sites in Queensland

Minister for Infrastructure and Planning (Mr Hinchliffe)—

1859 Response from the Minister for Infrastructure and Planning (Mr Hinchliffe) to an ePetition (1348-09) sponsored by Mr Gibson from 5,532 petitioners requesting the House to direct the Queensland Government to immediately withdraw the mandatory sustainability declaration

Minister for Police, Corrective Services and Emergency Services (Mr Roberts)—

1881 Letter to the Clerk, dated 10 March 2010, relating to a question without notice

MEMBER'S PAPER TABLED BY THE CLERK

The following member's paper was tabled by the Clerk—

Member for Mudgeeraba (Ms Bates)—

1860 Non-conforming petition regarding urgent medical light signs for patients after dark at the medical centre, 238 Robina Town Centre Drive, Robina, and the use of common parking by patients in front of the medical centre

MINISTERIAL PAPER

Queensland Audit Office 2010 Strategic Review

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.32 am): As I informed the House last year on 8 October, the Governor in Council approved the appointment of Mr Graham Carpenter and Mr Mark Gray to jointly undertake the strategic review of the Queensland Audit Office. I can now advise the House that Mr Carpenter and Mr Gray have completed their review. I lay upon the table of the House the *Report on the 2010 strategic review of the Queensland Audit Office* for the information of honourable members.

Tabled paper: Report on the 2010 strategic review of the Queensland Audit Office, dated March 2010, by Graham Carpenter and Mark Gray [1861].

Mr Carpenter and Mr Gray have adopted a consultative approach to the review, which has ensured that the views of all stakeholders have been taken into account. I take this opportunity to thank the reviewers for their efforts in successfully conducting the review.

As required by the Auditor-General Act 2009, this review has addressed the Auditor-General's functions and performance to determine whether they are being performed economically, effectively and efficiently. The review has also examined all structural and operational aspects of the QAO including its relationship with public sector entities and with the parliament. As required under the terms of reference, the review has considered comparative models from other jurisdictions, and extensive interviews and discussions were held with current and former QAO staff, auditees and other key stakeholders.

I note that the report states that the QAO has made significant progress since the last strategic review under the leadership of the current Auditor-General, and I commend Mr Glenn Poole for his achievements in this role and his cooperative approach with the review. Under the Auditor-General Act 2009, the report is now referred to the Public Accounts and Public Works Committee for its consideration. The report examines a number of key strategic issues for consideration by the committee including the expansion of the QAO's current mandate to full performance audit; the development of a three-year strategic audit plan for performance audits; the broadening of the operational responsibilities of the QAO to undertake what is called 'follow the dollar' audits of non-Queensland public sector entities; the delegation of small-size, low-risk public sector entity reports to an appropriately qualified local auditor; and the relationship of the QAO with auditees and other stakeholders, particularly in relation to the setting of audit fees.

These are all critical issues that could impact on the strategic direction of the QAO over the next few years. The government will give full consideration to any matter referred to it following the Public Accounts and Public Works Committee's consideration of this strategic review report.

MOTION

Queensland Audit Office 2010 Strategic Review

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.33 am): I move—

That the report be published.

Question put—That the motion be agreed to.

Motion agreed to.

MINISTERIAL STATEMENTS

Moreton Bay Oil Spill, Response

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.35 am): A year ago tomorrow an oil spill threatened to leave a legacy of one of the worst environmental disasters in Queensland's history. At approximately 3.15 am on 11 March 2009, the *Pacific Adventurer* lost 31 containers overboard in rough seas east of Cape Moreton. The containers ruptured the ship's fuel tanks and caused 270 tonnes of black oil to spill into the ocean off Moreton Island. Approximately 56 kilometres of pristine beaches were hit by the oil slick, which stretched from Moreton Island to the Sunshine Coast. A disaster situation was declared and approximately 2,500 people from government agencies, volunteers and private contractors started the mammoth task of cleaning up the oil.

Today, almost exactly one year since the disaster, we have the opportunity to take stock of the government's response. An independent review has been conducted by the Australian Maritime Safety Authority, AMSA, which is the lead federal agency for marine pollution response in Australia. This report was compiled under the National Plan to Combat Pollution of the Sea by Oil and other Noxious and Hazardous Substances. The Department of Transport and Main Roads also commissioned an independent review into the responsiveness of the disaster management system support to the oil spill response. Both of these reviews are now complete, and I table them for the information and benefit of the House.

Tabled paper: Report by the Incident Analysis Team, dated February 2010, titled 'Report by the Incident Analysis Team into the response by the *National Plan to Combat Pollution of the Sea by Oil and Other Noxious and Hazardous Substances* to the container loss and oil spill from the *Pacific Adventurer* off the coast of Brisbane on 11 March 2009' [1862].

Tabled paper: Report by Graham Miller, TMS Consulting, dated 9 December 2009, titled '*Pacific Adventurer* Oil Spill—Independent review of responsiveness of the Disaster Management System support' [1863].

Both independent reviews are broadly positive about the state's response to the disaster, but they also point to areas where improvements could be made. One of the areas where there was some criticism was the need to have enough specially trained environment and scientific coordinators. I understand that the EPA is acting on this and we will have several more trained up by the end of next financial year.

Another issue raised was the delay in the response to oil-affected wetlands on Moreton Island. The initial focus of the clean-up was on the beaches, and I accept that the efforts to protect the wetlands, which were ultimately successful, could have happened sooner. A new MOU to clarify the roles, responsibilities and channels of communication between agencies and between different levels of government during disaster responses is now being developed. This MOU will help ensure that environmental priorities are identified quickly in any future such disasters.

The AMSA report found 'that overall the response to the incident was effective and generally in accordance with the policies and procedures set out in the national plan'. The authors also report that during field visits in May and June 2009 'it was hard to tell that a 270-tonne spill of heavy fuel oil had occurred'. The report also describes the decision not to use chemical dispersants at sea, which was criticised by some at the time, as 'appropriate, sound and consistent'. That is what the experts said about that decision.

Of course these reports are done to identify areas where improvement can be made in the future, and between them the reports make 11 recommendations. They will be fully implemented by the government. The recommendations range from reviewing training and exercise programs to raising awareness of contingency plans among key players. Maritime Safety Queensland is already conducting high-level oil spill response exercises based on real-life experiences, and a number of other initiatives are already underway implementing these recommendations.

I share the conclusion in the AMSA report, which was that the result was 'a testament to those involved'. I take the opportunity again to recognise all of those who took time out from their working lives to volunteer to make sure we had one of the most rapid clean-ups of any oil spill known anywhere around the planet. I would like to thank all of them for caring enough about our beautiful coastline.

Chile Earthquake and Tsunami; BIO 2010

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.40 am): As members are aware, early in the morning of Saturday, 27 February, a magnitude 8.8 earthquake struck Chile causing widespread destruction and loss of life. In a double whammy of devastation, a tsunami then struck around 700 kilometres of coastline. The death toll from this catastrophic event is now placed at more than 800 and it continues to rise. Up to two million people are either homeless or in some way affected. Initial estimates of the damage bill are massive—somewhere between US$15 billion and US$30 billion, or between 10 per cent and 20 per cent of GDP.

His Excellency Mr Jose Luis Balmaceda, the ambassador of Chile based in Australia, has informed me that up to 80 per cent of Chile has suffered damage in some form or another. There is no doubt that the Chilean community has a massive task ahead in order to recover from this latest disaster, and it is going to be a long rebuilding process which needs the strongest support from the international community. As part of that international community, I am pleased to advise the House that the Queensland government will make a donation of $500,000 to the Chilean earthquake relief appeal which is being administered through the embassy in Canberra. Many members in this House represent people whose origins are in Chile, and I know that many of those people are worried about their relatives and friends.

As I have previously announced, I plan to undertake an overseas trade mission from 22 April which includes a visit to Latin America, including Chile. Following the events of recent weeks, I sought advice as to whether to continue with this visit. The ambassador of Chile has encouraged me to proceed with the plans to visit, indicating that the economic opportunities for businesses in Chile to be entering into partnerships with Queensland companies are needed now more than ever. While I will keep a careful watch and continue to take advice over the coming weeks, at this stage it is intended that the trade mission will proceed to Chile.

The mission will also include high-level meetings in Peru, Colombia and Brazil. Brazil is set to host both the 2014 FIFA World Cup and the 2016 Olympic Games. There are many opportunities in Latin America for Queensland businesses, including in mining equipment, technology services and sectors such as education, research and tourism. Trade Queensland has already received expressions of interest from more than 100 members of Queensland's business and research community to join this mission. This makes it one of the largest ever trade missions undertaken by the Queensland government.

The trade mission will also take me to the BIO conference in the USA, where for the 12th consecutive year our government will be represented at the highest political levels. This BIO conference is internationally recognised as one of the most important biotechnology gatherings in the world. As I informed members yesterday, there will be representatives from both sides of the chamber, with the member for Clayfield and shadow Treasurer, Tim Nicholls, also attending. The member for Clayfield wrote to me asking for funding assistance to attend this significant and world-leading biotech conference. I have approved this request. It says here in my notes that I look forward to him joining me, so I suppose that must be true.

Honourable members: Ha, ha!

Ms BLIGH: On a serious note, I do think Queensland's growing strength and reputation in biotechnology is something that warrants bipartisan support. It has not happened by accident. It has happened by systematic government investment in this area, and I welcome the interest of the member for Clayfield.

Queensland Design Strategy

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.44 am): Good, smart design is an essential driver of our economy and plays a major role in our everyday lives. From the cars we drive in to the chairs we sit on, the clothes on our back and the cup we drink our coffee from, design is a part of life. Queensland is certainly producing its fair share of outstanding designers with growing profiles and portfolios. Through our government's Queensland Design Strategy 2020, we are championing design led thinking—thinking that puts good design at the very core of how we find solutions for contemporary challenges in a modern world, such as sustainable housing. The strategy also focuses on the development of breakthrough products and new systems and services that provide a real point of difference in the marketplace. In October this year Brisbane will host the inaugural design triennial for the Asia-Pacific region. It will bring this idea of design led thinking into sharp focus across the region.

It is my pleasure today to announce that the Queensland Premier's Design Awards are open as a key activity under the Queensland Design Strategy 2020. These awards seek to recognise the importance of design to the Queensland lifestyle and economy through two award categories. The first is the $40,000 Smart State Design Fellowship, which recognises significant contributions made by an individual or team to developing a design culture within Queensland. The second award is the $10,000 Emerging Leader Award, which recognises an emerging Queensland designer who embodies excellence in their expertise, talent, skill and commitment to design. I encourage designers and innovators to visit the Arts Queensland website and get their entries in.

Queensland is fast becoming a leader in Australian design, embracing the idea of design led thinking and the value of the design industry. I believe this is just the beginning for this industry and I look forward to Queensland establishing itself as the design hub of the Asia-Pacific region.

Drink Driving

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.46 am): Drink driving is a curse that continues to needlessly contribute to fatalities on Queensland roads. It is a terrible indictment on our road safety record—and on the fundamental culture among a section of Queensland motorists—that last year there were 71 road crash fatalities across the state involving drink drivers or riders. In the 12 months to 30 June 2008, more than 29,000 Queenslanders were convicted of drink driving. That is 29,000 Queenslanders continuing to get into their vehicles while over the alcohol limit. Of these, 12,000 were repeat offenders or high-end offenders—that is, with a blood alcohol concentration of .15 or above, which is three times or more than the legal limit.

This is not only tragic for the families of those people who have been killed in road fatalities; it is simply unacceptable that still, in this day and age, people are getting behind the wheel after consuming alcohol and taking risks with their own lives as well as with the lives of others. Our government is determined to do everything possible to stop this senseless slaughter. We need to take the strongest possible action against drivers convicted of repeat or high-level drink-driving offences or of dangerous driving when affected by alcohol.

Today the government will introduce legislation to confront the problem of drink driving head-on. Critically, this legislation introduces a scheme of alcohol interlocks for high-risk drink drivers. An alcohol interlock is an in-vehicle breath-testing instrument connected to the ignition. In other words, drivers must pass the breath test to be able to start the vehicle. Under the changes proposed by the government, high-risk drivers will have an 'I' condition attached to their licence for a minimum of 12 months. In order to be allowed back behind the wheel, drivers will be able to choose to install an interlock at their own expense for the 12-month period.

The 'I' licence condition would be mandatory for high-risk drink drivers. High-risk drink drivers will include: first-time offenders with a blood alcohol reading of more than .15; those who within a five-year period have had a blood alcohol content of above .5 and below .15 on two occasions, so a second offence under .15 within a five-year period; offenders charged with dangerous driving while adversely affected by alcohol; or drivers who fail to provide a specimen of blood or breath. This device will force known drink drivers to take responsibility for their behaviour and not drink and drive. This will not only inconvenience drink drivers; they will be out of pocket as they will have to pay for these devices, and they are not cheap. This is a further initiative by this government to reduce Queensland's road toll.

Our government is determined to stop the road carnage related to drink driving. This is a bold move—a move designed to save lives. It is one that the government has worked on carefully and rigorously and which is in keeping with the best schemes operating in other states. It is a tough course of action but one which is warranted. It will give those people who choose to drink and drive a reason to seriously stop and think. It will force them to make the responsible decision. Importantly, it will give all Queenslanders some critical extra assurance of greater safety from dangerous drink drivers out there on our roads, and that is something which each and every Queenslander is fundamentally entitled to.

Fraser Coast Health Service District

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Minister for Health) (9.49 am): The story of Queensland is a story of the regions, and this is true for providing health care across the state. I think it is important to talk to people at the coalface, so I was pleased to visit the Fraser Coast last week and visit the Maryborough and Hervey Bay hospitals. The government has invested significant resources in the region, with a 91 per cent increase in the budget since 2002-03. I was able to meet with hospital staff and discuss a wide range of issues facing the two campuses and the entire system. I joined the member for Maryborough in meeting a range of community and health sector representatives. I also met with the member for Hervey Bay whilst there and spoke to him again yesterday in relation to a number of issues that he raised.

I reinforce in the House what I said on the Fraser Coast. I can confirm the future for both Maryborough and Hervey Bay hospitals. I also announced an expansion of the Maryborough emergency department that will help improve patient flow and provide better outcomes for Maryborough patients. My visit to the Fraser Coast raised issues pertinent to the local community, but they are also relevant to the whole health system. As I have said, there is a strong future for both hospitals on the Fraser Coast, but we need proper planning to make sure we make the best use of both campuses in the future.

This is a growth community. As the region grows, the two hospitals should not be a clone of each other. That is not a safe or sustainable model. They should develop under the model of providing complementary services, not competing services. This is an important lesson not just for the Fraser Coast but also around the state. No hospital is an island. Hospitals need to work across regions and, indeed, the state.

I have spoken in the House before about the significant pressures that Australia's changing demographics will place on the future of health services. We know that by 2045 the proportion of our population over 80 will quadruple and the proportion over 65 will double. This is magnified on the Fraser Coast, where by 2021 the percentage of the population aged 75 and over will increase to 71 per cent of the population. This is one of the key reasons why planning across our hospitals needs to focus on emerging challenges and on moulding the services across the region to provide a mix of acute and subacute care.

One of the emerging health challenges for an older demographic is the dramatic increase in demand for renal services. We are committed to a long-term, coordinated solution for the region. Queensland Health has commissioned an external review of renal services across the northern cluster of the Sunshine Coast-Wide Bay Health Service District. This work will be led by Associate Professor Kim Bannister, the head of the renal unit at the Royal Adelaide Hospital. Data from the review has been collected during January, with a physical review to commence this month.

I also inspected new telehealth services being provided to Hervey Bay, with high-definition technology in the ICU providing close links between Hervey Bay hospitals and the specialists at RBWH. Again, this is an example of how in a decentralised state like Queensland it is fundamental that hospitals have close links across regions and across the state.

I want to thank the hardworking staff whom I met on the Fraser Coast. They provide excellent care to the community. I also want to make a point to those who continue to belittle and mock Queensland Health staff, particularly support and administrative staff. I think it is good that doctors do not spend their time mowing the lawn and nurses do not spend their time painting the walls or managing accounting or running the laundry. It takes a lot of people to run a hospital and to run a health system, and I want to thank the staff across a wide variety of job descriptions for the contribution they make to their community and to the health of Queenslanders.

Papua New Guinea, Trade

Hon. AP FRASER (Mount Coot-tha—ALP) (Treasurer and Minister for Employment and Economic Development) (9.53 am): As part of the Cairns economic future plan, this government made a commitment to diversify the Cairns economy. We see the opportunities that are sure to come out of Papua New Guinea's developing resources sector as a perfect platform to secure new business for the region. Next week I will be leading a two-day trade delegation to Papua New Guinea to help generate new business for Queensland, in particular for Far North Queensland. Papua New Guinea is our closest

overseas neighbour and is on the verge of a resources boom via large, untapped reserves of LNG. The trade mission has already attracted significant interest from Cairns businesses keen to get in on the action.

In the last financial year, two-way merchandise trade between Queensland and PNG was worth in excess of $3 billion. We want to grow this and make sure that Cairns and the Far North get a bigger slice of the action. This is an incredibly important market for Queensland, with huge potential for job creation and economic growth. One of our main aims during the two-day trade mission will be to help further position Cairns as a business hub to support PNG's major projects and its projected growth in coming years. As well as the booming LNG industry, growth sectors include education and training, mining services, building and construction, agribusiness, and international development businesses.

We will be taking 15 delegates across 10 organisations from the Cairns business community to support them to secure future business contacts and contracts across all of these sectors. As part of the Cairns plan, the government identified the importance of appointing someone responsible for fostering the development of business relationships between Queensland and PNG. I can also advise the House of the appointment of former Cairns mayor Kevin Byrne as Special Trade Representative to Papua New Guinea. Mr Byrne was raised in PNG, speaks pidgin and, among other achievements, headed up the Papua New Guinea Tourism Promotion Authority for four years and served as deputy chairman of Air Niugini in the late 1990s. Mr Byrne will accompany me and the Cairns business delegates on the trade mission. I am confident that the new effort to create further business opportunities for Cairns will assist the region's economy to grow and diversify in years to come.

Mr Acting Speaker, I acknowledge in particular your strong advocacy and that of the members for Cairns, Barron River and Mulgrave in supporting the development of the Cairns economy for the future. The Cairns community—from government representatives at all levels—and its business leadership are demonstrating the commitment and leadership needed to build a stronger, diversified Cairns economy for the future.

Asbestos Removal, Australasian Technical Services

Hon. RE SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Information and Communication Technology) (9.55 am): Yesterday the member for Currumbin inquired into the status of an asbestos removal company operating in Queensland. The company mentioned was Melbourne based Australasian Technical Services Pty Ltd, which was allegedly suspended by the ACT government in 2009. The member for Currumbin also asked whether the company had been allowed to remove asbestos in Queensland during the summer holidays.

Firstly, this company was suspended in the ACT last year but has had its licence returned with strict restrictions put in place. Secondly, the answer as to whether this company is operating in Queensland is no. The company to which the member for Currumbin may be referring could be ATS Australasian Technical Services. If this is the case, Mr Frank Gatto, a director of Australasian Technical Services, does not appear as a director of ATS Australasian Technical Services. ATS Australasian Technical Services holds a Class A removal licence and, as such, has been awarded asbestos removal contracts throughout Queensland.

Since 1 March 2009, ATS Australasian Technical Services has been awarded 79 contracts. As a Class A licence holder, a removal company is required to have a fully trained and competent staff supervisor present when removing asbestos and decontaminating an area under Class A conditions. In Queensland, ATS Australasian Technical Services employs five fully trained and competent supervisors for the on-site supervision of removal and decontamination work. This means that it can be engaged in five projects at one time, whether that be on the Gold Coast, the Sunshine Coast, in Brisbane city or in Far North Queensland.

To further ensure the safety of workers and building occupiers, the removal and decontamination process is also supervised by an independent industry specialist. The Department of Public Works engages Parsons Brinckerhoff to undertake the supervision and testing of asbestos removal projects. Senior management at Parsons Brinckerhoff has advised that it is not aware of any asbestos removal works which it has supervised proceeding without a competent person on site. This includes works with all asbestos removal contractors including ATS Australasian Technical Services.

The asbestos removal industry needs to be monitored, and it is the role of this government to deal with any company that does the wrong thing. Let me be very clear on this issue: the safe removal of asbestos-containing material from any government building, no matter where—a school, a hospital, a police station or a storeroom—is of paramount importance. My department will continue to monitor these companies whilst this product remains in the community. As I said yesterday, I take this issue very seriously. I have instructed that each of the 79 projects awarded to this company be completely reviewed. This will obviously take some time, but I will advise the House of the results of this review upon completion. I ask the member for Currumbin to provide any information which she may have to my office that might assist in these inquiries.

Bullying and Violence in Schools

Hon. GJ WILSON (Ferny Grove—ALP) (Minister for Education and Training) (9.59 am): The Bligh government is committed to tackling the serious issue of bullying and violence in Queensland schools. That strong commitment is matched by the Catholic school system, the state school system and independent schools. This is an issue that affects the entire community, not just schools, and it is something we all need to work together to address. Schools across Queensland take this issue very seriously and work hard day after day in raising awareness that bullying and violence in schools is not tolerated. However, it is so important that we should leave no stone unturned in stamping out violence in schools.

The community's concern about this problem is clear, judging by the support shown for 'Say no to bullying day' last Friday. I congratulate the *Courier-Mail* and 97.3FM for joining forces to raise awareness around the need to take a zero-tolerance approach to bullying and violence in schools. Parents, teachers, school leaders and all three education sectors will join forces this week as the Bligh government's Queensland Schools Alliance Against Violence meets for the first time.

I am pleased to announce that Griffith University Vice-Chancellor Ian O'Connor will be the first independent chair and will lead the first meeting here at Parliament House today. Professor O'Connor will drive outcomes from this alliance of the independent, Catholic and state school sectors, the QCPCA, the P&F Association, the QTU and the primary and secondary principals associations.

We need to take action quickly on this serious issue, but we also want to ensure it is effective. That is why we have gathered together those who have firsthand experience of dealing with these issues on the ground—at schools and in the community. They will be joined by guest speakers and collaborators who specialise in researching the effects of bullying and violence and developing programs to help address these issues. By combining their knowledge and experience I believe we have the best chance of finding innovative, effective and practical solutions to this difficult and complex problem. One of its first tasks will be to consider the recommendations of Dr Ken Rigby's report, *Enhancing responses to bullying in Queensland schools*.

Professor O'Connor brings a wealth of experience to the table. He has a background in teaching and learning, social work and social policy and he has done extensive research in social inclusion, juvenile justice, child welfare and the future directions of social work and human services. He has served as a consultant to or as a member of various government and non-government bodies. I know that his considerable skills will help ensure the alliance achieves positive outcomes for the community. I look forward to working with Professor O'Connor and the rest of the alliance.

Heavy Vehicle Breakdown Response Service

Hon. CA WALLACE (Thuringowa—ALP) (Minister for Main Roads) (10.02 am): Just like the Cowboys will get on the road and beat the Broncos on Friday night—

An opposition member: Not a chance!

Mr WALLACE: I seek your protection, Mr Acting Speaker.

Mr ACTING SPEAKER: Order! Especially when you are speaking such sense.

Mr WALLACE: I will start again. Just like the Cowboys will get on the road and beat the Broncos on Friday night, Main Roads tells me that—

Mr Johnson: Do you support Willie?

Mr WALLACE: I think Willie will play fine for the Cowboys.

Mr Johnson: You look like him.

Mr WALLACE: I do. I look a bit like him, member for Gregory. I will take that as a compliment, member for Gregory. Main Roads tells me that the only cranes on wheels in the world are on the road helping to cut congestion on South-East Queensland's busy road network. Our new heavy vehicle recovery units have helped out at nine major incidents since their official handover late last year. Like most technology that is the first of its kind in the world, they have hit a few speed bumps along the way. My department tells me that those issues have been ironed out and the custom-built machines are attending accidents right across South-East Queensland.

These heavy vehicle recovery units are capable of lifting 20 tonnes and are ideal for the worst types of accidents: truck rollovers. In three of the most recent truck rollovers, the units took less than 20 minutes to right the trucks and clear them off the road, compared with an average of three hours using conventional equipment. When we take into account that 25 per cent of traffic congestion is caused by accidents, these new units are a welcome addition to our congestion-busting measures.

The heavy vehicle recovery units can travel at speeds of 80 kilometres an hour, are more flexible than a crane and can, importantly, operate in a smaller space. They have been custom built with five hydraulic winches and a hydraulic blade to clear debris and are equipped with cameras.

The Bligh government has been working with the industry's leading tow and crane supplier to create a prototype capable of efficiently moving rolled or damaged heavy vehicles and their loads from the road. Issues uncovered during the training period have also been remedied by the supplier at no cost to the government. The units have attended nine accidents in the greater Brisbane area, including on the Gatton-Esk Road, the Enoggera Creek Bridge and the Gateway Motorway.

The heavy vehicle recovery units are called out to truck rollovers on state roads within an 80-kilometre radius of Brisbane city.

Mr Rickuss interjected.

Mr WALLACE: I take the member for Lockyer's interjection. He knows the importance of clearing congestion quickly. When we have big truck accidents, this is good news for the people of South-East Queensland. It is all about tackling congestion and keeping traffic moving. That has to be good for motorists and the member for Lockyer.

Road Safety, Child Restraints

Hon. RG NOLAN (Ipswich—ALP) (Minister for Transport) (10.05 am): I would like to remind all Queensland parents and carers that new seatbelt and child restraint laws will come into force tomorrow, Thursday, 11 March 2010. The new rules, driven by the Australian Road Rules, require all children up to seven years old to be appropriately seated in an Australian Safety Standard approved child restraint or capsule, according to their age and size. The use of seatbelts and child restraints improves the chances of surviving a serious car crash by up to 50 per cent. This is the reason for the rule changes—to save lives and to reduce the road toll specifically amongst children.

I announced these laws on 10 September last year in order to give parents and carers time to choose a suitable restraint. As the laws will be enforced from Thursday, I remind parents or carers responsible for a child seven years or under to ensure they have the correct restraint. A driver will face a $300 fine and the loss of three demerit points for driving with a child who is incorrectly restrained.

During the past five years in Queensland there have been 51 fatalities resulting from road crashes where the child was aged seven or under. Of these, we know that at least 10 per cent were not restrained at all. Children are vulnerable, and it is the responsibility of parents, carers and drivers to properly restrain them to keep them safe. The Department of Transport and Main Roads has an online guide available to assist in selecting a suitable child restraint and I would urge parents to visit my department's website for more information. In addition to that website the government has run a comprehensive advertising campaign. The new child restraint laws have been covered extensively in the media.

Parents and carers should also check the manufacturer's product information on the child restraint to ensure the correct usage. Child restraints can be checked and installed by an approved fitter such as the RACQ, the Queensland Ambulance Service or Kidsafe. On behalf of the Queensland government, I encourage all families to view the purchase of a child restraint as an investment in their child's safety.

Moreton Bay Oil Spill, Response

Hon. KJ JONES (Ashgrove—ALP) (Minister for Climate Change and Sustainability) (10.07 am): Twelve months after Queensland's largest environmental clean-up, I am pleased to report to the House that Moreton Island has recovered well. I am also pleased that reports tabled today found that the clean-up response was effective and successful. The initial response phase of the clean-up took 14 weeks while the long-term recovery, involving rehabilitation of vegetation and the removal of the last traces of oil, has proceeded well.

Visitors were quick to return to Moreton last year, with nearly all beaches and most camping sites open for the Easter holidays only three weeks after the spill. The clean-up also fully restored operations in our national park, with the Queensland Parks and Wildlife Service seeing more bookings between December last year and March this year than for the same period the year before. That is a great indication of the support from the community for Moreton Island. This is something that all 22 agencies and some 2,500 workers can be proud to be a part of given the unprecedented nature of the spill involving 270 tonnes of oil.

The reports tabled by the Premier today raised 11 recommendations, including several that the Department of Environment and Resource Management will have a role in delivering. One of them is to have more specially trained environment and scientific coordinators. We are already delivering on this recommendation. While the Department of Environment and Resource Management already has three trained coordinators—more than Victoria and more than New South Wales—we are moving to have several more trained by the end of next financial year.

Another issue raised was the response to oil-affected wetlands on Moreton Island. We are taking all of this on board. The initial focus of the clean-up was on the beaches, as it was clearly the most extensively affected area from the spill. But in response to criticism regarding interactions between the 22 agencies involved in this massive clean-up, there is always room for improvement. A new memorandum of understanding to clarify roles, responsibilities and channels of communication between agencies during disaster responses is being developed. This MOU will ensure the protection of the environment remains paramount when dealing with incidents such as an oil spill.

Further to the wetland, I am pleased to advise that the recent reports from DERM scientists involved in the ongoing monitoring and rehabilitation of the wetlands have shown that the wetlands are now in good condition and recovering well. The oil was predominantly removed from the wetlands by hand by small teams of Indigenous trainee rangers under the supervision of, and supported by, expert wetlands scientists from our department. The measured, low-impact approach taken clearly paid off, keeping the footprint of the clean-up as small as possible and paving the way for significant regrowth to occur, which we have already seen in this area.

An incorrect suggestion was made in the report that we used high-impact suction techniques to clean up Spitfire Creek. On the contrary, the methods used were chosen specifically to minimise any harmful impact on the wetlands. They were based on experiences and lessons learnt from similar clean-ups of oil spills around the world as well as advice from local experts including Dr David Rissik, a nationally recognised authoritative wetland scientist from DERM.

Floods, Replacement of Certificates; Annual Reports

Hon. CR DICK (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (10.10 am): As we have heard over the past few days, extraordinary floods have been experienced across large parts of southern and central-western Queensland. The homes of many residents have been inundated by, in some cases, one in 100 year floods, with furniture and personal items being damaged or lost. I am pleased to inform the House that the Department of Justice and Attorney-General will assist residents of flood ravaged communities who have lost important documents in the floodwaters. The department will replace, free of charge, birth, marriage or death certificates for flood affected residents. This replacement offer applies to residents in the southern and central-western council areas of Balonne, Barcoo, Blackall-Tambo, Bulloo, Diamantina, Maranoa, Murweh, Paroo, Quilpie and Western Downs.

The recent floods, particularly those in the areas I mentioned above, have turned many residents' lives upside down, and it is important that we help in any way possible. While the loss of a birth certificate, marriage certificate or death certificate is minor compared to personal injury or the loss of property, I hope waiving the usual fees will make it easier for people recovering from the flood. People who need replacement certificates should present their damaged certificates or provide advice that they have been destroyed to any Queensland courthouse or Queensland Government Agent Program office. The free replacement certificates will be offered until 30 June 2010 for eligible residents. Sometimes it is the little things in life that make a difference. This small but hopefully helpful gesture to flood affected communities is part of this government's determination to help get affected lives back into some order after a traumatic event and help individuals get back on their feet as soon as possible.

While I am on my feet, I lay upon the table of the House the following annual reports: the Guardianship and Administration Tribunal annual report 2008-09, the Adult Guardian annual report 2008-09, and the Office of the Public Advocate annual report 2008-09.

Tabled paper: Adult Guardian—Annual Report 2008-09 [1864].

Tabled paper: Office of the Public Advocate Queensland—Annual Report 2008-09 [1865].

Tabled paper: Guardianship and Administration Tribunal—Annual Report 2008-09 [1866].

Youth Justice

Hon. KL STRUTHERS (Algester—ALP) (Minister for Community Services and Housing and Minister for Women) (10.12 am): The Bligh government is tough on youth crime and tough on its causes. Our laws are amongst the toughest in the country. Last year we expanded the youth justice act to give courts more powers to name serious offenders. We gave the courts extended powers to impose curfews on young offenders. We have the toughest penalties ever seen in this state, and we support jail time for young offenders where it is needed. I have been on a mission to see firsthand what works. I have been travelling around Queensland meeting with youth justice workers, meeting with police, talking with experts and visiting youth detention centres. Police and youth workers tell me that young people are shaking in their boots during youth conferences when they come face to face with their victims. They have to face up to the consequences of their actions and reach agreement on how to repair the harm they have caused. It is holding young people accountable. It is a very effective program.

I have looked at the evidence that shows that in about 98 per cent of cases there is an agreement reached and a high rate of follow-through on these agreements. I have met with officers from Hong Kong who were visiting Brisbane to be trained further on our youth conferencing program. They have introduced our model in Hong Kong, and we all know Hong Kong is not soft on crime. We also know that to tackle youth crime we have to tackle its causes. That is why we are tackling homelessness, we are tackling substance abuse, we are tackling school attendance and we are tackling family issues. For example, we have set up the innovative Logan Beenleigh Young Persons Project. Through the program we provide an intensive casework support system to sort out housing issues, family issues, mental health issues and the range of other things underpinning offending behaviour. We fund anger and aggression programs and youth homelessness services training programs all around the state to help young people get their lives back on track.

Youth crime is down. The latest annual report from the Queensland Children's Court shows the number of young people appearing before the court has dropped by 3.5 per cent. Police contacts with young people have dropped six per cent. Drug charges are down 21 per cent. Motor vehicle theft charges are down 12 per cent. Assault charges are down nine per cent. The Bligh government has a balanced approach to youth justice, and I am on a mission to make sure we get in early to get young people back on track and we get in early to make our communities safer.

Australian PGA Championship

Hon. PG REEVES (Mansfield—ALP) (Minister for Child Safety and Minister for Sport) (10.15 am): Yesterday I was pleased to announce that the Bligh government would be continuing its investment in the award-winning Australian PGA championship. The championship will be held at Coolum for a further three years from 2010 until 2012. The remarkable course at Coolum and the overall destination are what sets this event apart and they are major factors in why we have been able to keep the PGA here in Queensland when so many other Australian states would love to get their hands on it. 2010 marks a decade of support for the championship, and each year the field of players and the events off the course get better and better. The event celebrated its centenary in 2005 and since then has increased its profile as part of the OneAsia Tour and attracted international broadcast coverage which promotes Queensland around the globe.

We support events like these because they are great for jobs, the economy and tourism in the region. The PGA on the Sunshine Coast is estimated to bring an annual injection of more than $11 million to that region. It also generates more than 100 full-time equivalent jobs for Queenslanders. I also want to take this opportunity to thank Mr Rod Pampling for his support of the PGA. He is currently ranked in the top 10 of Australasian players and over the years has been a great ambassador for the event. I know after talking with him yesterday that he is very keen to finally get a chance at winning the PGA championship in Coolum, being as it is in his home state. Queensland Events has also worked hard to create a host of well-supported tourism events around the championship. The PGA ladies lunch and the junior and amateur golf events all create a substantial boost to Queensland's profile and the tourism economy.

The championship has also won the highly coveted major festivals and events category at the Queensland Tourism Awards, and that shows that it is not just about the golf. We know that players love the venue and destination. They bring their families and stay for a holiday on the Sunshine Coast, and who could blame them? We are pleased to have confirmation that they will continue to return here for at least the next three years. This event demonstrates how the Bligh government is working hard to attract and keep major sporting events so that Queenslanders can enjoy the important economic benefits that they bring.

Rural Women's Award; Flood Recovery Grants

Hon. TS MULHERIN (Mackay—ALP) (Minister for Primary Industries, Fisheries and Rural and Regional Queensland) (10.17 am): Tonight the winner of the 2010 Rural Women's Award will be announced in Brisbane and there are four impressive finalists: Sharyn Garrett, Executive Officer of the Booringa Action Group and macropod harvester from Amby; Dr Geraldine McGuire, Director of Rainforest Bounty from Malanda; Jane Milburn, freelance writer and media consultant from Brisbane; and Karen Siepen, Director of Renewable Carbon Resources Australia who is based in Charleville. In Karen's case, she has gone to great lengths to be here tonight. Her business manufactures charcoal carbon which improves soil productivity and is also used in the restaurant industry. Her finalist profile says that her daily challenges include 55 degree heat in summer, venomous snakes, unreliable generator power, patchy telecommunications and isolation. Now she can add floods to that list! On Sunday Karen had to be airlifted by the SES from Murweh Station, about 100 kilometres south-west of Charleville, after running out of food. Her business has suffered serious flood damage, and that comes after a locust plague and a mosquito plague.

But Karen is an example of the remarkable resilience of rural women. In Karen's words, 'You can't kill us with a stick.' She said that she did not withdraw from the awards so as to set an example for everyone in Charleville to just keep going when things get tough. I wish her and the other deserving finalists the best of luck. The winner receives a $10,000 bursary designed to assist them in developing their skills and leadership potential in primary industries.

I welcome the special flood recovery grants, announced yesterday by the Premier and the Prime Minister, to help primary producers and small business. Up to $25,000 is available and this provides flexibility. For instance, producers can use the funds for fodder drops to feed stranded livestock and small business can use the funds for the replacement of stock that is essential to the immediate resumption of trading. QRAA is administering these grants and I urge producers to contact QRAA for advice on how to use this funding.

Respite Care

Hon. A PALASZCZUK (Inala—ALP) (Minister for Disability Services and Multicultural Affairs) (10.20 am): The Bligh government is doing more than ever to support Queenslanders who care for family members with a disability. Over the last decade, we have delivered an unprecedented funding boost for respite services across this state. During this period our support for non-government respite services has increased more than tenfold—from $2.3 million in 2001 to $28.4 million at the end of the last financial year. That is great news for hundreds of Queenslanders with a disability and their families. It is great news for the families that I met at the official opening of Ashgrove's new $2 million respite centre in January. The member for Ashgrove and Minister for Climate Change and Sustainability was also present at the opening of this new state-of-the-art facility, which will benefit 45 families. The new Ashgrove Respite Centre will provide local people with a disability with up to 20 nights of respite care a year. It will give them the specialised care and support they need while their families get the chance to enjoy a well-earned break.

This is another example of the Bligh government delivering services to those who need them the most, and extra funding for respite services is an issue that I will continue to raise with the Treasurer in the lead-up to this year's budget. Caring for a family member with a disability is often a full-time job—one that can put enormous pressure on families and individuals. Families across Queensland are always telling me how much easier their lives would be if they could access just a couple of extra hours of respite care each week. Carers deserve a break to recharge their batteries and to do things for themselves that they often neglect because of their commitment to loved ones. I am talking about simple things like attending medical appointments or catching up with friends for a cup of tea, which most of us take for granted.

Carers play a crucial role in our community. Our investment in stronger respite services across the state helps hundreds of Queenslanders to enjoy a well-earned break from their role as carers. We recognise the important role respite care plays in keeping families together and strengthening their ability to care for their loved ones. Carers can always count on the support of this government.

Floods, Fake Charities

Hon. PJ LAWLOR (Southport—ALP) (Minister for Tourism and Fair Trading) (10.22 am): Floods in South-West Queensland last week destroyed the homes and lives of so many residents. The Premier herself encouraged people to give generously to the disaster relief appeal for flood affected communities. This is a great initiative and will go a long way towards helping those who need assistance at this difficult time.

However, I feel that it is timely to warn people to watch out for bogus charities that might come out of the woodwork to cash in on people's generosity. It is a sad but unfortunately true story. Each year the Office of Fair Trading receives complaints about fake charities collecting money under false pretences. They seem to use natural disasters as an opportunity to take advantage of people's goodwill and good intentions.

There have been no reports so far of this occurring in relation to the flood victims, but it is a timely reminder to those who donate to make sure that they are donating to legitimate charities. The OFT's advice is to consider going directly to a reputable charity's website or, alternatively, contacting a charity directly by phone to find out the most effective and safe way to donate to the appeal.

Additionally, I wish to warn those flood affected residents to be alert for dodgy travelling handymen who rip people off and do shoddy work. The problem is that they often overcharge or completely rip people off. They usually pressure people and demand cash upfront, sometimes even driving them down to ATMs to get their money. If you do not know the company, go online to check their website, call their head office to confirm their existence or perhaps check with someone else in town for whom they have done work. Additionally, check that they have an identity card with their full name and address. For any building work, tradesmen should also be able to produce their Building Services Authority licence which says they are licensed to do that work. A simple check to see if they are licensed can be done on the BSA's website, www.bsa.qld.gov.au.

Emergency Services

Hon. NS ROBERTS (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (10.24 am): The Bligh government continues to fund additional front-line police, paramedics and firefighters to help our emergency services agencies make our community safer. Over recent months, 92 new police officers have been welcomed into the Queensland Police Service's ranks. These officers will be based at Rockhampton, Cairns, Gympie, Maryborough, the Sunshine Coast, Townsville, Ipswich, Toowoomba, Dalby and at stations across greater Brisbane. The employment of these officers supports the government's commitment to boost the number of police officers in Queensland by at least 600 this term. The employment of the first 200 additional officers this financial year is part of a record $1.7 billion budget allocation to the Police Service.

Our commitment to front-line services was highlighted in the recent report on government services, which showed that the number of Queensland operational police per 100,000 people was higher than the national average, New South Wales and Victoria. Queensland has 265 police officers per 100,000 people; Victoria has 206; New South Wales has 237; and the national average is 250. To repeat, Queensland has 265.

The Queensland Ambulance Service has also recently welcomed new advanced care paramedics. Thirty-two paramedics graduated in January from the emergency services academy and are now working across the state in towns and cities including Gordonvale, Springwood, Kenmore, Caloundra and Townsville. This Friday I will attend another QAS graduation, celebrating the achievements of another 48 new advanced care paramedics. The Bligh government's commitment to supporting the QAS has delivered the highest number of paid personnel per 100,000 people in the nation, with an additional 250 ambulance officers last financial year and 50 this year. Queensland has 55.9 ambulance officers per 100,000 people; Victoria has 43.4; New South Wales has 42.1; and the national average is 43.2.

Eighteen new firefighters also recently graduated and joined the ranks of the Queensland Fire and Rescue Service. These firefighters are now working to protect the communities of Airlie Beach, Ayr, Beenleigh, Charters Towers, the Gold Coast, Ipswich and Mackay.

The Bligh government's investment in community safety has played a vital role in protecting jobs and front-line services. There is a clear difference between the Labor government and the National opposition: we have made jobs our top priority and are working hard to drive job creation and growth. The Nationals, as we have seen from their policy announcements, are all about job cuts, which would have a significant impact on front-line services.

Sewage Treatment Projects

Hon. D BOYLE (Cairns—ALP) (Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships) (10.27 am): Today, I am pleased to announce $12 million to support three councils to deliver four sewage treatment projects—four projects to reduce the impact on ratepayers of these important council projects that are aimed at meeting the challenges of population growth and protecting the Great Barrier Reef.

The Bligh government is providing Hinchinbrook Shire Council with new funding of $6.6 million and Whitsunday Regional Council with new funding of $3.6 million, and Tablelands Regional Council will receive $1.8 million that was previously committed by the Premier in the Cairns plan. This funding will support projects linked to the Ingham, Dungeness/Lucinda, Proserpine and Kuranda sewage treatment plants. The existing plants are all more than 20 years old, so the upgrades are essential to ensure that those councils continue to meet the Department of Environment and Resource Management's stringent environmental standards.

Today's announcement is in addition to more than $100 million in funding that we are providing to councils in 2009-10 to support upgrades of 18 water treatment facilities, with 14 of these to have significant benefits for the Great Barrier Reef.

Drink Driving

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (10.28 am): I rise briefly to clarify something that I said in an earlier ministerial statement. I understand that I inadvertently referred to people having a blood alcohol reading of .5 when I meant .05.

NOTICE OF MOTION

Health System

Mr LANGBROEK (Surfers Paradise—LNP) (Leader of the Opposition) (10.29 am): I give notice that I shall move—

That this House supports the right of Australians to know what happens to a state health system when Kevin Rudd is in charge and calls on the Premier to put into the public domain all cabinet submissions pertaining to Queensland Health for the period 1992 to 1995 when Kevin Rudd was responsible for overseeing health policy as the most senior bureaucrat in Queensland as a director-general of the office of cabinet.

QUESTIONS WITHOUT NOTICE

Sale of Public Assets; Valuation of Land

Mr LANGBROEK (10.30 am): My first question without notice is to the Premier. Yesterday up to 2,000 workers seeking to keep their jobs marched to the gate of parliament only to be turned away and belittled by the Labor Premier when she refused to meet them. On the same day property developers who had already had their private audience in the Premier's office were rewarded when she caved in on land tax. To use a colloquial expression, why do developers get the goldmine whilst Queensland workers get the shaft?

Ms BLIGH: I thank the honourable member for the question. What an extraordinary question from the opposition which opposed the government's changes to valuations. Who were the boosters for the property industry in the debate on land valuations? The member for Surfers Paradise led the charge. It was the member for Surfers Paradise who led the charge as a booster for the property industry when it wanted to evade the land tax that it was to pay to the people of Queensland.

There is a very clear explanation for the decision the government took in relation to property valuations. We sat down with representatives from the industry, as we do with other stakeholders on a range of issues on a regular basis. They had some sensible alternatives to put to us that achieved the same aim. We validated all past valuations. There was no win for the property sector there. It is not something unusual in government to sit down with stakeholders and, if there is a better solution, to work to make it happen.

What is the difference? Every single time we have sat down with unions on the issue of asset sales—and I have done it over and over and over again; I met with a delegation of them yesterday and received the petitions—they have not put forward any alternatives to government. The only alternative that they are prepared to contemplate is that the government drop the asset sales and, as a consequence, stop the building program. I have had senior union representatives say that we should stop funding the infrastructure program. That would mean that the hospitals that we are currently contracted to build, the roads that we are building and the schools that are part of our future program would not be built. The only unions that would see jobs lost out of that program are the CFMEU, the BLF and the ETU, because if we do not build the infrastructure there are no jobs. When the new QRNational public company runs QR rail will there be jobs? You bet there will be. There will be more jobs than there are now. This will be a company that will grow.

Let us have a look at what happened yesterday. There was an attempt by the members opposite to make heroes of themselves during the rally. The deputy opposition leader, Lawrence Springborg, was the only politician to show his face on the balcony. Instead of cheers he was greeted with cries of 'Jump, Borg. Jump, Borg.' The great hero of the working people of Queensland, the leader of the fraud squad over there, was seen for what he was.

Solar Hot Water Program

Mr LANGBROEK: My second question without notice is to the Minister for Tourism and Fair Trading. One year ago the minister was warned in writing by a person who was to become a government partner in the failed Solar Hot Water Program that the scheme was ill conceived, would threaten jobs and that the industry lacked the capacity to meet forecast increases in demand without jeopardising safety compliance. I ask: can the minister assure the House that all 1,600 solar hot-water systems have been checked and are safely installed or is this just a Bligh Labor government repeat of the Peter Garrett foil insulation scheme?

Mr LAWLOR: I am not aware of the details of those 1,600, but I will undertake to find out and report back to the House.

LNG Industry

Mrs KIERNAN: My question is to the Premier. Can the Premier update the House on the progress of the LNG industry which could create 18,000 jobs for Queensland?

Ms BLIGH: I thank the honourable member for the question. The member for Mount Isa knows better than most in this House the extraordinary opportunities that are created when our resource wealth can be brought to its full potential. The LNG industry in Queensland is really coming to life. It is growing in strength and it is getting ready to take on the world. Last night at Parliament House I was very pleased to attend the reception of the launch of a new joint venture here in Queensland called Wood Group Wagners. Many people here would be very familiar with the great work that has been done by the Wagners company for many, many years here in Queensland. They are one of the great family owned regional businesses of this state.

Opposition members: Hear, hear!

Ms BLIGH: I am glad to take those interjections. The company has joined in a joint venture with one of the global energy giants, the Wood Group. The point of the joint venture is to give them the best opportunity to get ahead of the competition that will be in the LNG sector and compete for jobs in that sector. It is anticipated that this joint venture could create up to 1,000 jobs in the Toowoomba region alone. The Wood Group has vast experience in the global CSG industry. It will bring its know-how to the local supply chain capability that is Wagners.

As a government we are working hard with the industry to make this industry a reality. It is one of the key planks of our job strategy and we are already seeing the market come to life in relation to it. Just this week we have seen the approach by international giants Royal Dutch Shell and PetroChina, who have launched a reported $3.3 billion takeover offer for Arrow Energy. This is an effort to consolidate in the industry that has the capacity to accelerate activity in the industry. As welcome as these large global players are and as welcome as their investment is, this government unashamedly wants to make sure that wherever possible Queensland companies get a slice of the action. That is why joint ventures like Wood Group Wagners are so important to our economy.

We are making LNG happen. Whether it is developing infrastructure, like the state development area at Curtis Island and the pipeline into the Gladstone area, whether it is streamlining the approval processes—last week we set up a cabinet subcommittee chaired by the Treasurer to ensure that those processes proceed smoothly—whether it is planning for population growth like the release last week of the Surat Basin Future Directions Statement looking at where population growth will happen or whether it is developing skills through the new $10 million CSG LNG Skills Plan, in every one of those areas this government is working to make LNG happen. Why? Because it will create jobs. It will create jobs in the south-west in the coal seam gasfields, it will create jobs in and around Central Queensland and it will create jobs in the many industries throughout Queensland that supply to those industries.

Office of Climate Change, Staff Morale

Mr SPRINGBORG: My question without notice is to the Premier. Now that the government's showpiece green initiative, the solar hot-water scheme, lies in tatters, I refer her to her showpiece green policy division, the Office of Climate Change, where staff morale also lies in tatters. In particular, I refer to the six exit statements from staff leaving the Office of Climate Change which rates team morale in that office as poor, average, poor, average, average and very poor. Has the Premier identified why there are such appallingly low levels of staff morale in the Office of Climate Change?

Ms BLIGH: Can I ask for the document? Thank you, Mr Acting Speaker. In relation to this document, I know that there are a number of other questions and I am just seeking to identify them. Exit interviews are not unusual.

Mr ACTING SPEAKER: I take it that that document is tabled? Yes.

Tabled paper: Exit interview information from the Department of Environment and Resource Management [1867].

Ms BLIGH: In the public sector it is not unusual—in fact, I think it is good practice—for exit interviews to be conducted when people leave any part of the organisation so one can understand what might be the cause of people moving on. Obviously, there are all sorts of reasons for people leaving. The same six people that the member for Southern Downs referred to were also asked the question, 'Would you recommend this agency as an employer to your friends and family?' All but one of them said, 'Yes.' The next question was: 'Would you reconsider employment with the agency in the future?' Four out of the six said, 'Yes.'

There are two things happening here. This is a continuation of the constant grubby attempt by the opposition in relation to the work of my husband, and everybody knows what is going on with that. This document says that the people who left the office would recommend it as an employer and would consider coming back in the future. Secondly, this is part of the constant efforts by those opposite to

undermine the existence of climate change altogether. These people are the climate change deniers of Queensland politics. They do not believe in the protection of the Great Barrier Reef and they do not believe in the rollout of our ClimateSmart homes project.

Of course, the Leader of the Opposition could not have asked this question because he has seen a staff turnover higher than one would expect to see in any office anywhere in government. Four staff left after the forced resignation of his chief of staff. In one week he lost five people over one issue: billboards. I wonder what the exit statement of his chief of staff was after the chief of staff had to take the wrap for the Leader of the Opposition's stupid and ultimately potentially corrupt and dishonest billboard fiasco. I bet he did not have the courage to conduct an exit interview. This is a pathetic attempt from an opposition that is bereft of ideas.

Bligh Labor Government

Mr HOOLIHAN: My question without notice is also to the Premier. Can the Premier please inform the House on how the government is delivering on its many commitments across Queensland?

Ms BLIGH: I thank the honourable member for the question. We are absolutely determined to deliver for the people of Queensland. We said that jobs would be our No. 1 priority and that is what we are delivering. Over the past six months 18,000 jobs have been created and we intend to continue that trend with as much diligence as we can possibly bring to the task. As I have outlined, we are delivering on our building program, which is delivering jobs right across Queensland. Projects in our building program are going full steam ahead. Yesterday, with the able assistance of young Jack Ford, the Deputy Premier and I turned a sod on the new Queensland Children's Hospital. As the member for Keppel will know, we are just about to open the Yeppoon Hospital, which has been operational and provides great services for the people of his area.

We are delivering on our Green Army program. When I last updated the House on that program, we were 10 per cent above our annual target. Currently, it is 15 per cent above the annual target, with 883 work placements, 62 projects and 306 traineeships. We are facilitating the LNG superhighway into Curtis Island and we are delivering for regional communities, including $222 million for redeveloping the hospitals in Cairns, Mackay, Mount Isa, Townsville and Rockhampton. We have delivered the Toowoomba and Cloncurry pipelines, the Jilalan rail upgrades, the Forgan Bridge, the Bundaberg ring-road and the list goes on.

How does that compare to those opposite? What is the opposition's jobs target? Zero! They do not have one. We have created 18,000 jobs, but they committed to minus 12,000 jobs. What is their plan for our building program? They do not have one, other than to abolish significant parts of it. Do they have a Green Army plan to support jobs and the environment? No, and they have not said whether they will keep it. What is their plan to support the LNG industry? None! How does that compare to conservative parties in other states? In South Australia, the Liberals' website shows 25 policies; in Tasmania, the Liberals have 68 policies; in New South Wales, 34 policies or discussion papers; in Victoria, 44 policies are listed. On the Queensland LNP website, under the heading 'updates and initiatives', what does it say? Zip, zero, nada, zilch, nothing! It is no wonder that they had to call in John Howard to help. He said, 'Take a look at me, I'm yesterday's hero.' Bring him on down. What we see is a group bereft of any ideas to take this great state forward.

Solar Hot Water Program

Mr NICHOLLS: My question is to the Treasurer. I refer to Bligh Labor's aborted Solar Hot Water Program that promised 200,000 cheap units for Queenslanders but that has delivered less than one per cent of the units promised. Will the Treasurer advise how much has so far been spent or committed to this failed scheme and how many units have been purchased or ordered by the government?

Mr FRASER: I thank the shadow Treasurer for his question. The government remains committed to delivering a solar hot-water program. Given the changes that the Commonwealth government has announced of course it is the case, as the government announced yesterday, that we have suspended our program and will redesign it. Members should make no mistake: we will introduce a new solar hot-water program to ensure that Queenslanders get the benefit of our commitment to the solar industry.

I can report to the House that to date this year net expenditure on the Solar Hot Water Program stands at just a tick under $2.5 million. In the budget last year we provisioned $27 million from the Climate Change Fund to support the program. Obviously, given the changes that have occurred, we are now redesigning the program. If that requires us to increase our funding commitment to ensure that Queenslanders can get access to a solar hot-water system for the benefit it provides to them in their households, the benefit it provides to them in dealing with energy bills and for the benefit it provides to the whole community and the environment in reducing the carbon footprint through the heating of solar hot water, we will confront that as a government.

Members should make no mistake: we believe in supporting the solar industry in this state. We believe in providing the benefit of a solar hot-water program to the residents of Queensland who need it most. That is what we remain determined to do, despite the changes that have been brought without notice by the Commonwealth government. What has not changed is our commitment to deliver a program. We intend to provide the details of that new program as soon as humanly possible. We will make sure that, as we design a program in the arena post the changes from the Commonwealth government, that program will, in fact, have the ability to provide support to those Queenslanders who need it most.

It stands in stark contrast to the opposition's complete absence of policies and commitment, not only to supporting Queenslanders who need it most but also to the solar industry in this state. I remember a day many moons ago when a former Leader of the Opposition, now the Deputy Leader of the Opposition, stood grandly in the parliament and declared his intention to support the solar industry. Quick as a flash, since then what has happened? Zip, nada, zilch! We have not heard a word, a program, a policy or a proposition. Ever since then, all we have heard from those opposite is a knock, a whinge and a cry. There is a bit of hand wringing about every program put in place by this government, but what do they propose? They propose nought. What do they oppose? They oppose everything and the people of Queensland are seeing through it. They know that this opposition—the best resourced opposition—continues to lie in the hammock on the veranda and earns not a jot of the money that it is paid to do its job.

Swine Flu

Mr RYAN: My question without notice is to the Deputy Premier and Minister for Health. Can the Deputy Premier and Minister for Health please update the House on the progress of the school based swine flu vaccination program?

Mr LUCAS: I thank the honourable member for his question. He has taken a particular interest in this subject matter, as have many members of the House. The honourable member was in fact at one of the schools in his electorate last weekend. What school was that?

Mr Ryan: Morayfield.

Mr LUCAS: Morayfield, where the swine flu vaccination was being rolled out, and he was there talking to people and encouraging them to have their vaccinations. I am aware that the honourable member has already been vaccinated, as have I. I would urge members on both sides of the House not only to take advantage of these clinics with their families but in particular to take the opportunity to encourage people in their electorates to avail themselves of the opportunity.

The expert advice says that we can expect a second wave of swine flu epidemic to strike the world. We certainly know with the Spanish flu after the First World War what a real issue that was at that time. The number of deaths from swine flu reported globally by the World Health Organisation has increased from 8,700 at the end of November to more than 16,200 in the latest report. We owe it to our children to give them the best start in life. These vaccination clinics are particularly helpful not only for families but also for children under five years of age, who have had the highest hospitalisation rate of all age groups. It is not just for families. You would not want one of your sons or daughters to get swine flu and then pass it on to your mother or father. So vaccinations are there for everyone.

While the vaccination clinics are based at schools, the vaccination is available free to anyone who wants it. The first clinics began on 22 February, and in just two weekends more than 30,000 people have been immunised at the free school based clinics. Over the past two weekends 88 clinics have been conducted across the state, with another 160 over the next three weeks. There is one at Bayside Secondary College in my electorate this weekend.

In Mount Isa, 17 per cent of all people vaccinated in the district got their vaccine at their local school clinic. In Mackay it was 13.7 per cent. In the Sunshine Coast-Wide Bay area, nearly 4,000 people were vaccinated over the first two weekends. I would encourage people in the Sunshine Coast-Wide Bay area to have their vaccinations because traditionally that area has had low vaccination rates, particularly in the hinterland. We saw similar results across the state, with 3,200 in the Darling Downs-West Moreton area; 2,800 on the Gold Coast; 3,700 in Mackay, as I said; and 9,700 across Brisbane.

In just over a month the total number of people immunised across the state through all providers, including GPs in Queensland Health, has risen by 130,000 to over 680,000. If you get the vaccination, that then means that when swine flu comes back you will not be in a position where you can get it or, even if you would not get very sick as a result of getting it, you cannot pass it on to someone else. This is a very important initiative. It is free. I want to encourage everyone to avail themselves of this initiative as so many other people are doing.

Comments by Minister for Public Works and Information and Communication Technology, Sale of Assets

Mr SEENEY: My question without notice is to the Minister for Public Works and Information and Communication Technology. I refer to the comments the minister made yesterday when he said that Queensland coal companies were bludgers, and I ask: can the minister explain this comment to the parliament and tell us how these insults will further the interests of Queensland taxpayers in the government's bid to privatise the coal transport assets of Queensland Rail?

Mr SCHWARTEN: I do not know how that question relates to the portfolio of public works; I made those comments as a local member. But I am delighted to take up the challenge.

Mr Lucas: Self-effacing as you are.

Mr SCHWARTEN: Exactly. I stand by what I said yesterday. It comes as no surprise to me that those who sit opposite would endorse a system that has allowed QR to borrow on the public account on the basis that it helps out wealthy coal companies. It does not come as any surprise to me because, if we look back at the history of the state, QR was set up back in the Bjelke-Petersen days to subsidise the coal industry to bring it into Queensland. That is the reality of it, and that has continued to be an accepted fact in Queensland.

An opposition member: It has earned a lot of money for you over the years.

Mr SCHWARTEN: The reality is that when we put it on our balance sheet and not theirs—

Ms Bligh: At our cost of capital, not a commercial rate.

Mr SCHWARTEN: It is costing our capital. So for every dollar that we borrow for schools, hospitals and all the things that people come banging on my door wanting more money for—more money for disabilities, more money for every single service that the government runs—unfortunately not one person has ever knocked on my door and said, 'Please borrow some more money on the public account at a higher interest rate for a coal train.' Not one person has ever said that to me, and that is the problem.

With regard to Mr Roche and all those other people who want to stand up for the mining industry, that is their right to do so. But I need to stand up for the taxpayers. If you want to take the side of the big, wealthy, multinational coal companies, that is no surprise to me. That is what tories do. That is what they are supposed to do. At least you are true to form.

As for privatisation, don't you ever lecture me about privatisation. My dear old father was privatised out of a job with his holiday pay and his kick. That is the way you privatise things. That will not be happening to the people who elect me in Rockhampton, and it is pleasing to have the level of support that I have there on this most difficult issue.

Opposition members interjected.

Mr SCHWARTEN: What of the people who were down there with the SEQEB workers, defending them? I was putting a third of my pay in to help support those people who were on strike, being harassed by the coppers who were put on me by the Bjelke-Petersen government. I find it very rich of the people opposite to start lecturing me and hectoring me about privatisation—1,200 jobs out the door, super gone, houses gone.

Opposition members interjected.

Mr SCHWARTEN: You do not like the history. You do not like the truth. It makes you squirm, but that is what you low people—you low, filthy tories—do when you get your hands around the neck of the worker.

Opposition members interjected.

Mr SCHWARTEN: We all know that—the scum that you are when it comes to the working class people of this state.

Opposition members interjected.

Mr ACTING SPEAKER: Order! The House will come to order. Minister, your language is unparliamentary and I ask you to withdraw.

Mr SCHWARTEN: I withdraw, Mr Acting Speaker.

Innovation

Mr SHINE: I direct my question to the Treasurer and Minister for Employment and Economic Development. Can the Treasurer update the House on government initiatives that encourage innovation in Queensland, particularly in the Toowoomba region?

Mr FRASER: I thank the member for Toowoomba North for his question and for his commitment to supporting business and industry not only in his electorate but in his city more generally and in the region of the south-west of Queensland. It is good that his efforts were recognised last night at the announcement of the joint venture between the Wood Group and Wagners for his support for the development of that business and indeed industry across Toowoomba North.

The government remains committed to supporting innovation and supporting businesses to innovate for the future. Today I can announce the next round of the Proof of Concept Fund allocations which support businesses to develop new products. Two of the three businesses are from Toowoomba. Those businesses are BAC Advanced Composites Technologies and Stahmann Farms. BAC Advanced Composites Technologies are using fibre composites to improve the strength of building products that will benefit the building of structures such as jetties and boardwalks into the future—cutting-edge technology occurring right in the city of Toowoomba. Stahmann Farms are using technology such as cool plasma to improve the processed products that they make through their business, such as pecan and macadamia products, to ensure that their products retain those fresh qualities. Meanwhile, a Brisbane business, Farmacule BioIndustries, is undertaking research into genetically modified sugar cane.

The $120,000 allocation across these three businesses supports that innovation, supports that research and development, and supports those products. What does that do? It delivers jobs. It supports jobs. It creates the opportunities, the technology and the jobs for the future. I thank the member for Toowoomba North for his advocacy for the Toowoomba region and indeed most of the south-west of the state. If you need further proof that the shadow Treasurer continues to have no concept after his embarrassing question yesterday, look no further than the embarrassing press release he put out last week about the annual result for the Queensland Treasury Corporation for 2008-09. Yes, it was not a recent result but a result that was published not last week, not last month, but last year in September.

Quick as a flash, what happened? A magazine, not last month but indeed in January, published an article about that result some seven or eight months later, and the shadow Treasurer, who was clearly sitting around in the dentist waiting room or at the hairdresser, has picked up a copy of a two-month-old magazine and found the article and, with all the research effort in the world, has come out and talked about this result. Well, it was grossly irresponsible. It demonstrated his lack of application to task. It more dangerously represented that the shadow Treasurer has a Barnaby Joyce approach to his role. We may not take what he puts into this parliament seriously but unfortunately, by virtue of his position, the international marketplace does take notice of what shadow ministers say. As the shadow Treasurer seeks to go overseas and help represent the state, he needs to understand the responsibility he has, and that responsibility starts with putting out some policies.

Mr Seeney interjected.

Mr ACTING SPEAKER: Order! Member for Callide, I have asked you three times this morning to maintain the order of the House.

Hospital Closures

Mr McARDLE: My question is to the Minister for Health. Clinicians in New South Wales have estimated that 117 hospitals could close under Kevin Rudd and Labor's national health plan. No doubt Queensland Health has also done similar preliminary impact assessments. Will the minister now reveal how many Queensland hospitals could be at risk of closing under Kevin Rudd's plan, or is the Bligh Labor government going to hide that information?

Mr LUCAS: I table a media clipping from AAP in which it was indicated last week that Kevin Rudd made it clear that smaller hospitals will be safe from closure under his plans. He has made that clear in the public domain. I table that.

Tabled paper: Article, dated 5 March 2010, from *The Age* by Stephen Johnson titled 'Small hospitals safe from closure: PM' [1868].

In fact, yesterday we saw for the first time I think a media release from the Leader of the Opposition, who has finally woken up to the fact that a national health reform package has been announced. What wonderful policy contribution did we have from the Leader of the Opposition? 'This is just handing it from Labor to Labor.' Of all the issues that he could have raised, of all the analysis, of all the discussion about the particular matters that the Leader of the Opposition could have had, this vacuous health qualified person was not capable of even making some points that might have had some veracity or validity. That is how bereft those opposite are. Again, they have an opportunity today in the 5.30 motion to debate the issue, but what do they do? They move some half-smart thing about Kevin Rudd and the cabinet office. They are not discussing the issues.

I do not expect any hospitals will close as a result of this. But I do know this: if there is one thing we have to do, we have to work with the Commonwealth government to deal with the fundamental problem in this Federation that those who raise the taxes are not the same as those who spend them.

What Kevin Rudd's proposal does is finally link health expenditure with that level of government that actually is increasing its capacity to raise taxes. Why is it doing that? For example, once upon a time, we raised excise at a state level. We do not do that anymore. Once upon a time, we had a swathe of various state taxes that were replaced by the GST.

Mr McArdle interjected.

Mr ACTING SPEAKER: Order! Member for Caloundra!

Mr LUCAS: Once upon a time, income tax was also levied at a state level; post the Second World War, it was not. We must have a situation in this Federation where those who are raising the taxes predominantly are contributing to it.

But the one essential difference more than anything else is this: under Howard you had Tony Abbott with his great contribution of taking over the Mersey Hospital in a marginal federal Liberal seat. What in policy did you say about that at the time? He took over one hospital in one seat. Obviously, that was an argument for a federal takeover. Howard did not match state growth, so he had the percentage go from 50 to 35 per cent. That is what the killer punch is. You have sat there with no alternative, with no other suggestion and meanwhile supported Tony Abbott. He has blocked $52 million worth of dental funding for this state but you have the hypocrisy to go on about dental waiting lists. You are a fraud and a joke and you are seen as such by everybody else.

Drink Driving

Mr FINN: My question without notice is to the Minister for Transport. Can the minister advise the House of measures the government is taking to tackle drink driving and reduce the road toll?

Ms NOLAN: Yes, I can. It was back in 1985 that the blood alcohol limit in Australia went from .08 to .05, and at that time we saw a substantial decrease in drink driving right across the country. In 1988 in Queensland we introduced random breath testing, and again drink driving took a significant step down. But last year, 71 people died on Queensland roads because of drink driving—that was 21 per cent of our total road toll. Since 2001, over 600 lives have been lost because of drink drivers and riders in Queensland. That represents 600 families and 600 sets of friends who have needlessly lost someone they loved very deeply.

The scale of the drink-driving problem in my view cannot be underestimated. Last year 29,000 people were convicted of 32,000 drink-driving offences in this state. This government is determined to take the next serious step in reducing drink driving in order to make the roads safer for all Queenslanders. We need to take the strongest possible action against drivers convicted of repeat or high-level drink-driving offences or of dangerous driving when affected by alcohol.

Later today, I will introduce a bill to establish a program of alcohol interlocks. Crucially, the legislation targets those alcohol interlocks at high-risk drink drivers. Many Queenslanders will not have seen an alcohol interlock before. It is an in-vehicle breath-testing device which is connected to the ignition. In order to start the car, you have to blow into the alcohol interlock and establish that your blood alcohol level is zero for the vehicle to start. An 'I' condition licence will be mandatory for high-risk drink drivers—that is, first-time offenders with a blood alcohol content of more than .15; repeat drink drivers—that is, those with two offences in five years; offenders charged with dangerous driving while adversely affected by alcohol; and people who fail to provide a specimen of breath. This is a comprehensive program. It will target those people who are the highest risk drink drivers. It is the next serious step in dealing with drink driving in our community, and it will make the roads safer for all of us.

National Health Agreement

Ms BATES: My question without notice is to the Minister for Health. Will the minister give an undertaking that no national health agreement will ever be signed by this Labor government without first securing a guarantee in writing that not a single doctor, nurse or allied health worker will be taken out of any community?

Mr LUCAS: I thank the honourable member for the question. I tell you what: regrettably, the wait for your first question was really not worth it, was it?

The proof of the pudding is in the eating. Under this government, we have increased employment of doctors, nurses and allied health professionals by about 12,600. I will put that in perspective for those who would rather support the ownership of a coal business and the like. The total number of people employed in those businesses that we are seeking to privatise is under 8,000. That tells you how many people we have increased it by.

What we need to understand though—and this is where the honourable member really fails to address the issues confronting Queensland—is that of course we will do things differently as time progresses. Do members know that all the train sidings in Queensland used to be where the water tanks were for the steam trains? They have changed; they actually changed how they do that. In a number of

communities in Queensland, both urban and nonurban, we have changed the nature of our health services to significantly improve them. We will make sure that everything we do with the Commonwealth will improve services. What we want to do is improve services.

Let us have a look, for example, at some of the things that might be good supports for people in rural and regional Queensland, such as the absolute increase in the level of telehealth. I was in Hervey Bay the other day when the ICU was doing a round. I was in Toowoomba Hospital where they were talking to a young lad and his mother in Dalby. We have significantly—

Mr Messenger interjected.

Mr ACTING SPEAKER: Order!

Mr LUCAS: Thank you, Mr Acting Speaker. The list goes on and on in terms of those telehealth consultations. In the old days what used to happen—and maybe those opposite yearn to return to them—is that people were treated in individual hospitals locally without very good outcomes in many instances, particularly in remote areas. The Patient Travel Subsidy Scheme last year increased its expenditure by 18 per cent, indicative of significant travel by people to get best quality care. Once upon a time—

An opposition member interjected.

Mr LUCAS: Well, would the honourable member like to return to tiny hospitals and surgical things that are not appropriate or safe based upon medical advice? What we will do in the meantime, for example, at Cairns is provide increased radiation oncology services that will benefit the entire communities that they serve. One thing which we know is that, far from decreasing, rates of surgery are increasing significantly—greater than the population rate. We know that in the future in health we will need to do more and more things for people as not only the population ages but also people's expectations about what they want out of a health system increase.

We have the second longest life expectancy on earth. By any measure that indicates the health of this health system. Of course we can do better. We always can. But for the first time, unlike Howard, whom those opposite always supported, we will now have growth funding committed to by a federal government, and that is a very good principle.

(Time expired)

International Visitor Survey

Ms JARRATT: My question is to the Minister for Tourism and Fair Trading. Will the minister please update the House on the latest international visitor survey statistics?

Mr LAWLOR: I thank the honourable member for the question. She takes a keen interest, coming from the electorate of Whitsunday, in all things related to tourism. China has emerged as a shining light in what was a challenging 2009 for Queensland's international tourism industry. The Tourism Research Australia's international visitor survey for the year ended December 2009 has revealed 153,000 Chinese visitors came to Queensland. That is up 16 per cent on the previous year. Chinese visitors also spent $287 million in Queensland, a significant 35 per cent more than in 2008, making them the fourth highest spending market.

Over the past five years the Chinese market to Queensland has grown faster than any other. It has come from 14th in 1999 to now being our fourth largest, while visitor numbers have almost quadrupled over the last decade. The Bligh government and Tourism Queensland has invested heavily in the China market and we have had full-time representation in Shanghai for over a decade. As part of the Tourism Action Plan to 2012, the state government has allocated more than $1 million for activities in China. This week a group of 25 tourism operators from tropical North Queensland, the Gold Coast, Brisbane and the Whitsundays are travelling to China as part of a Tourism Queensland led sales mission called 'Queensland on tour'.

Overall the global financial crisis has continued to impact on international travel to Queensland, with 1.97 million international visitors travelling to Queensland in 2009. That is a decrease of four per cent. Much of this decrease could be attributed to the ongoing decline of the Japanese market, which fell 24 per cent over the year to 205,000 visitors. Japan remained Queensland's third largest international market, and Tourism Queensland and partners are committed to that market.

Given that 2009 was one of the worst years on record for international travel, particularly for those travelling on holiday, it is positive to see that, overall, Queensland's major international markets held their own and signs are positive for a return in travel confidence in 2010. You might remember that the former opposition leader, Mr Springborg, would not even acknowledge that there was a global financial crisis, would not acknowledge that that would impact adversely on the tourism industry, would not do anything to support the industry. In fact, his policy was to remove $12 million from the QIIS program. That would have decimated the tourism industry. Further to that, his proposal to cut 12,000 jobs would have also impacted on the tourism industry.

Pacific Adventurer, Oil Spill

Ms SIMPSON: My question is to the Minister for Transport. I refer the minister to the independent review of the *Pacific Adventurer* oil spill tabled today. In a damning indictment of government readiness, it reveals that Maritime Safety Queensland was not equipped to respond to a major oil spill as there was no plan. I ask why the minister and the government at the time claimed that everything that could be done was being done?

Ms NOLAN: It is really quite misleading to describe the report tabled today as a damning indictment of the oil spill clean-up response. Let me read a couple of points from it for the benefit of members who have not had the opportunity to read the full report. On page 5 the report states—

... overall the response to the incident was effective and generally in accordance with the policies and procedures set out in the National Plan ...

Later in the report it states—

Overall there was good interaction and cooperation between agencies which may be attributed to the oversighting role provided by the Queensland Deputy Premier and the State Disaster Management Group.

The report at a later point describes the clean-up effort as a testament to those involved. It notes that at very short notice many hundreds of workers were transferred to Moreton Island, where they were supported to clean up the oil by hand. It describes the clean-up effort overall as having been 'effective and a success'. It is, I think, quite a serious distortion of this report to suggest, as the member has, that it is in some way a damning indictment. Nonetheless, it is appropriate to review such a major effort as this. The report does make some recommendations about both command and control structures—which we have accepted—and some environmental processes—which, again, the government will seek to amend for future planning should something like this happen again.

Other points that this report makes which I think are seriously worth noting are that, firstly, the report confirms that the government's decision not to use dispersants was the correct one. Secondly, there is no suggestion in the report that the oil was toxic, which members will recall is what the then Leader of the Opposition suggested. This spill happened, as members will recall, at the height of an election campaign, and they will recall LNP members making absurd and ridiculous claims about the toxicity of the oil. They will also remember Campbell Newman insisting that dispersants be used. If they had been in charge, this would be a very different report and it would have condemned the actions which they were suggesting should be taken. I think we have to understand what this report says. This report is an endorsement of the approach which we undertook.

(Time expired)

South-East Queensland, Population Growth

Mr WENDT: My question is to the Attorney-General and Minister for Industrial Relations. Would the Attorney-General outline any recent initiatives within his portfolio that are responding to growth pressures within South-East Queensland?

Mr DICK: I thank the honourable member for the question. The Bligh government is prepared to make the tough decisions and face the challenges of the future for Queenslanders. That includes facing the challenges of growth. We are tackling those issues particularly through our record $18.2 billion infrastructure program.

It was with great pleasure and honour that last Saturday I was joined by the honourable member for Ipswich West, the honourable member for Ipswich and Minister for Transport, Chief Judge Patsy Wolfe and Ipswich mayor Paul Pisasale for the opening of a new piece of infrastructure, the new Ipswich courthouse. It seemed fitting to celebrate the opening of that courthouse on Saturday in the week that the city of Ipswich celebrated its 150th anniversary. At a time when we remember Ipswich's historic past, we are also looking to the future and building the infrastructure for this part of Queensland as we are building infrastructure for the remainder of Queensland. One of Queensland's oldest communities now has one of Queensland's newest courthouse facilities.

I want to acknowledge all of those workers involved in the program—builders, labourers, architects, designers, engineers, staff from the Department of Public Works and the principal contractor, Abigroup—for all their hard work, sweat, determination, ingenuity and perseverance in bringing to life this $111 million legal precinct—a courthouse, a new police station and a new 24-hour watch-house. I want to thank all of those people. I want to acknowledge the 1,000 jobs that were created through this project.

The opening of the Ipswich courthouse was a celebration of excellence in planning, in design and in construction. But there was another celebration of excellence this week and that was the 2010 Academy Awards. As I listened to the observations of the Minister for Public Works about the Oscars yesterday I was inspired and it made me think about the parallels between the Oscars and those films nominated and Queensland politics.

When we run through the list of winners we can see those parallels. First of all we have best picture—*The Hurt Locker*, starring the member for Beaudesert. There he was throwing bombs earlier in the year. Now he is in a world of hurt all on his own up the back. Then we have *Precious*—the Leader of the Opposition. He is more worried about glamour shots and billboards than he is about policies. Then we get to the blockbuster *Avatar*. There we have the Deputy Leader of the Opposition, who has turned blue because he cannot be the Leader of the Opposition. He has to live his life through his avatar the Leader of the Opposition. Then we have my favourite—the offbeat story *Inglourious Basterds*. Those people in the LNP headquarters, the old Country Party, are trying to run the show here, trying to tell the opposition leader what to do and trying to dictate what should happen here. There is one award they will not win and that is best direction for Queensland. They have no ideas, no policy and no direction for our state.

Victims of Crime

Mrs CUNNINGHAM: Sadly, my question without notice is to the Attorney-General. It is a serious question. In relation to victims of crime or the families of victims of fatal crimes who must carry a huge emotional burden during and after the tragic events, what protocols are in place to ensure these families are kept informed by the DPP of the status of their cases?

Mr DICK: I thank the honourable member for her question about what is a very important part of our justice system—that is, supporting and helping victims of crime. The Office of the Director of Public Prosecutions has dedicated victim liaison officers. They are appointed within the Office of the DPP to speak to and assist victims of crime and their families and to keep them up to date with the progress of matters as they proceed through the prosecution system. Crown prosecutors will often speak to victims. That is more often than not before a trial, to explain the process to them and answer any questions they have about the court process.

The carriage of prosecution matters varies greatly depending on the nature and extent of the offence, the type of matter before the court and the role that defence counsel plays in the matter. Sometimes it is not always possible to get all the information to victims, but it is something that I know the Director of Public Prosecutions, Tony Moynihan SC, takes very seriously. It is a matter I discuss with him. If there are any specific matters that the honourable members knows of or any problems that she might be aware of, I would be very happy to hear of those and try to iron them out for her.

We put victims of crime front and centre in our response to criminal justice matters. It is very important that victims of crime are supported and helped through the system. I would remind all honourable members of the new support system we have for victims of crime, Victim Assist Queensland, which came into effect on 1 December last year.

I would like to update the House on the work of Victim Assist Queensland. This is our new one-stop shop to provide support and services upfront to victims of crime rather than the old lump sum compensation scheme. From 1 December last year to 28 February, Victim Assist Queensland's Victims LinkUp service dealt with 1,827 client contacts which has resulted in 613 application forms for financial assistance being sent to clients.

We reach out to these victims of crime. Whether they then take up the offer to pursue compensation is a matter for them. We do our best to reach out to victims of crime and provide them with information and assistance as they require. In the first two months of operation, Victim Assist Queensland has received 160 applications for financial assistance and has conducted 31 assessments involving over $115,000 in payments for goods and services to assist victims of crimes to recover from their injuries. The number of applications received in February 2010 doubled that of the two previous months. It is expected that the number of applications for financial assistance will continue to increase.

This is a great Labor initiative. It is one of the great privileges I have had since entering this parliament and cabinet to see that the new legislation was passed by the parliament. It was supported broadly in the parliament which is a credit to all members. This government will continue to support victims of crime. If there are ways that we can make the system better, honourable member for Gladstone, we will always look to do that. I thank the member for her question.

Domestic and Family Violence

Mr MOORHEAD: My question without notice is to the Minister for Community Services and Housing and Minister for Women, and I ask: could the minister please advise the House what steps the Bligh government is taking to help stop domestic and family violence in Queensland?

Ms STRUTHERS: I thank the member for his question. He is an active supporter of domestic violence services, particularly in the Logan region. He regularly talks to me about his concerns. He, like all members of this government, gives a top priority to dealing with domestic and family violence. Later today I will join the Minister for Police at police headquarters to launch a consultation paper on the

review of our domestic violence legislation. We are calling for people to let us know what they think works and what is not working well. It will be the biggest overhaul of our domestic violence laws in 20 years. We want to hear how people feel about the integration of our support systems and how we are holding perpetrators accountable for their actions. We want to make sure we are getting it right.

Domestic violence used to be seen as a private family matter. Well, things have changed, thankfully. Finally, people are accepting that this is a community matter and that all of us must take some responsibility for it. There is still a lot of work to be done, although there are many achievements over the last 20 years. In particular, over the past five years we have seen significant increases in protection orders and people seeking help. We have also had 60 domestic violence related deaths in Queensland, and Aboriginal and Torres Strait Islander women are 35 times more likely to be hospitalised due to family violence than non-Indigenous women. These statistics must be turned around, and we are determined to do that.

The launch of the consultation paper comes on top of action we are already taking. Under our five-year strategy to reduce domestic violence entitled *For our sons and daughters*, we have established a death review panel to review domestic violence related deaths in Queensland. We are spending more than $170 million on tackling domestic violence through prevention, emergency accommodation, support for families and children, perpetrator rehabilitation, policing and the courts. In the Breaking the Cycle trial underway in Rockhampton we have established a case coordination team comprising police, child safety officers, officers from Justice and Attorney-General and Legal Aid and specialist domestic and family violence non-government services to provide a very holistic and coordinated approach to the issue in Rockhampton. It is everybody's responsibility to act to alleviate domestic violence. I urge everyone to have a say during this consultation period.

Agricultural Colleges

Mr HOPPER: My question is to the Minister for Primary Industries. How many employees of the Dalby and Burdekin agricultural colleges are going to be made redundant when the announcement of the closure of the Dalby and Burdekin campuses is made? Will the announcement be hushed up, like the recent public servant sackings from the grains research area of DPI were?

Mr ACTING SPEAKER: Two minutes, Minister.

Mr MULHERIN: Once again, the member for Condamine is showing his ignorance. We went through an extensive consultation process, which we invited the member for Condamine to be part of. Industry told us that it could not be business as usual and we would have to change. In the very near future we will be making a public announcement. It will not be hidden. The member will get a copy of the release. It will be beneficial to the sector—

Mr Hopper: How many are you going to sack?

Mr MULHERIN: There will be no sacking and no forced redundancies, in accordance with government policy. What we are proposing to do is provide more services to rural related industries. We want to make the AACC—

Mr Hopper interjected.

Mr MULHERIN: If you listen, you might learn something. We want to position the AACC to be the leading trainer of people involved in rural related industries. We have great support from organisations like QFF and AgForce in what we are trying to do to provide training to a great industry that will drive jobs in rural and regional Queensland.

Mr Hopper: What are you going to sell?

Mr MULHERIN: Stay tuned!

Mr ACTING SPEAKER: The time for question time has expired.

PRIVATE MEMBERS' STATEMENTS

Floods

Mr LANGBROEK (Surfers Paradise—LNP) (Leader of the Opposition) (11.30 am): I rise to speak about the floods in south-west Queensland that the Premier spoke about yesterday during ministerial statements. Last Friday I visited Roma and St George and was impressed by the resilience and spirit of residents. When I was in Roma it of course had had its flood event and was just beginning the clean-up while St George was awaiting it. I want to acknowledge the efforts of the local member, the member for Warrego, Howard Hobbs, who is still in the area. Yesterday he sent me photos of what was happening in Thargomindah where water is rising slowly in the main street. The surrounding areas are inundated and there will be significant upstream flows. Senator Barnaby Joyce was there when I visited St George, as was Mayor Donna Stewart of the Balonne shire and Mayor Rob Loughnan from the Maranoa Regional Council in Roma.

There has been magnificent work done by the volunteers, the SES, the police, the Queensland Fire and Rescue Service as well as the mayors I have mentioned and councillors, council staff and workers, NGOs such as the Red Cross, the RSL and churches. Many of those people devoted long hours, often without sleep, while neglecting their own properties. A great sign of the Queenslander spirit was that very few people were left in community areas to sleep overnight. Families in Roma took other families and other people in to take care of them, and that was great to see.

I also want to acknowledge the Premier's waiving of means tests for those people who were without insurance. However, I am concerned that the Premier's appeal donation of $500,000 from the state government matches the donation that the government is giving to earthquake victims in Chile. I would have thought that we could take care of our own in a slightly more generous way, and I commend others who are going to donate to this cause. I have been unable to visit Charleville due to the floods, but we need to consider the issues there about Bradley's Gully. Perhaps we need to consider making flood-prone areas flood smart.

(Time expired)

Earth Hour; Clean Up Australia Day

Ms DARLING (Sandgate—ALP) (11.31 am): Last week I joined celebrated author Nick Earls, TV personality David Whitehill and 12-year-old Isaac to make our Earth Hour pledges for 2010. This year the World Wildlife Fund is asking people to make a personal pledge to reduce their environmental footprint. At 8.30 pm on 27 March lights will be switched off across Australia and the world as millions of people show their commitment to the environment. WWF Australia climate change policy manager Kellie Caught told me that the personal pledges will add year-round action to the symbolism of turning off lights for an hour. My family has committed to converting to solar hot water this year, Nick Earls is cutting the amount of red meat he eats, David Whitehill is reducing his use of plastic bags and 12-year-old high school student Isaac has decided to switch off the TV one night per week. The Queensland government will contribute $25,000 to this year's campaign, as well as turning off the lights in many government buildings. The 1 Million Women campaign aims to have one million women across Australia commit to reducing their carbon footprint, and its website offers practical advice on what you can do at work and home. On Wednesday, 23 March the Premier and the Queensland parliament will host a free breakfast for women interested in climate action.

My son and I witnessed some very practical environmental action when we joined the enthusiastic members of the Sandgate Canoe Club on Saturday to help clean up the waterways around Shorncliffe as part of Clean Up Australia Day. Apart from the mozzies, I very much enjoyed my paddle up Cabbage Tree Creek. Within two hours club members had filled a skip with old couch cushions, car tyres, cans and bait bags. I congratulate the efforts of the Sandgate Canoe Club, which celebrates its 15th anniversary this year, and I thank the members for the effort last Saturday and all year round. Their love and respect for our local environment is inspiring.

Health System, Funding

Mr McARDLE (Caloundra—LNP) (11.33 am): Today the health minister was asked quite clearly if he would give a guarantee before this state signed up to any agreement with Kevin Rudd that not one doctor, nurse or allied health worker would be taken out of the community, and he refused to give that guarantee. He did not provide this House and this state with the guarantee that there would not be job losses right across Queensland Health and right across this state as a consequence of this government signing up to Kevin Rudd's fiasco in relation to health initiatives. This government claims jobs, jobs, jobs as its mantra. This was the opportunity here today for the health minister to come out and say, 'We will secure every position, every job, every occupation,' and he has not done so! His first opportunity on his feet in this parliament and he cannot guarantee any doctor, any nurse or any allied health professional their job in this state when this government signs up to the health agreement with Kevin Rudd!

Equally, he did not quite understand—he did not quite grasp the idea—that the federal government is not putting money into this. It is the state funds. The state GST moneys are the funds being gathered, taken, reaped away from Queensland and other states across Australia, and the health minister did not quite comprehend that there were no federal funds going into the coffers. What he tried to elaborate on is this charade perpetrated by this government that John Howard did not continue to fund the health system across this nation. Of course he did! He poured billions and billions and billions into it. In fact, he gave the states the GST which they have wasted on health for the last 10 years and which they have poured into a bottomless pit of misery, of disgust, of waiting lists, and the health minister in this state does not comprehend the role of the federal government in this process!

(Time expired)

Health System, Interns

Ms JARRATT (Whitsunday—ALP) (11.35 am): Issues around health and hospitals are certainly topical at the moment. In contrast to the latest fear campaign just launched by the member for Caloundra, I want to take a few moments to share a good-news health story with the House. Last week the member for Mackay and I had the absolute pleasure to meet with several of the 22 new medical interns who are taking up positions in Mackay, Sarina and Proserpine hospitals this month. It is interesting to note that the interns have undertaken their prior studies at universities from Tasmania to Townsville—that is right, from one end of this country to the other. You may well ask why our part of the world is so attractive to these junior doctors. The answer to this is not just to do with our great and desirable lifestyle; it is in truth probably more about the size and nature of the hospitals in our region.

I was delighted to hear several interns say that their experience at country and regional hospitals is far more intimate than at larger city hospitals, where they are often just one of many in attendance at any given time. Smaller hospitals give the interns an opportunity to be very much involved in the front line of response on most occasions. Of course they are always supervised in their work, but they can be more hands-on, which, after all, is probably the best way to learn. The other advantage in a smaller hospital is the range of case types that are encountered. A base hospital like Mackay has to deal with a whole range of conditions that occur in the local population, so the interns are exposed to a rich cross-section of experience. Having these interns at our local hospitals is a win-win scenario. The local doctors win, as the extra hands are always welcome; the interns win for the reasons I have given; and the community wins, because the interns often return to take up work at our hospitals at the conclusion of their training. So Tim Mulherin and I say welcome to the interns and thank you to the hardworking staff at our hospitals who ensure that their experience is so rewarding.

CRIMINAL CODE (FILMING OR POSSESSING IMAGES OF VIOLENCE AGAINST CHILDREN) AMENDMENT BILL

Order Discharged

Dr FLEGG (Moggill—LNP) (11.37 am), by leave, without notice: I move—

That general business order of the day No. 1, Criminal Code (Filming or Possessing Images of Violence Against Children) Amendment Bill, be discharged from the *Notice Paper*.

Question put—That the motion be agreed to.

Motion agreed to.

Withdrawal

Dr FLEGG (Moggill—LNP) (11.38 am), by leave, without notice: I move—

That the bill be withdrawn.

Question put—That the motion be agreed to.

Motion agreed to.

CRIMINAL CODE (FILMING OR POSSESSING IMAGES OF VIOLENCE AGAINST SCHOOLCHILDREN) AMENDMENT BILL

First Reading

Dr FLEGG (Moggill—LNP) (11.38 am): I present a bill for an act to amend the Criminal Code in relation to schoolchild bullying material to provide, in particular, for immediate confiscation of devices used for filming or possessing images of violence against schoolchildren. I present the explanatory notes, and I move—

That the bill be now read a first time.

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

Motion agreed to.

Bill read a first time.

Tabled paper: Criminal Code (Filming or Possessing Images of Violence Against Schoolchildren) Amendment Bill [1869].

Tabled paper: Criminal Code (Filming or Possessing Images of Violence Against Schoolchildren) Amendment Bill, explanatory notes [1870].

Second Reading

Dr FLEGG (Moggill—LNP) (11.40 am): I move—

That the bill be now read a second time.

Members will be aware that the LNP is deeply concerned about the impact of bullying against schoolchildren and the worsening of this and the even more serious and difficult aspect of bullying utilising new technologies. As a community and as a parliament, we have not yet come to grips with the new technologies that are such a big part of the lives of children. In days gone by, as we all know, bullying was taking place but now, with the advent of social networking sites, cameras, mobile phones, MMS, email and the like, images of bullying and violence, particularly assaults against schoolchildren, can be captured, circulated and posted on the internet. There really is no escape for children. I seek leave to have the remainder of my speech incorporated in *Hansard*.

Leave granted.

There is really no escape for children even if they were within their home or anywhere else.

There is no doubt that the humiliation and harm caused by this is very significant and has even been implicated in suicides of schoolchildren.

Current measures are really proving inadequate as we see frequently on the television when these images are posted and frequently bullying attacks are conducted for the purpose of filming them.

They have also become relatively common among girls.

As you will be aware, the Scrutiny of Legislation Committee indicated some concerns in relation to the first Bill I introduced in relation to this. However, this current bill has been redrafted to address those concerns.

I am particularly keen to see this parliament do something to protect children and that's why I am happy to take on board concerns raised by the Committee.

This Bill makes it an offence to film, to possess or to distribute the images.

The Bill's redraft does not affect other existing laws in relation to child exploitation material.

Penalties are higher for adults than juveniles but in particular the penalty of confiscation of devices is critical to the Bill.

To simply have a legal process that takes months and drags offenders before the court would be ineffective in protecting the community. As with hooning in cars there is a need for some action that can be taken in a timely fashion to stop the distribution of these images—once they have been posted and distributed there really isn't any going back.

So the provision allows a police officer or, if within a school ground, a headmaster/teacher or teacher aide to confiscate any devices used to film, store or transmit images.

A receipt for confiscated devices is required.

This measure allows an immediacy of response; an appropriate penalty for behaving this way in relation to the bullying of children and also for the first time gives some prospect of actually stopping this behaviour before it has gone too far and potentially caused serious harm to children.

I know in this place that Bills are frequently looked at along party lines and Opposition Bills rarely, if ever, garner the support of the government.

I think this is an important measure. I think the community is very concerned about it. We have attempted to take on board the concerns that have been addressed by the Scrutiny of Legislation Committee and I do appeal to the government, which must, like us, realise there is a serious problem and, like us, should be concerned about that problem, to consider the rare action of allowing this Bill to pass.

Debate, on motion of Mr Dick, adjourned.

PRIVATE MEMBERS' STATEMENTS

Sport and Recreation Programs

Mr RYAN (Morayfield—ALP) (11.41 am): Along with sporting and recreation groups from throughout the Morayfield electorate, I am very excited about the new package of sport and recreation funding programs. These new funding programs will support sporting and recreation groups whilst also providing jobs, building sport and recreation infrastructure, and promoting a healthier lifestyle for Queenslanders. The new funding program supports the Bligh Labor government's commitment to the Toward Q2: Tomorrow's Queensland's goals of enhancing and increasing volunteerism and making Queenslanders Australia's healthiest people. By supporting local sporting and recreation groups in the Morayfield electorate and, more broadly, those groups right throughout Queensland, the Bligh Labor government is providing real opportunity for people to participate more fully in their communities.

The new programs funded over three years include a $38 million Local Sport and Recreation Jobs plan, which assists with the employment costs of a local sport and recreation coordinator who will help organisations with matters such as fundraising, promotional activities and sponsorships at the grassroots level; a $51.5 million Sport and Recreation Infrastructure Program; a $27.6 million State Sport and Recreation Organisation Development Program, which will help encourage participation in sport and recreation across Queensland; and an $18 million Active Inclusion Program to encourage disadvantaged groups to participate in sport and recreation.

Along with the member for Pumicestone and the Caboolture Sports Club, I will be hosting a sports forum for local sporting and recreation groups from the Morayfield and Pumicestone electorates on Tuesday, 16 March. I encourage all interested people to attend. I also encourage them to enjoy the member for Pumicestone's pikelets and cakes that she will be providing. Already I am receiving some exceptionally positive feedback from members of local sporting and recreation groups about these new programs.

(Time expired)

SENIORS RECOGNITION (GRANDPARENTS PROVIDING CARE) BILL

First Reading

Mrs MENKENS (Burdekin—LNP) (11.42 am): I present a bill for an act to provide for the recognition of grandparents providing full-time care to their grandchildren and to ensure their interests are considered when making decisions that impact on their ability to care for their grandchildren. I present the explanatory notes, and I move—

That the bill be now read a first time.

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

Motion agreed to.

Bill read a first time.

Tabled paper: Seniors Recognition (Grandparents Providing Care) Bill [1871].
Tabled paper: Seniors Recognition (Grandparents Providing Care) Bill, explanatory notes [1872].

Second Reading

Mrs MENKENS (Burdekin—LNP) (11.42 am): I move—

That the bill be now read a second time.

As more and more of our community joins the ranks of seniors, there are an increasing number of issues that need to be the focus of government policy and attention. Despite representing more than 40 per cent of the constituency, seniors in Queensland are still struggling for political recognition and action. While we still wait for an office for seniors to be established, and we hope for recognition of the breadth of issues facing the seniors sector, this private member's bill—the Seniors Recognition (Grandparents Providing Care) Bill 2010—is targeting one group of seniors who are doing it particularly tough.

The situation in which grandparents are primary carers for their grandchildren is increasing and, according to research by Mission Australia, now accounts for more than one per cent of families across Australia, and more than 30,000 children. These are people who are giving their time, effort, money and care to raise their grandchildren because of an inability of the children's parents. It is not easy for grandparents, who are settling into retirement or semiretirement, to have to start looking after young children again—to have to go through the process of schooling and running around after children, providing food and clothes, schoolbooks and shoes for growing young boys and girls, to have to completely refocus and readjust their lives in order to provide the best possible life for their grandchildren. I seek leave to have the remainder of my speech incorporated in *Hansard*.

Leave granted.

There are many different reasons for grandparents assuming care for their grandchildren, whether it is the impaired capacity of a parent, an unreasonable risk posed by a parent, or parents who are not willing or able to provide full-time care for their children. Something that is not so varied is that each and every one of these grandparents makes sacrifices to improve the lives of their grandchildren, and quite a number do so at considerable hardship to themselves.

Many grandparents are not in the financial position to be able to take on the care of their grandchildren without watching their superannuation or savings disappear. A number are caught in between generational care—caring for their elderly parents as well as their grandchildren. Some are widows or widowers.

The objectives of this Bill are simple, but essential, to provide recognition for the work and dedication of these special people, and to ensure their interests are considered when making decisions that impact on their ability to care for their grandchildren.

Under this Bill, a Grandparent Carer Charter will be implemented. This Charter sets out the contributions of grandparents providing care, the importance of consideration of grandparents in decision making, and the unique place they hold in our community.

This Charter will form the basis of a legislative framework that provides a mechanism to allow this recognition to be used as part of a decision-making process, ensuring that when decisions are made by authorities on issues that directly affect grandparents providing care for their grandchildren, there is a framework to assist this decision making.

In this framework, a decision maker in making a 'relevant decision' must ensure the decision is consistent with the principles of the Charter. An employee of a decision maker in a multistaged decision-making process must also ensure consistency with the Charter.

The Bill also requires the office of a decision maker to ensure the office has a program to allow for the training and awareness of the Charter to its employees.

The process is simple, with a decision maker required to issue a notice to seniors carers bodies outlining details of the decision and inviting submissions within at least 20 business days from the issuance of the notice. These submissions must then be considered by the decision maker.

The Bill also states an obligation of the Carers Advisory Council to work to advance the interests of grandparents providing care, promote compliance with the Charter, and make recommendations to the minister on enhancing compliance.

As family members who step in to become the immediate family of children, and who provide for, care for and love their grandchildren, and raise them through formative years, grandparents providing care deserve the recognition of the parliament and the community for the work they do.

Recognition also requires a promise to consider the effects of decisions on grandparents providing care and their grandchildren. I have spoken to many representatives and grandparents, and I am always impressed by their dedication and love, their determination and passion. They deserve the recognition of this House, the thanks and appreciation of our community, and the respect of being accorded consideration in decisions that affect them.

I commend the Bill to the House.

Debate, on motion of Ms Struthers, adjourned.

PRIVATE MEMBERS' STATEMENTS

Cafe One

Ms GRACE (Brisbane Central—ALP) (11.43 am): On Friday, 26 February it was a pleasure to join Minister Karen Struthers at Mission Australia's Cafe One, located in Wickham Street in the Valley. I love going to Cafe One, but on that particular morning it was a special event as the launch of the publication *The changing taste of welfare services: the evolution of Cafe One—a gateway to change* was undertaken by the minister, and I commend the publication's authors. It was great to join state director, Tony Stevenson, to receive the welcome to country by hardworking staff member George Blair and to hear from Queensland chaplain Tim Booth about the services offered at Cafe One. This publication coincides with the special 150th anniversary of Mission Australia. And what a proud and long history of service to vulnerable people in our community has Mission Australia established.

Interestingly, the publication that was launched concentrates on the role that the provision of food to disadvantaged people has played in Mission Australia's history in Queensland—a journey that began with the Brisbane City Mission and one that continues today through Cafe One. What can be more important than providing nutritious food to the hungry together with providing other social needs in an environment that ensures that people who are on the fringes of society benefit from having their issues addressed in a respectful and responsible way.

Queensland chaplain Tim Booth spoke about how engaging people over food can enable staff to explore and address often difficult social issues in a calm, respectful and non-judgemental manner and also the benefits that the provision of food can have on those who are experiencing social exclusion. Food is a basic need and the recently renovate Cafe One is a modern looking, up-to-date cafe that provides yummy meals. Both the minister and I can confirm that the coffee is great, the food delicious and the atmosphere inviting and friendly.

We heard from supporters of Cafe One and their clients, who spoke about how the work by and the assistance from staff changed their lives and how being able to get daily good meals in a welcoming environment gives them dignity and hope. Congratulations to all involved. Happy 150th birthday to Mission Australia.

(Time expired)

Forestry Plantations Queensland

Mr POWELL (Glass House—LNP) (11.46 am): Yesterday during question time we witnessed two rather inept and insensitive performances by the Treasurer and the Minister for Primary Industries, Fisheries and Rural and Regional Queensland. Their performances were inept because the minister had to correct himself on the details of the guarantee that his own government has negotiated with the staff of Forestry Plantations Queensland and insensitive because both ministers mocked and made light of the very serious concerns of the staff who are currently employed by FPQ.

The staff of FPQ do not expect much. This government has made sure that, when it comes to expectations, the bar has been set abysmally low. They only ask for a little respect and some transparency when it comes to their position before, during and after the sale. It is not, as the Treasurer would have us believe, the potential bidders who are swinging the axe at FPQ; it is the Bligh Labor government, and the staff at FPQ know it. They also know that, although the Minister for Transport can give Queensland Rail employees a guarantee that not one of them will be forced to relocate from their community, the Minister for Primary Industries, Fisheries and Rural and Regional Queensland refuses to

give the same guarantee for FPQ staff. Where does that leave the tireless workers in the workshops, nurseries and road gangs of FPQ? No better off than where they currently believe themselves to be: cast aside, gagged, the guinea pigs of this government's assets fire sale.

The minister might think that because most of the forestry operations are located in the south-east corner that gives some certainty to the FPQ staff. Let me explain it to the minister carefully: there is a big difference between Beerburrum and Toolara. The two locations are some 150 kilometres apart. For staff and their families, that means relocating homes, relocating schools, saying goodbye to friends and even family themselves. No wonder FPQ staff are departing in droves. Up to 50 per cent of some teams have accepted the VERs. The uncertainty is simply too great. The workshops are operating on skeleton crews, road gangs have been decimated and even management is walking out the door—all because this government in its drive to divest itself of our timber assets has failed to treat with care and respect its No. 1 asset, its people.

ecoBiz

Ms FARMER (Bulimba—ALP) (11.48 am): Under *Toward Q2: Tomorrow's Queensland*, the Bligh Labor government has set five ambitions that address current and future challenges for Queensland. The government's ecoBiz initiative is an innovation which will advance Queensland towards at least two of those ambitions: a strong Queensland and a green Queensland. This is a signature partnership program between the Department of Environment and Resource Management and Queensland business and industry assisting businesses to identify efficiencies in waste, water and energy for financial and environmental benefits. Members will, I am sure, benefit from attending the function which is being held in Parliament House tomorrow showcasing a range of initiatives from across Queensland which have been developed under the ecoBiz initiative. This excellent program is already being played out in the electorate of Bulimba and is showing real outcomes.

Priestley's Gourmet Delight is one of the companies showcasing their work here tomorrow. This dynamic company, based in Morningside, is a dominant player in its marketplace, producing in frozen form for distribution the cakes and pastries which many of us consume in coffee shops here in Brisbane, across the state and across Australia. Working with the ecoBiz team, they have made amazing strides and I was more than delighted last week to be taken around their factory to see the fruits of their work in place. They have reduced water usage on site from 900 litres an hour to 500 litres an hour. This is a reduction of three megalitres—three million litres—per year. They have reduced electricity usage by 913,000 kilowatts per year and as a total result they have reduced greenhouse emissions by 0.430 cubic tonnes per tonne of product produced.

I wish I had more time to sing the praises of this wonderful company. However, I thank them for their leadership and I thank the Minister for Climate Change and Sustainability for the opportunity which is being provided through ecoBiz for Queensland businesses to be leaders in sustainability.

Bullying

Mr DICKSON (Buderim—LNP) (11.51 am): Last weekend a 12-year-old Buderim boy was seriously assaulted at a blue-light disco. Fortunately he is now home from hospital, but the attack will leave him and his family with lasting effects. In the *Sunshine Coast Daily* today the father of the boy who allegedly led the attack spoke of his distress at what had occurred. The boy is also a 12-year-old boy and apparently he has also been subjected to bullying. I am sure that every other parent in this House shares my distress at hearing about incidents like this. It is not only the victim and their family that is affected; it is the family of the perpetrator as well. There is a ripple effect that flows from any violence. Worse still, we are seeing incidents like this involving young children.

It seems that bullying in schools and among children has been increasing at an alarming rate. Clearly not enough is being done to address it. Schools and parents all need to take responsibility. Discipline and respect are not old fashioned virtues; they apply just as much today as they did in the past. I am frustrated that we continue to hear stories about bullying that has occurred but no-one is taking action to stop it. Are our teachers and our school principals too scared to take disciplinary action because they will get complaints from the parents? Who is standing up for the children who are being bullied and what message are we sending to their peers? We also need to penalise the juvenile offenders which will provide a deterrent to others who think they can get away with this violence. I know that the police are frustrated by having to deal with these situations.

In particular, it concerns me that assaults like this should be occurring at a blue-light disco supervised by police who volunteer their time. Let us take some tough action on bullying and violence before we see another tragedy. Our kids are far too important and we need to keep them safe. I call on the Attorney-General and the Premier to act now on this matter. If we continue to let this slide we will see children lose their lives. Recently in Redcliffe we saw a child knifed and a young man on the coast was nearly killed. It is not good enough in this state. Let us do better.

Deception Bay Conservation Park

Hon. DM WELLS (Murrumba—ALP) (11.52 am): Last springtime, the honourable the Minister for Climate Change and Sustainability came to the mangrove wetlands of Deception Bay and there, camouflaged by a late-flowering wattle and accompanied by the songs of arctic terns who had come thousands of kilometres for the occasion, announced the Deception Bay Conservation Park. Just a week ago in the pouring rain 100 people turned out to the inaugural meeting of the Friends of the Deception Bay Conservation Park. Just a few days after that, dozens of those people turned up to Clean Up Australia Day in the Deception Bay Conservation Park. To the astonishment of the park rangers, to whom I pay tribute for acting so quickly and turning up with a truck and all the necessary equipment, we collected over a truckload of rubbish from the Deception Bay Conservation Park.

The astonishing degree of social capital which this exercise demonstrates is a fillip to the morale of the people of Deception Bay. In living memory the rangers present could not recall another 'friends of' organisation that started with such a bang. What this shows is that the idea of the Deception Bay Conservation Park is an idea whose time has come. When government seizes such an opportunity then an organisation or an institution which is established gets a life of its own. This is happening in Deception Bay. The conservation park in Deception Bay is not just a jewel in the crown of the people of Deception Bay; it is an icon. It is something that is there not just for the moment, not just for the extended present, but for the ages and for generations.

Bullying

Mr McLINDON (Beaudesert—LNP) (11.55 am): It was interesting to read an article in today's paper headed 'Parents reject schools'. It related to parents who take their children into homeschooling because of the increase in bullying. Last Thursday a mother, Jo Cameron, came into my office to advise that her child had experienced mental and physical abuse from kids at a school over a period of 17 months. On Thursday, 12 November 2009, after a game of full body tackle involving year 4 boys and girls, her child was spear tackled and his head and shoulder driven into the ground, causing his shoulder to break. Jo arrived at the school at 3.09 pm to be directed to her son in the principal's office, where he was found unsupervised, 'crying and as white as a ghost'.

He was then rushed to Beaudesert Hospital and advised to immediately go to the specialist at the Mater Hospital due to complications. The next morning Jo contacted Education Queensland to raise concerns at the lack of duty of care and was told they would investigate immediately and get back to her. A week later, after hearing nothing, Jo called back and was instantly repeatedly told 'no comment' and that no child was safe in any of Queensland's schools. The offending child was given a 40-minute detention and banned from playing sports for three weeks. There was no suspension or expulsion.

For public knowledge, state schools have on their websites a record of disciplinary actions taken. How can a school with a culture of bullying have a completely clean record over the past 18 months? Why did it take more than 12 days for an incident report to surface, yet the very victim was not interviewed as part of that report? How can this occur when the president of the Queensland Teachers Union and Education Queensland were aware of this? Yet they were all silent. This has all the ingredients of a cover-up. Due to the serious nature of this issue, I will be referring it to the CMC for a full investigation. A family's life has been turned upside down. Jo has suffered from chickenpox and shingles due to the stress.

Children are not the only ones to blame when it comes to bullying. Changing the culture of bullying starts with the adults. The flawed incident report and all supporting documents will be tabled here and I will be referring this to the CMC. With the audacity of this government, with its culture of secrecy, the Queensland Teachers Union and Education Queensland, this stinks of a cover-up. We cannot get this right until the adults lead by example.

Tabled paper: Correspondence to Mr McLindon MP and additional information regarding bullying in schools [1873].

Pine Rivers Community Assistance Transport Service

Ms MALE (Pine Rivers—ALP) (11.57 am): I rise to inform the House of the great service that the Pine Rivers Community Assisted Transport Service, CATS, provides to the people of Pine Rivers. CATS is a volunteer based community organisation funded by Home and Community Care and is delivered by Moreton Bay Regional Council. The volunteers at CATS provide a door-to-door transport service specifically for HACC funded eligible people who are unable to access other forms of public transport for health and accessibility reasons.

The volunteers at Pine Rivers CATS provide transport for clients in both their own vehicles and vehicles owned by the organisation. As well as providing transport, volunteers also provide social support by way of help with shopping and accessing facilities. All CATS clients must be eligible for HACC services and live within the Pine Rivers district.

I acknowledge the great work of the 77 volunteers of the CATS service and thank them for their contribution, as not only do they provide transport services but they are also trained in workplace health and safety, duty of care, safe driving and fatigue management. Without the generous giving of their own time, services such as the community assisted transport service would not be as functional. Interestingly, they have volunteers from across the age spectrum—from teenagers to people in their eighties and everywhere in between. I think this is a wonderful endorsement of the enjoyment that volunteers get from their interaction with other local residents that they are helping.

CATS is also assisted significantly by the Moreton Bay Regional Council, and it is this partnership of state and local government with community organisations that ensures the needs of local Pine Rivers people are met. Recently the state government recognised the great work of Vicky Smout, CATS service coordinator, and her team by providing them with additional funding of $279,000. This funding was provided to improve HACC services at the organisation and was deeply appreciated and welcomed by the Pine Rivers community. The funding will go a significant way to ensuring that CATS continues to provide its services to people in genuine need of assistance in the Pine Rivers electorate. Again I thank its volunteers for the wonderful work that they do.

Criminal History

Mr FOLEY (Maryborough—Ind) (11.58 am): I rise to bring to the attention of the House a very difficult situation being faced by a man in my electorate. For many years his family has provided foster care. At one stage, they had seven foster children in their care. Unfortunately, a 16-year-old girl in his care alleged that he had sexually mistreated her. He was subsequently charged with this offence. When the matter came to court, the police withdrew the charges because of insufficient evidence. Therefore, he was never convicted of anything and, in fact, a number of years later the young girl in question made it clear that she had lied and made the whole thing up to seek attention.

Unfortunately, fighting the charges has cost this family everything. They lost their home. They had to sell their home to pay for fighting the charges. They have lost literally everything. They are now living in rented accommodation. My constituent finds it very difficult to get a job. Every time he applies for a job, one of the questions he is asked is, 'Have you been charged with any offences?' Of course, he has to say, 'Yes.' As he has said, he could be competing against 25 or 30 other people for one job. When the employer looks at his application, he or she will say, 'Crikey, this guy was a paedophile' or something of that nature, and he does not even get a second look-in.

I have spoken to the Attorney-General and I am waiting for clarification on the matter. I suspect that throughout Queensland there are hundreds people facing such charges. This man has had his blue card reinstated and he is not guilty of any offence, yet he has to constantly disclose the charges. That has seriously impinged his job prospects.

TRANSPORT AND OTHER LEGISLATION AMENDMENT BILL

Message from Governor

Hon. RG NOLAN (Ipswich—ALP) (Minister for Transport) (12.01 pm): I present a message from Her Excellency the Governor.

The Deputy Speaker (Mr Hoolihan) read the following message—

MESSAGE

TRANSPORT AND OTHER LEGISLATION AMENDMENT BILL 2010

Constitution of Queensland 2001, section 68

I, PENELOPE ANNE WENSLEY, Governor, recommend to the Legislative Assembly a Bill intituled—

> A Bill for an Act to amend the Adult Proof of Age Card Act 2008, the Transport Infrastructure Act 1994, the Transport (New Queensland Driver Licensing) Amendment Act 2008, the Transport Operations (Marine Pollution) Act 1995, the Transport Operations (Marine Pollution) Regulation 2008, the Transport Operations (Marine Safety) Act 1994, the Transport Operations (Passenger Transport) Act 1994, the Transport Operations (Road Use Management) Act 1995, the Transport Operations (TransLink Transit Authority) Act 2008 and the Transport Planning and Coordination Act 1994 for particular purposes, and to make consequential or minor amendments of Acts as stated in the schedule for particular purposes.

(sgd)

GOVERNOR

Date: 22 FEB 2010

Tabled paper: Message from Her Excellency the Governor, dated 22 February 2010, recommending the Transport and Other Legislation Amendment Bill 2010 [1874].

First Reading

Hon. RG NOLAN (Ipswich—ALP) (Minister for Transport) (12.01 pm): I present a bill for an act to amend the Adult Proof of Age Card Act 2008, the Transport Infrastructure Act 1994, the Transport (New Queensland Driver Licensing) Amendment Act 2008, the Transport Operations (Marine Pollution) Act 1995, the Transport Operations (Marine Pollution) Regulation 2008, the Transport Operations (Marine Safety) Act 1994, the Transport Operations (Passenger Transport) Act 1994, the Transport Operations (Road Use Management) Act 1995, the Transport Operations (TransLink Transit Authority) Act 2008 and the Transport Planning and Coordination Act 1994 for particular purposes, and to make consequential or minor amendments of acts as stated in the schedule for particular purposes. I present the explanatory notes, and I move—

That the bill be now read a first time.

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

Motion agreed to.

Bill read a first time.

Tabled paper: Transport and Other Legislation Amendment Bill [1875].

Tabled paper: Transport and Other Legislation Amendment Bill, explanatory notes [1876].

Second Reading

Hon. RG NOLAN (Ipswich—ALP) (Minister for Transport) (12.02 pm): I move—

That the bill be now read a second time.

This bill introduces significant amendments that will provide for the introduction of alcohol ignition interlocks in Queensland for all high-risk drink drivers, extend the no-alcohol limit to a broader range of drivers and implement national reforms for heavy vehicle speeding. The primary purpose of the bill is to deal with Queensland's serious drink-driving problem. In the 12 months to 30 June 2008, more than 29,000 Queenslanders were convicted of drink driving. Twelve thousand of those were repeat offenders or high-end offenders, that is, with a blood alcohol concentration of .15 or above. While Queensland's road toll on a per capita basis is lower than it has ever been, drink driving is a growing contributor to our still-too-high road toll. It is time to take the next serious steps to deal with the scourge of drink driving. This bill will implement those next steps and, in doing so, will make our roads safer for everyone.

The bill introduces a scheme of alcohol interlocks for high-risk drink drivers. We need to take action against drivers convicted of repeat or high-level drink-driving offences or of dangerous driving when affected by alcohol. They have shown an inability to appropriately separate the activities of drinking and driving. Alcohol ignition interlocks address this issue head-on. A driver must first pass a breath test in order for their vehicle to start. A trial of alcohol ignition interlocks with drink drivers commenced in Queensland in early 2001. This trial adopted a judicial based model where offenders were court-ordered to install and use interlocks. The outcomes from this trial found overall participation was very low, with only 29 people installing an interlock. High participation rates are essential to providing the greatest road safety benefits from interlocks.

Therefore, this bill will introduce a mandatory administrative model that will require all high-risk drink drivers to have an interlock condition applied at the time of relicensing. On re-entering the driver licensing system, high-risk drivers will only be permitted to drive vehicles that are fitted with an interlock device. In New South Wales and the Northern Territory, drink drivers volunteer to have an interlock. Those programs generally have very low participation rates. We have, therefore, chosen to have a mandatory program. It is appropriate that these high-risk drink drivers should have to fit an interlock as they represent a significant danger to the safety of other people on our roads. In order for the interlock condition to be removed, the person must have had an interlock fitted to their nominated vehicle for 12 months. I flag here that the government proposes to consider amending the bill in the consideration in detail stage such that people who do not fit an interlock will be prevented from reapplying for a licence for two years from the end of their suspension. Right now, in the absence of an interlock program, a drink-driving offender can reapply to have their licence reinstated immediately their suspension is completed.

The bill treats all high-risk drink drivers in the same way: they will all have an interlock for 12 months. Applying an interlock requirement will mean that all high-risk drink drivers will be prevented from further drink driving while the interlock is installed. Exemptions will be available for people upon application to the department for medical reasons, for people in a rural and remote areas that are not serviced by an interlock provider, or in other extraordinary circumstances on grounds set out under regulation. Discretion will be exercised by the chief executive of my department, with provision for internal review, then the Queensland Civil and Administrative Tribunal, if necessary—as is the current normal practice for administrative decisions. It is not intended that work considerations or financial hardship would provide sufficient grounds for such exemptions.

The bill is tough on those people who are caught driving a vehicle not fitted with an interlock or using the device inappropriately, such as tampering or not providing a breath sample, by extending the length of time that they will be on the condition. The bill will apply harsh penalties for those drivers who would be subject to the interlock condition after completing their disqualification but choose not to re-enter the licensing system and instead drive unlicensed. The bill applies a mandatory zero blood alcohol limit to all interlock drivers. Finally, the scheme implemented by amendments in this bill will be managed by my department and, as a result, it will not impact on the scarce and very valuable resources of our court system.

The amendments in the bill set out a comprehensive system for the introduction of interlocks in Queensland. Another important initiative in the bill aimed squarely at drink drivers is the extension of the no-alcohol limit to all learner, provisional, probationary and unlicensed drivers regardless of their age. Currently, the no-alcohol limit applies only to those under 25 years old, but amendments in the bill will remove that age distinction. This will ensure that all novice riders and drivers are able to develop their basic vehicle operation and cognitive skills without the added risks associated with alcohol impairment. The bill will also apply the no-alcohol limit to all new motorcycle riders for the first 12 months of holding a motorcycle licence. Research tells us that the first 12 months of riding a motorcycle are the most dangerous. Alcohol impairment has potentially catastrophic effects for motorcycle riders and especially those still developing their riding skills.

The amendments contained in this bill extend Queensland's current chain of responsibility regime to include heavy vehicle speeding. They are based on the national heavy vehicle speed compliance reform package approved by the Australian Transport Council. These amendments are designed to counteract the pressure that is sometimes put on drivers to speed in order to make a delivery deadline and to reduce crashes involving speeding heavy vehicles. For drivers there will be little change. They must simply continue to drive to applicable speed limits. Other parties in the transport chain, however, must be able to show that they did not influence a driver to speed. The reasonable steps defence, identical to that for fatigue offences, will allow a party to establish what steps they took to meet this duty.

Other specific duties will also ensure that common dangerous practices are prohibited. For example, schedulers must not plan for a driver to make deliveries between two depots in a time that does not allow for compliance with speed limits. These amendments are supported by the transport industry and will play an important role in ensuring safe, professional and efficient road transport.

The bill will also allow my department to coordinate the provision of scheduled passenger services for special events in regional Queensland. Since 2008, TransLink has used 'special event provisions' to coordinate a high standard of public transport for special events held in the TransLink area. These provisions will be extended to the rest of Queensland to allow my department to coordinate high-quality public transport to regional special events. These provisions will benefit event organisers and the public by ensuring event transport is coordinated with and does not impede the regular public transport in the event area.

Before closing, I want to just briefly mention the amendments in the bill that correct a reference to the risk management standard within the Transport Security (Counter-Terrorism) Act 2008. The Transport Security (Counter-Terrorism) Act 2008 requires security identified surface transport operations to prepare a risk management plan in accordance with a standard prescribed under a regulation or the Australian Standard AS/NZS 4360:2004. Standards Australia has recently replaced the Risk Management Standard AS/NZS 4360:2004 with AS/NZS ISO 31000:2009 'Risk management—Principles and guidelines'. The 2009 international standard is based significantly on the 2004 edition of the Australian-New Zealand Risk Management Standard and is regarded as world's best practice. This update will ensure that users of the Transport Security (Counter-Terrorism) Act 2008 are directed to the current standard in lieu of a specific Queensland counterterrorism standard. I commend this bill to the House.

Debate, on motion of Ms Simpson, adjourned.

RADIATION SAFETY AMENDMENT BILL

Second Reading

Resumed from 25 November 2009 (see p. 3568), on motion of Mr Lucas—

That the bill be now read a second time.

Mr McARDLE (Caloundra—LNP) (12.12 pm): At the outset I indicate that the LNP will be supporting this bill. There are some issues in some of the clauses that I will deal with at a later time during the debate. This bill derives from a number of sources including the increasing globalised threat of terrorism, the December 2002 Council of Australian Governments agreement to a national review dealing with hazardous materials, the *Report on the regulation and control of radiological material*, the Australian Radiation Protection and Nuclear Safety Agency, the Australian Safeguards and Non-Proliferation Office and Queensland Health.

It was agreed on 13 April 2007 by COAG to establish a National Chemical, Biological, Radiological and Nuclear Security Strategy to establish a framework to ensure Australia's existing national counter-terrorism arrangements were strengthened by ensuring radiation safety legislation was such to properly regulate the security of radioactive sources which incorporated the making of standard licence conditions, compliance, monitoring and enforcement mechanisms.

The Radiation Safety Act 1999 is the principle piece of legislation in Queensland, and the bill before the House is said to amend the act giving effect to recommendations contained within the review of radiological materials. The states are to incorporate the National Security Code into each jurisdiction's regulatory framework to establish a national database to record any radioactive sources that have been stolen, lost or orphaned and, in addition, to establish a national register to track the whereabouts of security enhanced sources.

Perhaps the most important component of the bill is the adoption of the National Security Code, which requires a range of physical and procedural security measures to be implemented, as well as mandating that persons dealing with high-risk radioactive materials must undergo a security background check. Adopting the National Security Code will allow Queensland and the Commonwealth to work together more effectively to ensure the regulation of radiological materials can be overseen from a safety and security perspective.

Radioactive sources will be placed into five categories and security outcomes allocated commensurate with the risk posed by sources in each category. The code only requires additional security measures for security enhanced sources—that is, categories 1, 2 and 3. What is considered a security enhanced source will be the subject of a regulation. Primary handlers and those with unlimited access to security enhanced sources will require a full criminal history check, an identity check and a security check for politically motivated violence. All convictions and charges can be considered regardless of when they occurred.

The bill further amends the Radiation Safety Act 1999 to remove the restriction on the use of information provided to an entity of the state and another state or entity within the state and the Commonwealth or entity of the Commonwealth. This allows information provided by Queensland to be shared with the relevant federal authorities to achieve the aim of establishing a centralised data and notification system.

The question of radiation control is dual in that they are both Commonwealth and state pieces of legislation, and this bill is the first in an attempt to harmonise the issues across the various jurisdictions including the Commonwealth so as to provide greater national security. Indeed, the principles that are being applied in the bill are those enunciated some years ago by the International Atomic Energy Agency. The major thrust of the bill is to ensure that the legislation across the states and on a national level supports and protects both human health and the environment. To do this—and as I have referred to earlier—there has been the inclusion of what are called security enhanced sources which will be the subject of regulation. In addition, there are significant increased penalties for breaches as a deterrent. I will come back to those when we consider the *Legislation Alert* and some points it raises on particularly clause 22 with regard to the terms of the bill.

It needs to be clearly understood that not everybody who works with a piece of equipment that has radioactive material as a component will be required to undertake the security, ID and criminal checks. Rather, those persons who actually handle or in some manner deal with the radioactive item will be caught by this legislation. For example, nurses in hospitals working with equipment that use radioactive materials as part of the equipment will not be required to obtain the relevant licence or undergo the relevant checks, but the person who services the machine will because that person has or could have direct access to the radioactive item.

That was a very quick overview of the background to the bill, and I will come back to it shortly in my address. Clearly, as I said, the bill is to strengthen the Radiation Safety Act 1999, which is Queensland's principal piece of legislation that regulates possession, use, acquisition, disposal, relocation and transport of radiation services. It is equally important to understand why this act needs to be strengthened. Of course, everybody in this House is acutely aware of the various terrorism acts that have occurred over the globe in recent years. The most recent that comes to my mind was the attempt in the United States over the Christmas period to blow up an aircraft upon landing in the United States. Australia has also experienced acts of social terrorism, including the conviction and jailing of five men in 2009 for doing an act in preparation for a terrorist act. Radiation, or, more importantly, the use to which radioactive material can be put, has been the debate for some time and there are numerous articles that discuss what are termed dirty bombs of which radioactive isotopes form a component.

There are two forms of radiation: ionising and non-ionising. Ionising radiation includes radioactive substances such as cobalt-60, caesium-137 and iodine-131. The main users of man-made radiation in Queensland include medical facilities and research and teaching institutions. Medical uses of ionising radiation include the diagnosis of many diseases and the treatment of cancer. Ionising radiation is also used in Queensland industry, mainly in measurement and scientific research. For example, caesium-

137 is used in the manufacture of alumina to determine the density of the sullage flow through a pipe. The Radiation Safety Act 1999 also regulates non-ionising radiation sources such as lasers that are used for medical and cosmetic procedures.

When you look at some of these isotopes, you get a picture of what they are used for and, more importantly, what they could be used for. Cobalt-60 is used in many common industrial applications, such as in levelling devices and thickness gauges and in radiotherapy in hospitals. Large sources of cobalt-60 are increasingly used for sterilisation of species in certain foods. The powerful gamma rays kill bacteria and other pathogens without damaging the product. After radiation ceases, the product is not left radioactive. This process is sometimes called cold pasteurisation. Cobalt-60 is also used for industrial radiography, a process similar to an X-ray to detect structural flaws in metal parts. One of its uses is in a medical device for the precise treatment of otherwise inoperable deformities of blood vessels in brain tumours.

Caesium-137 is one of the most common radioisotopes used in industry. Thousands of devices use it, including moisture density gauges. It is widely used in the construction industry in levelling gauges to detect liquid flow in pipes and tanks, and thickness gauges for measuring the thickness of sheet metal, paper, film and many other products. It is also used in medical therapy to treat cancer.

Iodine-131 is extensively used in nuclear medicine. Its tendency to collect in the thyroid gland makes iodine especially useful for diagnosing and treating thyroid problems. Iodine-123 is widely used in medical imaging, and iodine-124 is used in immunotherapy. Iodine's chemical properties make it easy to attach to molecules for imaging studies, and it is used in tracking the metabolism of drugs or compounds or for viewing structural defects in various organs such as the heart. All of those radioisotopes, therefore, have a clearly defined use in construction or medical settings, and when used particularly in medical settings they have a lifesaving role.

The concern in relation to the use, or rather misuse, of this material is, as I said, related to their function in what has been termed the production of dirty bombs. In March 2003, the United States Nuclear Regulatory Commission issued a fact sheet headed 'Dirty bombs', which stated—

Basically, the principal type of dirty bomb, or Radiological Dispersal Device (RDD), combines a conventional explosive, such as dynamite, with radioactive material. In most instances, the conventional explosive itself would have more immediate lethality than the radioactive material. At the levels created by most probable sources, not enough radiation would be present in a dirty bomb to kill people or cause severe illness. For example, most radioactive material employed in hospitals for diagnosis or treatment of cancer is sufficiently benign that about 100,000 patients a day are released with this material in their bodies.

However, certain other radioactive materials, dispersed in the air, could contaminate up to several city blocks, creating fear and possibly panic and requiring potentially costly cleanup. Prompt, accurate, non-emotional public information might prevent the panic sought by terrorists.

A second type of RDD might involve a powerful radioactive source hidden in a public place, such as a trash receptacle in a busy train or subway station, where people passing close to the source might get a significant dose of radiation.

A dirty bomb is in no way similar to a nuclear weapon. The presumed purpose of its use would be therefore not as a Weapon of Mass Destruction but rather as a Weapon of Mass Disruption.

The article went on to discuss the impact of a dirty bomb, the sources of radioactive material, the control of such material and what people should do following an explosion. Irrespective of the title, at the very least the disruption to a community, a city and indeed a country if there was a coordinated attack using this form of material would be devastating. There would, without doubt, be great public concern, with a significant impact on the economy by way of major disruption to trade, commerce and tourism just to name a few.

In 2002, Dr Henry Kelly, President of the Federation of American Scientists, appeared before the Senate Committee on Foreign Relations in the United States, and he made this comment—

1. Radiological attacks constitute a credible threat. Radioactive materials that could be used for such attacks are stored in thousands of facilities around the US, many of which may not be adequately protected against theft by determined terrorists. Some of this material could be easily dispersed in urban areas by using conventional explosives or by other methods.
2. While radiological attacks would result in some deaths, they would not result in the hundreds of thousands of fatalities that could be caused by a crude nuclear weapon. Attacks could contaminate large urban areas with radiation levels that exceed EPA health and toxic material guidelines.
3. Materials that could easily be lost or stolen from US research institutions and commercial sites could contaminate tens of city blocks at a level that would require prompt evacuation and create terror in large communities even if radiation casualties were low. Areas as large as tens of square miles could be contaminated at levels that exceed recommended civilian exposure limits. Since there are often no effective ways to decontaminate buildings that have been exposed at these levels, demolition may be the only practical solution. If such an event were to take place in a city like New York, it would result in losses of potentially trillions of dollars.

Further on, he gave an example of caesium being used in conjunction with TNT. I quote—

Two weeks ago, a lost medical gauge containing cesium was discovered in North Carolina. Imagine that the cesium in this device was exploded in Washington, DC in a bomb using ten pounds of TNT. The initial passing of the radioactive cloud would be relatively harmless, and no one would have to evacuate immediately. But what area would be contaminated? Residents of an area of about five city blocks, if they remained, would have a one-in-a-thousand chance of getting cancer. A swath about one mile long covering an area of forty city blocks would exceed EPA contamination limits, with remaining residents having a one-in-ten thousand chance of getting cancer. If decontamination were not possible, these areas would have to be abandoned for decades. If the device was detonated at the National Gallery of Art, the contaminated area might include the Capitol, Supreme Court, and Library of Congress ...

I am not trying to raise the issues to create a sense of concern or fear, but it is important that we understand the background to these amendments being placed before the House. One could well envisage that if a device of the nature referred to was exploded, say, outside the Executive Building, the contamination would cover most of the city area. If the city area could not be cleaned up or decontaminated, it would have a significant, if not catastrophic, impact upon the economy of this state.

So the bill has to impose some very strict and very severe guidelines and some very severe penalties. As I said earlier, I intend to go into greater depth on this during the debate on the clauses. I do not want to debate that in my speech during the second reading stage, but I do want to go through the main objects of the act. I note in clause 4 of the bill that the main objects of the act are amended to include 'requiring a person who possesses a security enhanced source to have an approved security plan for the source'. They also include 'requiring a person to have an approved transport security plan for the transport of a security enhanced source'.

The explanatory notes rightly point out that transport in this nation is predominantly undertaken by road; it is not undertaken by other sources. Therefore, clearly a plan that is detailed as to what it must contain and the process for approval as set out in the act must provide a safe mechanism in relation to not only who has the right to transport the item but also the employees associated with that individual or individual organisation. In addition, a security enhanced source requires an approved security plan if a corporation or individual is going to have the right to deal with the radioactive material. Again, I will go into detail during the debate on the clauses and exactly what is required.

Clause 22 of the bill defines what a security plan is. It details what the plan must contain and the approval process to obtain the plan. It also details how the plans can be changed either by the person who seeks in an application the initial approval or by the chief executive officer as certain circumstances arise and he believes it is required to take that step. It also defines what a transport security plan is. It also outlines similar provisions, as I stated above, in relation to the security plan itself.

Mr Shine: Did you write this?

Mr McARDLE: Pardon?

Mr Shine: You didn't fall asleep when you were writing it?

Mr McARDLE: No. I am just waiting for you, Kerry. You will bring it up, mate.

Mr DEPUTY SPEAKER (Mr Wendt): Order! Member for Toowoomba North!

Mr McARDLE: Clause 26 provides additional obligations of persons in relation to security enhanced sources and what steps they are required to undertake to handle devices of that nature. Clause 28 replaces the current section 51 as to the procedural requirements for applications, whereas clause 40 deals with the immediate suspension of a licence or an accreditation certificate pending formal cancellation procedures.

Clause 42, which is of some concern, deals with security and criminal checks. During the briefing with ministerial officers yesterday, information was given to me as to how that would work on the ground.

Clause 43 provides the general powers in relation to the collection of data, paper or documentation after an inspector enters premises. Clause 50 provides the process of sharing of information. The *Legislation Alert No. 1 of 2010* tabled in February this year asks a number of questions in relation to the bill. I do not know whether the minister has replied to the concerns raised by *Legislation Alert* Nos 2 and 3 of 2010. I would be keen to understand whether he intends to do that today or whether he will table a reply to the contents of the alert during his summing-up. There are some concerns there, particularly clauses 16, 22, 26 and 42, which the *Legislation Alert* terms as having strict liability applying to them. It is very important that we understand why strict liability does apply, and it is important that the minister outline the circumstances as to why strict liability should apply.

Mr Lucas: Can do.

Mr McARDLE: I thank the minister. As I said, the consideration in detail stage will go into greater detail as to what exactly has taken place and will dig down into some of the requirements regarding security plans, security transport plans and the checking.

As I said at the outset, this bill will be supported by the LNP for the simple reason that as a society we are continuing to use material that could constitute a component of a bomb or that could be accessed by a terrorist at some point in time. What we do not want is a situation developing where that does occur, where somebody accesses material that could constitute a real threat, if not in regard to fatalities then certainly in regard to the impact it would have across our economy. With those few words, we will support the bill.

Hon. DM WELLS (Murrumba—ALP) (12.33 pm): I support the bill, and I do so with a considerable amount of passion. There are few issues about which I feel more passion or have more reason to feel passion than the issue of radiation safety. One of my very earliest memories is of standing on the banks of the Hiroshima river on a stone pier. I remember looking across at my father in the uniform of the Australian Army—part of the occupation forces at the time—and in the background was

the jeep. He was wearing the khaki, the cap and the side-arm. I looked down at the ground, I looked at my father, and I said to him, 'What's that?' I was pointing to two human footprints in the stone of the pier. He said to me, 'Don't worry about that. I'll tell you when you grow up.' Of course, what I was looking at was all that was left of a human being who was vaporised at a point very close to the epicentre of the atomic blast, some seven years before the occasion that I am describing to you now.

That extremely formative influence led me to understand with enormous clarity how important radiation safety is if radioactive materials get into the hands of dangerous people such as those referred to by the honourable member for Caloundra or, in the case that I am referring to, the United States Air Force. All sorts of very inconvenient things can happen, as they did then.

I might as well share with the House that before I took the step of having children I went back to Hiroshima's atomic bomb memorial centre and had myself checked out to see whether it was safe for me to do so. They told me that it was because I was there such a considerable period after the atom bomb explosion, but the effects of radiation catastrophe are enormous and long lasting.

The graphic description which the honourable member for Caloundra gave of what it would be like in the city of Brisbane if even a small amount of the material which is targeted by this bill, introduced by the honourable Minister for Health, were released is something that we could all usefully bear in mind. We need to take these steps. The steps that we are going to take are going to mean for honest workers a considerable amount of additional work. They are going to constitute an additional task for many people, but that additional task is one which is entirely justified. Whatever imposts in terms of extra effort or privacy that may be imposed upon people as a result of the security measures contained in this Radiation Safety Amendment Bill are well worth it, because the consequences of not doing this are so harsh. The consequences of not doing this in the climate that we now live in are completely untenable.

The people of my electorate are going to benefit directly from this. There is a nuclear radiation facility, Steritech, in the Narangba Industrial Estate in my electorate. The bill contains provisions which address specifically transport safety. The transport of material to and from any nuclear irradiation facility or any facility whatsoever that uses nuclear material is going to be crucially important. I know that the honourable member for Kallangur, through whose electorate some of this material is going to be transported, agrees with me when I say that it is our constituents who will be protected as a result of this initiative. Bringing Queensland's laws in this respect into line with the laws of the other states so that we have a nationally integrated system is entirely desirable. In the kind of world in which we currently live, where the threats of terrorism and the possibilities of terrorism are ongoing, it behoves us very clearly to take all steps that we can to ensure the security of our people and to ensure that dangerous practices are avoided and that undesirable individuals, whether malicious or merely incompetent, are excluded from the handling of and access to those kinds of materials.

This bill is an entirely benign one. I congratulate the honourable Minister for Health for introducing it. I welcome the support of the opposition in respect of this. I think this is one of those issues in respect of which the bipartisanship of our great Australian democracy is extremely welcome. This is something on which we should all work together. It is something which we should all support. I commend these measures to the House.

Ms BATES (Mudgeeraba—LNP) (12.39 pm): I rise to make a contribution to the debate on the Radiation Safety Amendment Bill, introduced into this chamber in 2009 by the Minister for Health. The objective of the bill is to enhance the security measures for radiation sources under the Radiation Safety Act 1999 and thereby minimise the risk of these sources being used for malicious purposes; and to promote greater consistency with the object of the Radiation Safety Act 1999 to protect the environment from the harmful effects of radiation.

The Radiation Safety Amendment Bill is the principal piece of legislation in Queensland regulating the use, acquisition, disposal, relocation and transport of radiation sources. The bill amends the Radiation Safety Act 1999 to give effect to the recommendations of a COAG commissioned review of radiological materials. Adoption of these recommendations will enhance security measures for radiation sources and reduce the risk of these sources falling into the hands of terrorists.

The most significant part of the bill concerns the adoption of the national security code, which requires a range of physical and procedural security measures to be implemented as well as mandates that persons dealing with high-risk radioactive materials must undergo a security background check. Adopting the national security code will allow Queensland and the Commonwealth to work together more effectively to ensure that the regulation of radiological materials can be overseen from a safety and security perspective.

In April 2007, COAG agreed to a national Chemical, Biological, Radiological and Nuclear Security Strategy to provide a framework to strengthen and enhance Australia's existing national counter-terrorism arrangements. Also in April 2007, COAG agreed to the recommendations from the report on the regulation and control of radiological materials, *Radiation sources and risks to human health*.

There are two forms of radiation—ionising and non-ionising radiation. Ionising radiation includes radioactive substances such as cobalt-60, caesium-137 and the more commonly known iodine-131. The main users of man-made radiation in Queensland include medical facilities and research and teaching institutions. Medical uses of ionising radiation include the diagnosis of many diseases and the treatment of cancer.

The Royal Brisbane and Women's Hospital is the centre of excellence in Queensland for patients who undergo treatment for thyroid cancers, in particular for follow-up and detection of remnant thyroid cancers and ablation of thyroid tumors after partial thyroidectomy. All patients who are currently diagnosed with thyroid cancers are referred to the Royal Brisbane and Women's Hospital for treatment with radioactive iodine. This is for two reasons. One is that the expertise for dealing with these types of cancers is centred here in Brisbane and the other is that the Royal Brisbane and Women's Hospital is the only hospital in Brisbane that has the capability of storing radioactive iodine isotope waste products. This centre would be particularly targeted and this would have widespread effects on the treatment and follow-up of all thyroid patients in the state of Queensland.

If a radioactive source fell into the hands of terrorists and was used for malicious purposes, the health consequences for Queenslanders could include delayed effects including cataracts, sterility, cancer and harmful genetic effects. Large acute exposure can cause radiation sickness, evidenced by gastrointestinal disorders, bacterial infections, haemorrhaging, anaemia and loss of body fluids. Very high doses of acute radiation exposure can lead to death within hours.

Another very valid concern I have is for all patients in Queensland, particularly those public patients from the Gold Coast who currently attend hospitals in Brisbane for radioactive iodine treatments, which the minister alluded to this morning during question time. These patients currently are herded on a bus up to Brisbane and wait in a queue to have their treatments before being bussed back to the Gold Coast.

These patients are transported on a bus to have this treatment thanks to the wonderful work of the Cancer Council, which provides this service for our Gold Coast patients. This bus does not have toilet facilities and patients who have undergone radioactive treatment would therefore need to stop at a public toilet facility should they need to avail themselves of a bathroom. My very great concern regarding radioactive safety is that these patients, who would ordinarily not share a common bathroom in a hospital facility, could, unintentionally and unknowingly, put the general public at risk of exposure to radioactive wastes by sharing a toilet facility. I raise this issue with the minister as a genuine concern for public safety.

The Gold Coast is the fifth largest city in Australia and it is appalling that our public patients who cannot afford to pay to go to private radiation oncology services are still going on a bus to Brisbane for services which should really be available in our own city. I take this opportunity to thank the private operators of radiation oncology services on the Gold Coast, particularly the Wesley Radiation Oncology Trust at John Flynn Hospital at Tugun, which I am sure the minister is well aware of. I would also like to acknowledge Dr Bernie Mason and his group for providing these services to public patients on the Gold Coast. Single-handedly they have propped up the Labor government's continued lack of commitment to public radiation oncology services on the Gold Coast for years.

This government has, I am afraid, buck-passed and cost-shifted to the private health sector on radiation oncology services for years. I note that these services will be addressed with the opening of the hospital at Parklands. I note that implementation of this legislation will mean that the state government will face additional costs as a result of administering and monitoring compliance with the new security requirements being introduced by the bill. It is estimated that an addition $0.33 million will be required per year to support these new regulatory functions.

As part of the 2009-10 budget process, a review of the fees under the act was conducted. As a result of this review, it has been recommended that the fees be increased beyond the usual annual adjustment for movement in the consumer price index. I would hope that there is a discount for private radiation groups that have been responding to the needs of Gold Coast public radiation oncology patients, whom the state Labor government has ignored and continues to ignore, when this legislation is implemented. I have often raised the plight of residents in the Mudgeeraba electorate such as Des Brown and his carer, Pat Bastow, who have actually had to pay for services that should have been available publicly. I hope that the minister takes on board my very genuine concerns regarding radiation services and their delivery in any discussion with the Rudd government into the future and appreciates the expertise that I bring to this House on matters relating to health.

I would also like to briefly take the opportunity to correct a comment made by the minister during question time following my second question without notice. I am sure if the Deputy Premier checked with the Minister for Main Roads he would familiarise himself with how effective my previous question without notice has been in changing the policy of Main Roads, eliciting an apology from the minister and securing a backflip on temporary safety barriers on the M1.

Finally, I would again urge the minister to guarantee in writing that our existing health services will not be worse off under a Rudd takeover of our health system. I commend the Radiation Safety Amendment Bill to the House.

Government members interjected.

Mr DEPUTY SPEAKER (Mr Wendt): Order! I call the member for Gaven.

Mr Lucas interjected.

Mr DEPUTY SPEAKER: Order! Minister! I call the member for Gaven.

Dr DOUGLAS (Gaven—LNP) (12.46 pm): We have come a long way since Marie Curie's discovery of radioactive material and Rontgen's discovery of X-rays and their applications. Along that journey, everyone from Niels Bohr to Einstein proposed a brave new world. In 1945 it was clear what world that was. It was nuclear, and we have never looked back.

This bill is to amend the Radiation Safety Act 1999 so as to enhance security measures for radiation sources and reduce the risk of those sources largely falling into the hands of terrorists. As strange an objective as this sounds, the most minute amount of polonium was allegedly used to assassinate a leading Soviet dissident living in the UK. To transport that substance to the UK illegally would require an amazingly high degree of coordination, knowledge of how to manage radioactive substances and probably stupidity in that those who transported it and delivered it may have died due to its dangerous nature. It is a very rare substance. It is not used in medicine, but it is widely available as a result of the development of what they call fast breeder reactors.

Make no mistake, radioactive substances, as everyday as they seem now due to their use in the medical area and a variety of other areas, are highly dangerous. They kill insidiously—swift or slow—they do not discriminate and they are invisible to the naked eye. We have actually heard some descriptions by the member for Murrumba about incidents his father remembered from the war.

Radiation is all around us. It is from the sun that starts our day to the radios and televisions that inform us. That is electromagnetic radiation but it is still radiation. Radiation is energy released by basic physics. We in Australia have a head-in-the-sand attitude to radiation applications beyond conventional science as we know it. It is based on an irrational fear and hubris. For a country that has over 50 per cent of the available nuclear resources this is a ridiculous and a naive position. To make decisions based around fear is flawed and indicative of a closed-mind attitude.

The evidence is obvious to all. We do not have one functioning new fast breeder nuclear reactor for a population of 24 million, and that is an absolute crisis for a First World economy as Australia is. The ANSTO Brazilian designed reactor at Lucas Heights is grossly inadequate for our population today here in Australia. Many hospital units will receive radioactive isotopes critical to the management and treatment of every type of illness affecting children to our elderly and everyone in between. Every major industry will need those isotopes for the precise measurements that they require for their orderly business operations. We do not realise that this occurs on an everyday basis and we need them all the time. The critical thing is that the isotopes that are delivered from that reactor are not sufficient for our needs, nor is the quality sufficient. To give members a basic example, our PET scanners that have a major role in the detection of occult diseases—namely, cancer—and the determination of invasive disease beyond that easily localised on what is now conventional CT and MRI scans require rapid but predictable deteriorating isotopes to make the scans effective. The quality of the isotope is in part directly proportional to the quality of the reactor. Obviously these isotopes require rapid transportation by air, daily in many cases and multiple times thereof, and obviously this is where the potential exists for some to interfere or secretively steal these isotopes.

What is a major problem is taking delivery of an isotope that is useless and effectively has to be discarded, but it may be useful to someone. Many isotopes are indeed being imported from overseas suppliers, and this of course is another problem. This is regrettable and is also another potentially dangerous source—an insidious source—for unknown people to try to obtain radioactive substances. It is the fear of slowly degrading radioactive materials, including isotopes, that appears to drive many extremists in society's view that we cannot expand our radiation services. This attitude needs to change urgently. While linear accelerators, otherwise known as external beam treatments, are commonly used in the treatment of radiotherapy patients for more solid tissue tumours including breast cancer, they do not require complex isotopes. It is the diagnostic services overwhelmingly that drive those services that cannot function or operate without the extensive use of complex isotopes. This need will grow in parallel or maybe higher in parallel to the growth in pathology services in Australia. The percentage is at least five per cent annually and may go as high as eight per cent based on multiple sources that I have been researching.

I wish to emphasise that this idea that we need to move to a different type of situation with regard to reducing fear is because we cannot function in a non-nuclear world in a modern society. We have passed the point of no return. We must all accept it. As good as it is to say that you do not believe in nuclear, we cannot function in a non-nuclear world, and this is basically acknowledged in the COAG agreement and the review of radioactive materials. Unfortunately, even though this bill is the outcome of

those recommendations, it has taken three years to come about. However, the most significant recommendation involves the adoption of the National Security Code. It is a better late than never situation, but the features of the National Security Code make sense. I again emphasise that they must not just make proper use of these rules but also reduce the fear of people using dangerous radioactive substances but using them carefully. Under the recommendations, radioactive sources are to be placed in five categories and security outcomes allocated commensurate with the risk posed by the sources in each category. Roughly for those who do not know, category 5 is the lowest category and category 1 is the highest. Most isotopes we would use are category 5s, but we are increasingly using category 4s and category 3s. The code only requires additional security measures for security enhanced sources—that is, categories 1, 2 and 3, and that is where this comes into play—and it is the regulations that are determined associated with the security enhanced sources that this applies to.

There are also issues with regard to primary handlers and those with unrestricted access to the security enhanced sources. They will require full criminal history checks, identity checks and security checks and basically all convictions and all charges will be considered regardless of where they occurred and, I think to some extent, when they occurred. These are critical changes and they are important. They are appropriate and they are commensurate with what is needed. The evidence for them in no particular order is based around our international treaty agreements and a progression to accepting the volume and frequency with which radioactive materials are being transported in and around our states, our country and internationally. Sadly, there have been a number of near-tragic incidents involving suspected or would-be home-grown terrorists who have interfered with materials, primarily at airports. The new changes reflect the modern situation. It appears that this is about primary prevention based on the rules. Our legislation will share a link to the federal legislation and, having been implemented, should stamp out some of these issues. We have to aim not only to control the problem; we actually have to stop it occurring at the source, and that is the implication of the rules and that is why this bill is important.

It has been shown that conspiratorial mass terrorist crimes use very complex approaches, particularly in the case in Victoria where five offenders subsequently received sentences ranging from 30 to 50 years. The details of what was involved are fairly complex. I am not privy to them, but I do know that it requires cross-state and federal links to ensure that those sorts of charges stick and to observe these people's behaviour at very close range. As I say, I am not aware of the behaviour of what the offenders were doing, but I am aware that there is some discussion about access to materials. Of course, the issue that we are all trying to prevent, as has been mentioned today, is the issue of dirty bombs. These are built with low- and medium-grade radioactive substances and other explosive devices. The concern is that using category 3 substances, particularly iridium-125, which is used in medical services, could in fact be misused. Whilst it is a very good isotope to use in medical treatments, unfortunately in the wrong hands it may be a problem. Reflective of this, the bill also removes the restriction on the use of information provided to an entity of the state, another state or entity within that state and the Commonwealth or any other entities. This is shared information that will facilitate the development of a centralised database and notification system. This should assist with greater public protection and in fact implements both strategies of prevention and control.

There is an obvious concern that clause 42 overrides the protections of the Criminal Law (Rehabilitation of Offenders) Act 1986. Whilst it abrogates state rights and liberties, it has to be balanced with fact. This is a cross-border issue and this type of crime requires money, planning, precision, skill, intelligence and a great deal of knowledge in the case of those who are planning it. We need to be acting together against these potential types of offenders. We have to assume that they are out there. In spite of public claims of innocence from family members regarding the severity of sentences recently handed down in the courts, it does appear that there was a high level of these types of behaviours amongst these people. The scope of the planning, the alleged targets and the planning involved raise serious concerns about both the dangers of home-grown terrorists and their potential.

I want to specifically speak now about the issue of radiation therapy and treatment services and what this really applies to. Today the health minister partially endorsed the role of radiotherapy services in the state beyond Brisbane. He made the statement that a benefit of the Patient Travel Subsidy Scheme allowed for the better management of patients away from smaller regional hospitals. I want to discuss that in part, because I want to explain why that strictly is not what we want in a modern society. We want parts of it but not the whole lot. Conventional radiotherapy uses ionising radiation at a variant of measures, from the selective use of specific isotopes to the major linear accelerators, as I have said. You do not always have to use linear accelerators or external beams, but overwhelmingly the increasing use of those is so.

The minister also talked about the issue of getting a new radiation unit in the area of Cairns. The truth of the situation was that Queensland Health—kicking and screaming—was originally opposed to it and then it got on board because local supporters said that people were not getting access to treatment when in fact they just were not fronting up for it. That was the situation in Cairns. Fortunately, we received federal money for this, which I am sure the minister and the health department know will help facilitate it, but the reality is that initially they were opposed to it when in fact it was a very good idea,

because the unit in Townsville is small and only treats public patients and its output is low. This is not the first time Queensland Health under Labor's administration has done this, but I would strongly recommend that it needs to embrace radiotherapy services.

Sitting suspended from 12.59 pm to 2.30 pm.

Dr DOUGLAS: I was referring to Queensland Health and Cairns. What came out of the Cairns situation with radiotherapy was that when radiotherapy services are regionalised—this is radiation treatment services for patients—demand is created in a regional area. People do not want to go to major centres for treatment because they are away from their family for extended periods. We have to understand that, in this modern era, we have mandated that we treat people such as breast cancer sufferers and people who have lymphomas with very specific treatment protocols that include extended radiotherapy treatment services. In Cairns, we have a disproportionately higher need for these services because of the particular needs of the population in the region. They have a slightly higher incidence of solid tissue tumours. That is an issue for another day. The services will go out to tender to one of the providers—and there are a number of providers. Presumably, a local Queensland operator will be appointed as the contractor for this largely federally funded system that will ostensibly operate within the regional health network of Cairns, which is functioning very well.

Radiation services in Queensland generally are largely medical. There are a lot of other things that involve radiation services, but largely they are medical services. I want to discuss some of the other areas. One of the issues relates to Townsville which, as I have said, is a largely public system that has a very limited facility. It is a small unit but, as the need for it in that area has increased, particularly in the west, the service is being expanded. Toowoomba has a private radio oncology unit, Radiation Oncology Queensland. The radiation oncologist is a public hospital doctor at the Mater but also works there. It is a federally funded unit. It has received a $7 million grant. It has two linear accelerators and it is able to treat people with external beam radiotherapy. There is an arrangement for treating public patients. So the service is a private-public mix, which is excellent.

The Gold Coast has two units. One treats public and private patients but the other one does not—the new unit, which is near the old Gold Coast hospital site. But the service has three bunkers and it has just commissioned a second linear accelerator. The need on the Gold Coast for radiotherapy treatment is extensive. That need was highlighted by the member for Mudgeeraba when she referred to ferrying people to and from the service. When you are moving radiotherapy patients, it should be remembered that the radiotherapy treatment involves burning patients—heating them up. That makes them sick, so their need to do things like go to the toilet is much greater. If those patients are delayed through transport, then they have a physical problem. If members have had members of their family receive these services, they would understand the vagaries of these treatments. We do not want to be moving people around.

The Gold Coast area has to accelerate the use of some sort of public contract with the second unit that has been set up in High Street opposite the major hospital. Under the new university hospital, three bunkers have been proposed, but with no capital commitment to the linear accelerators. The presumption is that when the population rises, there will be greater access to the external beam radiotherapy system. There are 750,000 people on the Gold Coast but Brisbane, which has a substantially greater population than the Gold Coast—three times that number—has four units, massive numbers of linear accelerators and there are still some surplus units. The old cobalt units are a thing of the past and they are degrading. Nambour has two private linear accelerators and they have in place an agreement for both public and private patients. The trend has to be to treat both public and private patients. Queensland Health should be embracing that private-public mix.

In general terms, external beam radiotherapy is the norm for most people. The iridium-192, which I have mentioned, and which is a category 3 source, is being used widely. Because it is very energetic, it is the thing that terrorists would seem to want to get. We have to make sure that we keep it a million miles away from them. The low-activity things such as iodine-125, which is a category 5 source, and which is largely used for brachytherapy and prostate cancer, is a rising incidence. It is not really a problem. It should be remembered that things such as pelvic implants and those sorts of things that people usually think about are things of the past.

We have a good internal radiation safety management plan in most of our systems in Queensland. The documentation is good, the training of staff is good, the flexibility is good, it is appropriate for need, there is little obstructive interference from government and there is nothing imposed on them. Equally, it would be easy to say the same thing for the non-ionising radiation plans, which form part of this bill, and which are basically for people using lasers. There is a rising demand for treatment for external beam radiotherapy and also a rising incidence of malignancy due to aging and things such as breast cancer treatment protocols.

We have to maintain access. The regional systems are great and they have to be encouraged. The constraints to growth are staff, the physicists, the cost of the facilities—because of the issue of the funding, particularly as it is $7 million for two units in most places—and the issue of trying to get a mix of public and private patients worked out. The major issue is a question that has been raised in an article in

the *New York Times*, which some members might have read, which refers to catastrophic results from very small things. There has been a congressional hearing about it. I think most people have to realise that, when you start amplifying services, you will occasionally have problems.

In conclusion, we have really moved on in radiation care. People have to embrace it. They have to see that it is a modern treatment. They need to remove all their fears. This National Security Code is appropriate and it is embraced by medical people. There is also the serious issue of, 'What I don't know won't hurt me'. People do not want to know about radiotherapy. It is constraining us all. We have to stop thinking that it is dangerous. We definitely need it. Remember, the Wright brothers in 1903 were flying in planes and then NASA put a fellow on the moon in 1969. For 10 years we have stopped building nuclear facilities and now we have these fast breeder reactors, particularly in France and Korea. The energy cost is lower and they produce isotopes that are high volume and readily available for medical care. Who is fooling who here?

Mr HOOLIHAN (Keppel—ALP) (2.37 pm): In entering into the debate in support of the Radiation Safety Amendment Bill, I would like to follow on slightly from the outline given by the member for Gaven. This bill is not only just to make sure that radiation is used for peaceful purposes. The explanatory notes to this bill state that the objective of this bill is to—

> enhance the security measures for radiation sources under the *Radiation Safety Act 1999* and thereby minimise the risk of these sources being used for malicious purposes; and ... protect the environment from the harmful effects of radiation.

So this bill is not just about protecting people; it is also about protecting the environment. There is no doubt that the development of a culture that is committed to safety and security will continue to ensure that the people of Queensland and our environment are protected from the potentially harmful effects of radiation. From 2002, COAG agreed to a national review of regulation of hazardous materials. Radiation was included in those hazardous materials and this bill is a follow-up from that review. Other hazardous materials included ammonium nitrate, which is capable of making a fairly effective explosive, and hazardous biological materials. In 2007, COAG also agreed to a recommendation of the *Report on the regulation and control of radiological material* and wanted agreement with each jurisdiction that it would take the steps necessary to adequately regulate the security of those radioactive sources. That was the basis for a review of Queensland's registration.

As we heard from the member for Gaven, who is a medical practitioner, the use of radiological material has many benefits in terms of its contribution to medicine, industry and scientific research. However, the practice is not without its risk and it is imperative to the safety and wellbeing of all Queenslanders that legislation actively minimises, as best it can, such risks. In relation to security measures for transportation it is important to limit the ability of any person who might decide to do harm. Members of this House should note the claims that were made in New South Wales in relation to charges under the Anti-Terrorism Act that people had targeted the Lucas Heights nuclear reactor as part of their scheme.

The development of a safety culture has been more concerned with the broader issues of measures to prevent and minimise harm to humans and the environment. There is now a code of practice for the security of those sources. Underlying the bill is an understanding that people should be protected from unnecessary exposure to radiation by ensuring that radiation sources are safely managed and securely protected at all times including after the end of their useful life. We have many examples of radiation material that is looking for a home somewhere in the world because some people do not want to keep in it their own countries. I commend the amendments to the bill that reflect a regulatory scheme that increases security during storage and possession. It covers the use of radiation and the transport of the material to minimise the risk of such materials being used for those malicious purposes as set out in the explanatory notes. Individuals or businesses authorised to possess or engage in a practice involving the use of radiation sources bear a significant responsibility for the safety and security of those sources and our legislation needs to reflect and reinforce that.

Inherent in this bill is to make sure that people are properly identified as being able to use the material and there is the ability to make sure that people are properly licensed to move it. A COAG recommendation to reinforce safety and security related to how this would be implemented. There has been an education and awareness raising program which targets the people who are, in fact, using radiation. That has been conducted by the Australian Radiation Protection and Nuclear Safety Agency in conjunction with the relevant regulatory authority in each state and territory. The health department works closely with those agencies to make sure that all requirements are met. Requiring licensees to prepare a security plan and/or transport security plan, to document the responsibilities and duties of persons dealing with a security enhanced resource as well as the physical and administrative measures to be implemented to safeguard the source when it is being used, transported or held in storage, actively minimises the potential for such sources to be used to cause or threaten harm—in fact, hopefully it would exclude them. Although no code of conduct or regulatory measures can completely exclude all eventualities we have to make sure that they are fairly effective and are able to be enforced.

That basis is reinforced by the requirement that security plans need to be presented and approved as part of the licence application process to ensure that the necessary security measures are in place prior to the licensee being able to take physical possession of a security enhanced resource and, in fact, to use that resource. Radiation is used by the health department in medicine and for scientific research. There is no doubt whatsoever that our community and our society is a lot better for the ability to use it. As long as it can be used in safety and kept out of the hands of any person who would use it maliciously I would support this bill and all the matters contained therein.

Mrs KIERNAN (Mount Isa—ALP) (2.44 pm): I rise to speak in this debate in support of the Radiation Safety Amendment Bill. The Radiation Safety Act 1999 is the principal piece of legislation in Queensland that regulates the possession, use, acquisition, disposal, relocation and transport of radiation sources. Accordingly, it is imperative that it be constantly reviewed and amended to align with national and international standards of practice. I am aware that the Council of Australian Governments endorsed the recommendations of the review of radiological materials that each jurisdiction's safety legislation adequately regulate the security of radioactive sources, including the making of standards, licence conditions, compliance monitoring and enforcement mechanisms. I am further aware that Queensland is taking the lead on such recommendations and is the first jurisdiction to introduce amendments to its current legislation to reflect such recommendations.

I acknowledge that the legislation already provides mechanisms by which Queensland can monitor and, as may be necessary, take action to secure radiation sources that pose a risk to the health and safety of persons or the environment. However, this bill recognises how some of these mechanisms can be strengthened, particularly in relation to the new category of security enhanced sources. Most notable are the fortification of offences and subsequent penalties to reflect the seriousness with which this government views safety and security of radiation practice.

I note the creation of a new offence to deter persons from abandoning a radioactive source without lawful excuse with a maximum fine of $250,000 for an individual and $1.25 million for a corporation. Further, this bill will expand the mandatory reporting requirements to ensure that relevant authorities can be notified if there is a security breach in relation to a security enhanced source; enable an inspector with the appropriate powers to monitor, investigate and enforce compliance with the act in relation to security for radiation sources; and remove the restriction on the use of information provided to an entity of the state, another state or the Commonwealth to facilitate the establishment of the proposed national database and notification system for radiation sources, including security enhanced sources.

Passage of the Radiation Safety Amendment Bill will ensure that Queensland's legislation continues to support a system of radiation safety and protection that is consistent with nationally and internationally recognised standards and guidelines. With that I commend the bill to the House.

Mr MESSENGER (Burnett—LNP) (2.47 pm): The primary aim of the code is to decrease the likelihood of the unauthorised access to or acquisition of a radioactive source by persons with malicious intent. Unfortunately, there are ever-increasing numbers of people who have malicious intent and I will talk about those people shortly. As indicated by the minister in his second reading speech, it is important to acknowledge that radiation sources are used to great effect in medicine, industry and scientific research. Anyone who has been involved in the treatment of people with certain cancers will readily acknowledge the truth in the minister's comments. Radiation sometimes by itself and sometimes in conjunction with chemotherapy is often used to help stop tumours with varying degrees of success. Sometimes radiation will help cure cancer in patients and sometimes it will not. I think it is appropriate to acknowledge the courage, professionalism and dedication of Queensland Health staff, the doctors, nurses and allied health workers, who work with radioactive materials and help bring about those miracle cures.

As in all other regional communities in Queensland, in my local community there are many people requiring radiation treatment who have to travel to the Brisbane hospitals for more advanced life-saving radiation therapy. I mention in passing that those people do need greater assistance with their travel. I have suggested before in this House that the establishment of a nursing position on the tilt train heading from Bundaberg to Brisbane would greatly help those patients.

This bill is important. We need to enhance security measures for radiation sources because being exposed to unnecessarily high or mild doses of radiation can prove fatal and life threatening to many people, especially if there has been an accident in a nuclear industrial facility, an attack on a nuclear industrial facility, the detonation of a small radioactive device, the detonation of a conventional explosive device that disperses radioactive material—we have heard about dirty bombs—or the detonation of standard nuclear weapons, which are all sources of high doses of radiation.

If you are unlucky enough to experience a mild dose of radiation sickness, symptoms that manifest themselves include nausea and vomiting within 24 to 48 hours, headaches, fatigue and weakness. The symptoms of moderate radiation sickness include nausea, vomiting within 12 to 24 hours, fever, hair loss, infections, vomiting blood, poor wound healing and any of the signs and

symptoms associated with a lower absorbed dose. Moderate radiation sickness can be fatal to those most sensitive to radiation exposure. The symptoms of severe radiation sickness include diarrhoea, high fever, dizziness, disorientation and low blood pressure. Very severe radiation sickness is often fatal. In his second reading speech the minister stated—

However, due to historical events, in April 2007 COAG decided a uniform approach must be taken to enhance Australia's existing national counterterrorism arrangements.

As the minister admits, this bill is part of Queensland's effort to comply with that uniform approach to enhance Australia's counterterrorism arrangements. Of course, while it is proper to applaud the health minister for convincing his colleagues that Queensland needs to pull its weight when it comes to matching other states' efforts and enhancing national counterterrorism arrangements, it is sad that the Deputy Premier did not have the courage of his convictions and consistency of logic to apply the same reasoning to matching other states' efforts in enhancing national counterterrorism arrangements when the subject of police resourcing came up, for example police helicopters. Queensland is the only state that does not have a police helicopter, which would be used extensively if there were ever any sort of terrorism attack.

A significant—perhaps the most significant—part of this bill relates to the adoption of the National Security Code, which sets out requirements of a number of physical and procedural security measures to be introduced as well as mandates that persons dealing with high-risk radioactive materials undergo a comprehensive security background check. The background check will provide a full criminal history check, identity check and security check for politically motivated hostility. It is expected that the adoption of the National Security Code will allow Queensland to work with the Commonwealth far more efficiently. How can we in Queensland continue to kid ourselves that we are matching other states' efforts and enhancing national counterterrorism arrangements in the event of a dirty bomb attack if we do not equip our police with the most basic of crime prevention tools?

Mr LUCAS: I rise to a point of order.

Madam DEPUTY SPEAKER (Ms van Litsenburg): Order! Would the member resume his seat.

Mr LUCAS: My point of order is this: whether or not you have a helicopter has nothing to do with the Radiation Safety Amendment Bill. I ask that the member be directed to speak to the terms of the bill.

Madam DEPUTY SPEAKER: Can the member explain the relevance of a helicopter to the bill?

Mr MESSENGER: I have been waiting all day for that question.

Madam DEPUTY SPEAKER: Will the member come back to the bill.

Mr MESSENGER: I will. I refer to clause 14, 'Amendment of s 25 (Person must not relocate radiation source without approval)'. The maximum penalty for an infringement is 400 penalty units, or $40,000. Obviously, if people are to be caught and fined under the provisions of this legislation and penalties are to be applied to them for illegally relocating a radiation source without approval, a police helicopter would be one of the essential tools and observation platforms that most worldwide law enforcement—

Madam DEPUTY SPEAKER: Will the member resume his seat. Will the member stay on the bill. Police helicopters are not relevant to this bill.

Mr MESSENGER: Thank you for your direction, Madam Deputy Speaker. In referring to the Radiation Safety Amendment Bill 2009, it is relevant to speak about dirty bombs.

Government members: Ha, ha!

Mr MESSENGER: I am surprised that many members opposite would laugh about dirty bombs because, of course, they are one of the mechanisms of spreading radiation. If we think about the effects of a dirty bomb in an urban environment, it is obvious that their detonation can have very serious repercussions. What is a dirty bomb? A dirty bomb is a radiation dispersal device. In 2002, the Director of Central Intelligence within the Central Intelligence Agency, George J Tenet, appeared before the US Senate Select Committee on Intelligence. In a speech detailing the worldwide threat and converging dangers in a post 9-11 world, he said—

- Although the September 11 attacks suggest that al-Qa'ida and other terrorists will continue to use conventional weapons, one of our highest concerns is their stated readiness to attempt unconventional attacks against us. As early as 1998, Bin Laden publicly declared that acquiring unconventional weapons was 'a religious duty.'
- Terrorist groups worldwide have ready access to information on chemical, biological, and even nuclear weapons via the Internet, and we know that al-Qa'ida was working to acquire some of the most dangerous chemical agents and toxins. Documents recovered from al-Qa'ida facilities in Afghanistan show that Bin Ladin was pursuing a sophisticated biological weapons research program.
- We also believe that Bin Ladin was seeking to acquire or develop a nuclear device. Al-Qa'ida may be pursuing a radioactive dispersal device—what some call a 'dirty bomb.'
- Alternatively, al-Qa'ida or other terrorist groups might try to launch conventional attacks against the chemical or nuclear industrial infrastructure of the United States to cause widespread toxic or radiological damage.

- We are also alert to the possibility of cyber warfare attack by terrorists. September 11 demonstrated our dependence on critical infrastructure systems that rely on electronic and computer networks. Attacks of this nature will become an increasingly viable option for terrorists ...

The shadow health minister and others have spoken of the serious and grave threat posed to human life by radioactive materials and explosions containing radioactive materials. I simply pose this question to the health minister: are the penalties relating to the illegal supply and relocation of radiation sources great enough when compared to other legislation put before this place by the Queensland Labor Party? I note under clause 13, which amends section 24, dealing with the supply of radiation sources, the maximum penalty for a radiation source that is not a security enhanced source is 400 penalty points, or $40,000. Clause 14 amends section 25, which states that a person must not relocate a radiation source without approval. Once again, the maximum penalty for a radiation source that is not a security enhanced source is 400 penalty units, or $40,000. Clause 25, which amends section 44, relates to the additional obligation of persons carrying out radiation practices. The maximum penalty for a breach of the law is 500 penalty units, or $50,000. Clause 24 deals with the additional obligations of possession licensees. I also note that the maximum penalty for scaring a flying fox out of its roost is double that for the illegal supply and relocation of radiation sources.

I ask all members: what do those penalties say about the priorities and the values of this government? This government will enforce a greater maximum penalty on people who disturb flying foxes than on people who illegally supply and relocate radiation sources. The penalties contained in clauses 13, 14, 24, and 25 of the Radiation Safety Amendment Bill, compared to penalties contained in clause 35 of the Environmental Protection and Other Legislation Amendment Bill 2007, which inserted into the Nature Conservation Act new section 88C, show that there is an imbalance in the manner in which this government approaches serious social issues and issues of community safety. There is an imbalance in the amount of influence small radical minority groups have with this government compared to the influence that workers, businesses, loyal public servants, police and other people of common sense have with this government.

In closing, and in supporting the government's bill, I acknowledge that terrorism is a very real threat. University of Queensland academic Dr Carl Ungerer, from UQ's School of Political Science and International Studies, has warned Australians not to be complacent when it comes to terrorism threats. He stated in his 2004 paper—

Australia's profile as a target has been raised because of our involvement in Iraq but we are also a target just because we are a liberal western democracy.

I would like to acknowledge the efforts of the members of the Defence Force and their families for helping us remain a liberal Western democracy. While we are in this air-conditioned chamber dodging words and phrases and debating legislation that is designed to protect our families' and our communities' safety and freedoms, the men and women of the ADF are on foreign soils dodging bullets and bombs, prepared to bleed and die, because they want to protect our families' and our communities' safety and freedoms.

Ms JOHNSTONE (Townsville—ALP) (3.00 pm): It is with pleasure that I rise to speak in this debate to support the Radiation Safety Amendment Bill. The Bligh government is consistently working towards ensuring Queensland legislation aligns with national and international standards. The amendments proposed for the Radiation Safety Act 1999 reflect this commitment.

Whilst recognising the many beneficial uses of radiation, it is important to ensure that the use of radiation sources occurs within a framework that promotes safety, protection and security. Essential to such a framework is of course the health and safety of persons. However, it is also imperative that measures are in place to protect our environment from the harmful effects of particular sources of ionising and harmful non-ionising radiation.

Accordingly, I am pleased to see that this bill provides for amendments to be made in order to strengthen the application of the act in relation to its object of protecting the environment. The 1999 bill's objective was 'to protect persons from health risks associated with exposure to particular sources of ionising radiation and harmful non-ionising radiation'. Even though the act did not explicitly mention the environment, it did contain a range of measures designed to protect not only personal safety but also the environment.

To ensure compliance and consistency within the National Directory for Radiation Protection, this amendment bill will strengthen existing objectives of the act. Specific amendments that will provide improvements in the area of environmental protection include providing an overt expectation that the chief executive will consider the potential for harming the environment as part of the consideration of all applications made under the act—for example, in relation to an application to dispose of radioactive material.

The amendments will also provide powers to inspectors appointed under the act to enable them to perform assessments to monitor and enforce compliance to ensure that the environment is not harmed by the disposal methods for radioactive materials. These powers cover a range of actions that can be undertaken from conducting recordings, measurements and tests to inquiring into the circumstances and causes of a risk to the environment, to inquiring about the circumstances and probable causes of a risk, to stopping a vehicle if it is reasonably believed the environment might be at risk, to seizing a radiation source if an inspector reasonably believes there is a serious risk to the environment.

The amendments will also provide emergency powers to inspectors appointed under the act so that they may take immediate action to avoid imminent serious environmental harm from a source such as ensuring proper containment of radioactive material. They will also be able to ensure that the council has within its membership a person who can provide advice and a perspective on the protection of the environment.

I would think that most of us here today support the huge advances that nuclear medicine has provided in both the detection and the treatment of disease and illness. These advancements in medical treatments, along with the security and safety measures contained in the Radiation Safety Act and the amendment bill before the House, mean that patients in the broader community can have peace of mind in knowing that Queensland is providing personal and environmental protections to the highest national and international standards in this area. I commend the bill to the House.

Mr WELLINGTON (Nicklin—Ind) (3.04 pm): I rise to participate in the debate on the Radiation Safety Amendment Bill 2009. I acknowledge that the central theme and the purpose of this legislation is the prevention of radiological material being misused. It is noted, and other members have noted, that this bill is part of national scheme legislation. It brings home to us all that we are no longer isolated or separated from the rest of the world. We are part of a global community. Every day people can hop on a plane and go anywhere in the world—be it arriving in Australia or departing from Australia, arriving in Brisbane or departing from Brisbane, arriving on the Sunshine Coast or arriving anywhere.

This bill is intended to prevent radiological material being misused, because there is no doubt, as other members have said, that there may be opportunities for people to do the wrong thing by accessing this material to cause significant harm and grief to our community. This bill is about preventing that from ever happening and to put the right checks and balances in place to make sure that we have the best system possible to ensure that we have the safest community possible that we can afford. As I indicated, this is part of national scheme legislation.

In the minister's explanatory notes, he talks about the costs. I think it is important that we are always aware that when we change the law or create new laws there is usually a cost involved. In this instance, it is acknowledged that there is a cost. But no doubt the security that hopefully this new law will generate in our community will outweigh that cost. But we need to understand that there is a cost and that we all have to share the burden of that cost. The explanatory notes at page 6 state—

The Post Consultation Draft of the Regulatory Impact Statement concluded that 'while there is a cost of implementing the requirements in the Code, the benefits can only be measured against avoiding the costs that would result from a radiological attack and any such costs would be expected to be quite significant' ...

That really brings home to me, and I think to all of us, that this is a case where, although we may have different contributions—whether we are members of the government, the opposition, the crossbenches or whatever our political persuasion—we can see the common sense of working together, working together with our colleagues across the border and working together with the federal government, to make sure that we have the safest nation in the world. This legislation is part of making sure that we are as safe as our legislators can possibly make us. I commend the bill to the House.

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Minister for Health) (3.06 pm), in reply: I thank members of the House for their contributions to the debate on the Radiation Safety Amendment Bill. The bill represents an important step towards improving the national security of Australia by ensuring Queensland is playing its part in securing the radiation sources used in this state.

The Radiation Safety Amendment Bill will provide for the implementation of Australia's Code of Practice for the Security of Radioactive Sources. Implementation of the code was one of the recommendations of the COAG *Report on the regulation and control of radiological material*, which was developed as part of Australia's commitment in 2004 to implement the International Atomic Energy Agency's Code of Conduct on the Safety and Security of Radioactive Sources. Queensland has taken a lead role throughout this journey. The bill marks the end of this part of the development process and the start of improved security arrangements. All Australian jurisdictions have committed to implement the code of practice by September this year.

Before turning to the detail of the bill, I would like to address some matters raised in relation to the provision of oncology services. Honourable members raised an issue in terms of transport vis-a-vis Gold Coast residents who are coming to Brisbane. I am more than happy to have a look at that particular

issue. I think it ill behoves the member for Mudgeeraba—if she wants to make a legitimate point, fine; I am happy to cop that—to descend into juvenile and ridiculous political comment and claim about what the government is seeking to provide on the Gold Coast. The government is seeking to provide a Gold Coast University Hospital, actually. If she wanted to be fair dinkum about things, she would have said why the previous federal government failed to match state increases in funding under John Howard's watch. Had that funding been increased, it would have allowed us to increase particular services to people. I am not going to waste any more time of the House on that point other than to say that. I thank other members for their contribution.

The code of practice was developed on the basis that security outcomes should apply in a graded manner so that the stringency of the measures to be implemented by industry would be proportional to the likelihood and consequences following a source, or an aggregation of two or more sources, being acquired and used for a malicious purpose. Radiation sources are widely used in mining and manufacturing industries, medical facilities, veterinary practices and research institutions.

Today, these industries use sources that have shorter half-lives and are less active. However, some applications do require long half-life sources because of their other radiological properties or require higher activity sources. Further, there are a number of older sources in Queensland that will continue to be managed in a safe and secure way.

All radioactive substances impose a risk to human health. However, the level of the risk depends on many factors, such as the activity of the source—that is, how radioactive it is—its half-life; the chemical and physical form of the radioisotope in the source; and how the source is used. The member for Gaven made the point—as did a number of other members—that some people, in their quest to be purely antinuclear, forget the benefit of radiation treatment and nuclear medicine for people. That is quite ridiculous. The government makes no apology for supporting appropriate nuclear medicine for people, or indeed the safe use in the community generally of radioisotopes and the like.

Security enhanced sources are those radiation sources which if not properly controlled could cause severe health effects very quickly. Security enhanced sources are used primarily for borehole logging, industrial radiography, brachytherapy and product irradiation. Radiation sources which are not security enhanced sources are still hazardous. These sources can still give rise to doses in excess of the dose limits allowed under the Radiation Safety Act, so they are still subject to regulatory control to ensure that they are stored and used as safely as possible.

The object of the Radiation Safety Act is to protect persons and the environment from the harmful effects of particular sources of ionising radiation and harmful non-ionising radiation. The intent of the bill is to further protect persons and the environment as well as to ensure that those sources classified as security enhanced sources are sufficiently secured to prevent persons with malicious intent from being able to gain unrestricted access to a source.

Members of the House, I would like to stress that the risk associated with the potential misuse of a particular radiation source—for example, a dirty bomb—will depend on: the amount of radioactivity in the source; the type of radiation emitted by the source; the time taken for a source to disintegrate to a point where it no longer emits dangerous levels of radiation; the ease of accessibility to the radioactive material in the source; the portability of the source; and the physical and chemical properties of the source.

To their credit, I have been advised that those businesses which are in possession of security enhanced sources recognise the part they must play and are keen to participate in the implementation of the bill, assisted by officers of the Radiation Health Unit in Queensland Health and officers from the Australian Radiation Protection and Nuclear Safety Agency. The bill will impose costs on these businesses but it is envisaged that the burden placed on existing industry participants by the implementation of the bill will be minimised if they avail themselves of this assistance. I should highlight, though, the additional cost may be as low as $90 for those required to have a criminal history and security check, or it could be $350 should a person need to have a transport security plan approved.

I thank the Scrutiny of Legislation Committee for the report on the bill and note that the committee has advised that, in general, the explanatory notes for the bill provide a lengthy justification for any breach of fundamental legislative principles. However, I am aware that the committee sought further clarification about a number of new offences that create an offence of strict liability, as they have the potential to affect the rights and liberties of individuals. I have forwarded a response on these matters but will touch upon them now.

The provisions in the bill identified by the committee as giving rise to an offence of strict liability include: clause 16, which inserts new section 27A to make it an offence for a person to abandon a radiation source; clause 22, which inserts new sections 34E, 34F and 34G to set out the obligations of licensees and others in relation to security plans; clause 22, which inserts new sections 34L, 34P, 34Q and 34R to set out the obligations of licensees, transporters and others in relation to transport security

plans; and clause 26, which inserts new sections 44A and 44B to impose additional overarching obligations on licensees and others to ensure the security of security enhanced sources. It is considered that these new offences are in keeping with the policy intent of the amendments being made to the Radiation Safety Act to enhance the security measures for security enhanced sources and thereby minimise the risk of these sources being used for malicious purposes.

The Radiation Safety Act currently imposes strict controls on the circumstances under which a person may possess, acquire, supply, relocate and dispose of a radiation source. However, the bill provides for these controls to be strengthened as envisaged by a code of practice. Given the potential harm that could be caused to human health and the environment, it is considered appropriate that offences of strict liability be created to ensure that those people who may have access to a security enhanced source act in a responsible manner. These provisions reinforce an underlying principle of the legislation that those persons who have responsibility for a radiation source must not only implement the necessary safeguards to ensure the safe storage and use of a source but ensure that appropriate arrangements are made once a source has reached the end of its useful operating life—that is, relocating the source to a waste facility.

The code of practice also specifies that those persons who deal with or transport a security enhanced source must comply with the code of practice and the documented plan formulated to demonstrate how the requirements of the code will be satisfied. In order to give effect to these requirements of the code of practice, clause 22 of the bill clearly sets out what is required of those persons responsible for the development, implementation and review of these plans.

As detailed in the committee's report, a number of new offences have been created should a licensee or other person fail to meet their obligations in relation to an approved security plan or approved transport security plan for a security enhanced source. The penalty for these offences has, in the main, been set at 2,500 penalty units, which equates to a maximum fine of $250,000 for an individual and $1.25 million for a corporation. As recommended by the review of radiological materials, the penalty levels set under each jurisdiction's legislation must act as a deterrent and thereby encourage industry participants to comply with the new security requirements. I would note in passing that if someone used them for a malicious purpose then of course there are offences in themselves as a result of that.

Clause 26 also inserts new section 44A to impose a general obligation on those persons who possess, use, transport or otherwise deal with a security enhanced source to take reasonable steps to ensure the security of the source. However, as each of these persons should be subject to either an approved security plan or an approved transport security plan, the provision clarifies that a person is taken to have complied with the obligation if the person complies with those parts of a plan that relate to the person.

While it may be argued that the offences created under clauses 22 and 26 may breach an individual's rights and liberties, it is considered that this apparent breach is justified. As required by the code of practice, these offences clearly outline a person's responsibilities to ensure the security of those radiation sources which have been identified as having the potential to cause immediate harm if arrangements for the safety and security of the source were to be compromised or the source is abandoned, lost, stolen or transferred without proper authorisation.

The Scrutiny of Legislation Committee also sought further information regarding clause 26, which inserts new section 44B to impose an obligation on those corporations that hold either a possession licence or a transport licence—otherwise than by road—to appoint and retain an individual to oversee the security of the security enhanced source. This section gives effect to those aspects of the code of practice that require the responsible person, or a nominee in the case of a corporation, to oversee implementation of the security measures specified under the code.

However, section 44B does recognise that circumstances may arise when a nominated person's appointment comes to an end—that is, they retire or resign. Subsections 44B(3) and (4) therefore go on to clarify that if the appointment of a nominated person ends, the licensee will not be in breach of this provision, provided that the licensee: notifies the chief executive in writing, within seven days of the nominated person's appointment ending; and takes the steps that are reasonably necessary for another appointment to be made or take effect.

In this bill, persons with unrestricted access to a security enhanced source must be demonstrably trustworthy for the integrity of the security system to remain uncompromised. In most circumstances, it is possible to use a radiation source for its designed purpose without having unrestricted access to the source. In these situations, the source is retained by some physical restraint during use and hence its security can be assured. In practical terms, these security enhanced sources are dangerous to use unless they are properly shielded within substantial equipment. This equipment itself serves to ensure the security of the source.

As an example, security enhanced sources are used in hospitals for brachytherapy, a type of cancer treatment. When in their normal operating condition, nurses and other hospital staff, and their patients, have restricted access to the source under these circumstances and hence identity checks will be all that is required for these persons. Similar to nurses and other hospital staff in this example, the vast majority of researchers and students in institutions where security enhanced sources are used will be able to use the equipment for their research without the need for them to undergo a criminal history and security check.

On the other hand, the person who removes the source from the machines and installs a new one has unrestricted access to the source. This person will need to undergo a full check comprised of an identity, criminal history and security check before being allowed to do so. A person who is required to have a security background check will need to apply to Queensland Health to have this check done. Queensland Health will request from the Police Service a criminal history check and a security check, which is conducted by ASIO into a person's background and activities to assess whether a person is, or may be, a threat to national security. Should the chief executive, for example, determine that a person be refused a licence in light of the outcome of their criminal history and security check, the person must be given an information notice about the decision, including the reasons for the decision and the person's right of appeal.

In addition, the Australian Security Intelligence Organisation Act requires that the agency which requested a security assessment must advise the person of the outcome of the assessment and their right to appeal to the Commonwealth Administrative Review Tribunal—and I think the member for Caloundra asked a question on that—as provided for by the ASIO Act. In the first instance, an application for review may be made to the chief executive but, if still dissatisfied, the person may apply for the matter to be reviewed by the Queensland Civil and Administrative Tribunal. If, on the other hand, despite an applicant having an adverse security assessment or a qualified security assessment, the chief executive decides there is insufficient information to sustain an appeal, the chief executive could grant the application. In such circumstances the chief executive might also decide it would be prudent to advise security agencies of this decision.

The bill also addresses other matters. It makes a number of amendments to strengthen the application of the act in relation to its objective of protecting the environment from the harmful effects of particular sources of ionising and harmful non-ionising radiation while recognising the beneficial uses of radiation. In particular, it places clear obligations on possession licensees to require them to ensure that the environment is not adversely affected by exposure to radiation as a result of a radiation practice being carried out with a source in the licensee's possession. In a corresponding way, it also places obligations on persons carrying out those radiation practices to ensure the environment is not adversely affected by exposure to radiation as a result of their actions. If an incident which could affect the environment does occur, the bill will require that incident to be reported, thereby allowing remediation actions to occur as soon as possible after the event.

The bill explicitly requires matters relating to the protection of the environment to be considered as part of the decision-making processes for applications for act instruments. Previously the protection of the environment was considered during decision making, but the amendment will assist this by making this aspect of the consideration process more overt.

Further, the powers of inspectors have been clarified in this area to make it clear that enforcement actions to ensure the protection of the environment are able to be taken. This is bolstered by some clarification that a court will be able to order the payment of costs in a proceeding for an offence against the act if it is found that the defendant caused a situation that resulted, or could have resulted, in the health and safety of any person or the environment being adversely affected by committing the offence.

To ensure the government is able to be adequately apprised of matters relating to the environment, the bill amends the specification of expertise within the Radiation Advisory Council to include experience in, or knowledge of, ways of preventing or minimising risks to the environment in so far as exposure to radiation is concerned. The bill also provides for the indemnification of members of the council or its committees in the performance of their statutory functions.

The passage of the Radiation Safety Amendment Bill will ensure that Queensland's legislation continues to support a system of radiation safety and protection that is consistent with nationally and internationally recognised standards and guidelines. It will also provide the foundation for a strong security culture within the radiation industry in this state. I commend the bill to the House.

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

Motion agreed to.

Bill read a second time.

Consideration in Detail

Clauses 1 to 3, as read, agreed to.

Clause 4—

Mr McARDLE (3.22 pm): My question relates to the COAG agreement of April 2007. It seems to have been a very long time from what was contained in the COAG agreement to the introduction of the bill before the House. Was a process gone through that delayed—that might be the wrong word—it for a period of three years?

Mr LUCAS: I am advised that it has gone through several national consultation processes including a national regulatory impact statement and consultation with various agencies. One would be aware that this is a bill that is partially in the health and medical area and partially in the terrorism area. I was not the health minister at that point in time, so I cannot comment personally on it.

Clause 4, as read, agreed to.

Ms Bates: Mr Deputy Speaker, did you not know that I want to speak to this clause? Did I miss it?

Mr DEPUTY SPEAKER (Mr Hoolihan): Order! You need to let us know any clauses you wish to speak to. Clause 4 has been put. If you wish to speak to any other clauses, can you let the Clerk know?

Clauses 5 to 15, as read, agreed to.

Clause 16—

Mr McARDLE (3.25 pm): The minister alluded to the *Legislation Alert* and the issue of strict liability in relation to clause 16 et cetera. I heard what the minister said. What it means, however, is that the excuses under the Criminal Code do not apply. It means that any mistake of fact or any accident et cetera will not excuse a person from criminal liability. That is an extreme step to take because, as the minister knows from his background in law, these things can occur completely outside of the control of the individual. It may well be a motor vehicle accident. It may well be an independent third party who intervenes in some manner that you cannot possibly foresee.

I know there are examples in state law to that effect at the moment, but to impose that particular restriction is very onerous. I understand that we are dealing here with very delicate items. We are dealing here with issues that could be used to cause destruction or harm, but to remove the inherent rights that are so well entrenched in our criminal justice system as a defence to crimes is also a very serious step. Again, I heard what you said, but is there an example you can give, maybe from a jurisdiction overseas, that warrants this very harsh procedure being put in place?

Mr LUCAS: I thank the honourable member for the question. He has a valid point. I do not dispute that it is the case that it is quite an onerous provision. I am advised that this is consistent with the legislative approach in other states—for example, in the Victorian Radiation Act 2005 and the Tasmanian Radiation Protection Act 2005. I am told it is section 21 of the former act and section 38 of the latter act. So it does have precedent. Also, the existing provisions of the bill are strict liability provisions. So we are not changing the intent of the bill. I know that there are some other changes to the nature of the offence and the penalties.

The other thing I would say, though, is that in some instances it depends on how someone complies with the plan that they have. One might comply with the plan and, notwithstanding that, have an outcome that is not satisfactory. The plan needs to be carefully drafted. The other thing is that it is not just about prosecuting everybody for everything that ever goes wrong. There are alternatives available to the department including improvement notices and prohibition notices that are short of prosecution.

I think we need to have a reasonable response. In terms of strict liability, if you have a staff member who perhaps is not doing the right thing and you could not have possibly known about it, I think that is the sort of situation where you would try to take into account what systems you have. But if you have been hit with a notice about someone and the next time you have not sorted it out, I think that is a different issue. I am not going to argue with the member's general point about strict liability—I think that is a valid point to make—but there are precedents for it both in this act and in relation to similar legislation elsewhere in Australia.

Ms BATES: Today in my speech I raised what I believe is a very valid concern relating to public patients travelling by bus from the Gold Coast or anywhere to hospitals in Brisbane for any sort of radioactive iodine treatment. I believe the minister has already alluded to this in his summing-up, which I missed. As I mentioned, these patients are transported on a bus. It is my understanding that there are no toilet facilities on this bus. Patients who have had radiation therapy, especially abdominal radiation therapy, often have diarrhoea so the bus may need to stop at a public toilet facility so the patients can avail themselves of the bathroom. My great concern regarding radioactive safety is that these patients would not ordinarily be in a public facility. In the hospital they would be in a room and quarantined and their waste products would be quarantined as well. These patients could unintentionally and unknowingly put the general public at risk of exposure to radioactive waste through either urine or faecal contamination.

Clause 4 talks about a transport security plan. This clause talks about the disposal of a radiation source. I believe that this is an issue that needs to be addressed. Can the minister assure me, patients and the public alike that this can be quarantined and that he is aware of the issue? If not, is there a possibility that you might address this issue?

Mr LUCAS: I thank the honourable member for the question. As I indicated before, I am not medically qualified, and specifically not in relation to medical radiation issues. I will have to take some advice on that issue. I do not know what level of radiation would be present in waste products from people. Presumably, it would not qualify as a security enhanced source. The member has raised an issue in good faith and I will have a look at it in good faith and see what the appropriate answer is. I will get back to the member on that point.

Clause 16, as read, agreed to.

Clauses 17 to 21, as read, agreed to.

Clause 22—

Mr McARDLE (3.31 pm): This clause refers to security plans and transport plans. It refers to security enhanced sources. I understand from my briefing with the department yesterday that those items are to be put in regulation down the track. They are not as yet in regulation. They will come out on the date of proclamation of the bill. I would have thought the security enhanced sources would have been known now. Is there any reason, at least in part, that they could not be disclosed under the terms of this bill?

The other point relates to 34A(5) on page 14 of the bill. It says that security measures are those that will be regulated by a relevant regulation. Could the minister explain why those measures would not be available under the terms of the bill as it stands today? Are there circumstances yet to be worked through?

Mr LUCAS: I am told that the security enhanced source requires a methodology to be applied and that is contained within the code. The code is available publicly now. Therefore it is just merely the case of the regulations putting in place the material that is in the code in an appropriate drafting fashion. The methodology is available at this point in time.

Clause 22, as read, agreed to.

Clauses 23 to 25, as read, agreed to.

Clauses 26 to 41, as read, agreed to.

Clause 42—

Mr LUCAS (3.34 pm): I move the following amendment—

1 Clause 42 (Insertion of new pt 7, div 10)

Page 40, line 22, 'portable'—

omit.

I table the explanatory notes to the amendment.

Tabled paper: Explanatory notes to Hon. Lucas's amendments to the Radiation Safety Amendment Bill [1877].

This is merely a technical amendment.

Amendment agreed to.

Clause 42, as amended, agreed to.

Clauses 43 to 56, as read, agreed to.

Third Reading

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Minister for Health) (3.36 pm): I move—

That the bill, as amended, be now read a third time.

Question put—That the bill, as amended, be now read a third time.

Motion agreed to.

Bill read a third time.

Long Title

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Minister for Health) (3.36 pm): I move—

That the long title of the bill be agreed to.

Question put—That the long title of the bill be agreed to.

Motion agreed to.

MOTION

Order of Business

Hon. JC SPENCE (Sunnybank—ALP) (Leader of the House) (3.36 pm), by leave, without notice: I move—

That government business orders of the day Nos 2 to 12 be postponed.

Question put—That the motion be agreed to.

Motion agreed to.

MOTION

Revocation of State Forest Areas

Hon. KJ JONES (Ashgrove—ALP) (Minister for Climate Change and Sustainability) (3.36 pm): I move—

1) That this House requests the Governor in Council to revoke by regulation under section 26 of the Forestry Act 1959 the setting apart and declaration as State Forest of the area as set out in the Proposal tabled by me in the House today, viz

Description of area to be revoked

Beerwah State Forest (SF561)	Areas described as Lot 301 on SP222984 and containing an area of 114.6 hectares as shown on the attached sketch.

2) That Mr Speaker and the Clerk of the Parliament forward a copy of this resolution to the Minister for Climate Change and Sustainability for submission to the Governor in Council.

The Queensland government only supports the revocation of state forest estate if it can clearly be demonstrated that the proposed future use is in the public interest and an alternative is not possible. The Department of Environment and Resource Management and Forestry Plantations Queensland have given very careful consideration to the proposal put forward by Australia Zoo and consultation has occurred with numerous stakeholders. I am advised that native title issues have also been considered in relation to this proposal and it has been determined that the action may proceed.

The proposed revocation from Beerwah State Forest represents the final stage of a two-part process agreed to between Australia Zoo and Forestry Plantations Queensland in 2006. The exchange agreement approved by the then minister for the environment is for almost 150 hectares to be revoked from the state forest and transferred to Australia Zoo in exchange for the transfer of 200 hectares of land to Forestry Plantations Queensland.

Part 1 of the exchange agreement was completed in 2007. This current proposal represents the final stage of that process. The finalisation of this revocation proposal will enable Australia Zoo to commence plans to expand the zoo over coming years. Parliament's approval will allow Australia Zoo to concentrate on moving forward and building on its already established reputation as one of Australia's premier tourist attractions.

This proposal involves the revocation of 114.6 hectares of land from Beerwah State Forest. This land is located to the south-east of Australia Zoo and comprises exotic pine plantation forests possessing no significant conservation values. In keeping with the terms of the exchange agreement, Australia Zoo will provide 200 hectares of land at Peachester to Forestry Plantations Queensland for plantation purposes to offset the state forest land required by the zoo.

I submit that this proposal is the most appropriate way to accommodate the expansion of Australia Zoo. It represents a significant step in enhancing the zoo's already wide-reaching profile and provides an opportunity for it to demonstrate its commitment to nature conservation on a global scale. I commend the motion to the House.

Hon. JC SPENCE (Sunnybank—ALP) (Leader of the House) (3.39 pm): I second the motion.

Mr ELMES (Noosa—LNP) (3.39 pm): I rise to make my contribution to this debate on the proposal for revocation of a part of the Beerwah State Forest. On 22 February 2007 the then minister for the environment and multiculturalism, Lindy Nelson-Carr, moved the following—

That this House requests the Governor in Council to revoke by regulation the setting apart and declaration as state forest under the Forestry Act 1959 of those areas as set out in the proposal tabled by me in the House on 7 February 2007;

Description of the area to be revoked

Beerwah State Forest (SF561) Area described as Lot 300 on SP195863 and containing 35.039 hectares as illustrated on the attached sketch marked "B"

The minister outlined to the House on that occasion that the revocation was to further the expansion plans for Australia Zoo—a vitally important and expanding regional tourism icon—and that the CAMCOS corridor would isolate the subject land. The minister informed the House that the subject land was contiguous to Australia Zoo and largely comprised exotic pine with limited conservation value. The minister also informed the House that wide consultation with stakeholders, including state and local government agencies, and with regard to native title consideration had taken place. Later the House was informed that native title had been extinguished. Further, the minister informed the House that the proposal was stage 1 of a plan involving a further revocation. Both parcels of revoked state forest were to be offset by transfer to the state of 200 hectares of land at Peachester owned by Australia Zoo. The swapped land was to provide equivalent forest production value for Forestry Plantations Queensland and in addition a cash payment would be made by Australia Zoo to the government to reflect the different value of the respective parcels. The local member for Glass House at the time, Carolyn Male, and the shadow minister, Rosemary Menkens, supported the motion, which was agreed to.

Stage 2 of that revocation plan is now before the House, but there are some issues which I do not believe have been addressed to date. The impression from the then minister's statement to the House as recorded in *Hansard* that 'the CAMCOS corridor would isolate the subject land' taken together with plans for a rail station within lot 300 was that at least part of the reason for swapping land with Australia Zoo was that the government would build the CAMCOS rail line. However, a date has never been mentioned. As my colleague the member for Maroochydore has repeatedly pointed out, the CAMCOS rail link is more like a ghost train than either a light or even heavy train. With the bankcard maxed out, the government has put back the construction of the rail line until at least 2031. The CAMCOS rail link from Beerwah to Caloundra was supposed to be built by 2015. Then there was talk about a future rail link reaching Maroochydore by 2026, but the draft report Connecting SEQ 2031 makes no mention of Maroochydore and the Kawana link being only by 2031. Neither I nor the LNP have a problem in principle with what is proposed by this revocation. However, I would like to dot the i's and cross the t's.

As I just said, the opposition supports the revocation and we certainly support Australia Zoo, particularly the work done by Wildlife Warriors at the establishment. However, this revocation is different from the only other one I have dealt with in this place in that on this occasion there is a commercial enterprise involved with potentially many millions of dollars of profit to be made. It is important that the exact details of the arrangement are made public and go on the record. I do not know if this is the first time land owned by the Queensland people is to be transferred to a commercial business, but I have a hunch it will not be the last time the parliament receives a request such as this. Therefore, all of the details are important. They are important on this occasion as public land and public money are involved, just as it is vital that in the future any other commercial business requesting something similar should be scrutinised closely.

I ask the minister to confirm that lot 300 is contiguous with the main site of Australia Zoo. Has the swap of lot 300 with an appropriate parcel of the Peachester land taken place? Has a cash payment been made? What was the value of that cash payment? Did it involve valuing the land separately from the timber crop, because I note from *Hansard* in 2007 that the then minister drew particular attention to the value of the plantation timber on the swapped site at Peachester? I suggest what I might do, with your indulgence, Mr Deputy Speaker, is table the questions that I am reading out so that the minister has them in front of her.

Was more than one valuer engaged? Where did those funds go? Were they regarded as an environmental offset and, if they were, what was it? Will the minister detail for the House the community consultation which took place regarding the revocation of lot 300?

I ask the minister to provide the House with all of the details as they occur with regard to the transactions involving the second tranche. Will stage 2 be regarded as an environmental offset? Will a cash payment also be required? How will its value be determined? Will it involve valuing the land separately from the timber crop? I am assuming that more than one valuer has been engaged to set a fair price and I ask for confirmation of that. Into which environmental trust will the cash payment be placed? Will the minister detail for the House the community consultation which took place regarding the revocation of lot 301?

The other concern, particularly with this second revocation, is the impact on the residents of Fraser Road and Hardwood Road during construction of Australia Zoo's facilities on lot 301 and, afterwards when the facilities are in use, what measures are proposed to offset those impacts. What arrangements have been made to accommodate the requirements of the pony club operating from the site on Fraser Road which will lose access to the state forest under this proposal? As I have said, I have no problem with the government supporting the tourism industry and particularly an icon like Australia Zoo. But were there to be any support disguised under commercial-in-confidence and not transparent to the electorate, I believe it would set a dangerous precedent. As I said, in my time in this place I have only been involved in one other revocation, and that was basically a swap of land between government departments. This, as I said, involves a commercial enterprise and, regardless of how famous or how popular it is, all of the details should be on the table—a completely open book. I look forward to the minister's reply.

Mr McARDLE (Caloundra—LNP) (3.47 pm): I rise to address the revocation motion before the House. The land in question falls within the now seat of Caloundra, and I acknowledge the work undertaken by the member for Pine Rivers when she was the member for Glass House in relation to Australia Zoo and efforts she put in to making this issue well known to this House and also to Queensland. Australia Zoo is in fact 40 years old this year. It was opened in 1970 by Bob and Lyn Irwin and in 1991 Steve Irwin took over management and in 1992 it adopted its current name of Australia Zoo.

We know that the zoo and the late Steve Irwin and the Irwin family have won many accolades not just with regard to tourism but certainly with regard to the environment and also animal preservation right throughout the world. Indeed, Steve Irwin is best remembered for the tag 'Crocodile Hunter' and the work that he did right across the globe in bringing those animals to the better attention and understanding of the population.

We know that in 2007 lot 300 of state forest was revoked for stage 1 of a plan to allow Australia Zoo to develop an African safari style accommodation complex. The Sunshine Coast, unlike the Gold Coast, lacks what I would call significant tourism destinations. It is without doubt time that such a destination was built on the Sunshine Coast. Given the history and also the professionalism of the Irwin family, one could think of no-one better to take the issue up and make it a success in relation to not only building the complex but also its enormous employment capacity.

The Irwins are well known for dealing locally, working locally and living locally. They have maintained that mantra for a long period. Although I do not know the number of people who will be involved in the construction of the complex, I can guarantee that the Irwins will ensure to the best of their capacity that they are local people. I also know that a number of people will be employed full time and part time in the hotel complex once it is opened and that it will put millions of dollars directly and indirectly into the Sunshine Coast economy which, in my opinion, is sorely needed. This complex will also attract a different type of tourist to the Sunshine Coast. I think more international tourists will travel to the Sunshine Coast, given that this complex will be of worldwide significance.

The shadow minister has raised some concerns—and I share those concerns with him. I would like the minister, if she could in her reply, to detail the consultation that was undertaken with the people who reside along both Fraser and Hardwood roads in relation to the proposal to revoke lot 301. As the minister would know, a number of businesses are located along that stretch of road and it would be important to know the feedback that the government received on its proposal. As the shadow minister also indicated, there is a horse-riding school at the base of Fraser Road, which has multiple vehicles coming and going on a regular basis. Young children use that complex to learn to ride and the area itself lends itself to horse riding as a hobby for children and others. I am concerned about what steps will be put in place, via a requirement by the government to transfer the land over, to ensure that those businesses are not disrupted or that the economic impact on them is minimised during any construction on or clearing of lot 301.

Finally, I also share the concern raised by the shadow minister in relation to the CAMCOS rail corridor. Earlier in the debate there was a comment made to the effect that it would be good to have an Australia Zoo train station and that we need a decent public transport system on the Sunshine Coast. I could not agree more with that comment. Clearly, an enormous number of vehicles will use Steve Irwin Way during the construction phase. We know that large, double-bogey trucks will be used. How are we going to control access to Steve Irwin Way during clearing and construction? The problem is that access via Fraser Road or Hardwood Road is very narrow. So when we are looking at passing control over to Australia Zoo, we also need to factor in how we protect the businesses that operate around that area during clearing and construction and also how we ensure public transport access. I think the government should consider such issues when determining whether or not to revoke a state forest area. As I said, the LNP fully supports the proposal but has raised concerns about the impact the complex will have on other people who reside in that area. I know that the minister will address those issues and others in her summation.

Australia Zoo is an icon. It is an endeavour that has gone from strength to strength. I think that in time to come Bindi and Bob will take control of the entity and make it even bigger. Those two young children are committed to the environment, to nature and to their mother. I have had a chance to meet them a couple times and I can say that those two children adore their mother beyond all measure. It is great to see that their passion is equal for the environment and nature as a whole.

Ms MALE (Pine Rivers—ALP) (3.53 pm): I support the motion to revoke the setting apart and declaration of land as state forest under section 26(2) of the Forestry Act 1959. This proposal involves the revocation of 114.6 hectares from part of Beerwah State Forest—SF561—located directly south of Australia Zoo. The area proposed for revocation is exotic pine plantation forest with little conservation value. It should be noted that native title over this land has been extinguished.

This revocation will finalise a longstanding agreement to enable the expansion project planned by Australia Zoo to proceed. The project has significant benefits to the state and has the support of all relevant state government agencies. Australia Zoo has reached an agreement with Forest Plantations

Queensland and in exchange for the land proposed to be revoked from the state forest it will transfer to the state a larger piece of land adjacent to Peachester State Forest—SF313—for plantation purposes. The Peachester area was formerly a private pine plantation and is an ideal replacement for the Beerwah land. Australia Zoo is a major employer in the locality and the plans for an open-range zoo safari experience displaying famous landscapes and wildlife widely recognised all over the world will only add to the employment opportunities during the planning, construction and operating phases of the project.

As is always the case with proposals such as these, community consultation plays an important part in ensuring that all relevant issues are identified and addressed appropriately. Over the years I have noticed that consultation is one thing that the zoo does very well, both within the community and across government agencies. I can advise that the Department of Environment and Resource Management, Forestry Plantations Queensland and the Sunshine Coast Regional Council have all responded favourably in progressing the revocation expansion processes.

Several members opposite have raised issues relating to access and construction as the zoo expands. It should be noted that the zoo has experienced rapid expansion over the past 10 years. It has always worked in very closely with government agencies. In fact, when Peter Beattie was Premier he allowed a task force to be established—the Australia Zoo task force—of which I was a member, as were a large number of government departments, the then relevant Sunshine Coast council, which was the Caloundra council, and a variety of other members of the community. To date, the planning of all the phases of construction has been significant. There has been much consultation with the local residents and with the wider conservation community. I do not expect that there will ever be any problems in the future as Australia Zoo expands way beyond what it is now. I wish Australia Zoo all the luck with that, because it is a fabulous facility and it will only go from strength to strength.

I cannot speak highly enough of the dedication of the zoo staff for the facility, the community and the wider conservation movement. Steve and Terri, Frank Muscillo, Wes Mannion and the entire Australia Zoo family have worked very hard over many years to establish Australia Zoo and all of its attractions. Many people do not realise the large amount of conservation work that is done by the zoo, both in Queensland and around the globe. Australia Zoo is not just about business, it is not just about jobs or Sunshine Coast tourism; it is about ensuring that people everywhere learn to love the animals and that they do their bit to help conservation and the environment. As they always say, if you save one species you can save the world. I hope that everyone gets behind this particular proposal. I am glad that the state government is able to help facilitate the sustained growth of this world renowned facility. I commend the revocation to the House.

Mr POWELL (Glass House—LNP) (3.57 pm): It is also my pleasure to rise to speak in support of this motion before the House. In essence, the revocation concludes a process that began formally in 2006. Rather than reiterate the history of this land swap and revocation, I will acknowledge the worthy contributions of the shadow minister, the member for Caloundra, in whose electorate Australia Zoo now resides, and my predecessor, the now member for Pine Rivers. I also acknowledge the tireless and extraordinary management team at Australia Zoo. In this instance, I understand that it has diligently addressed their native title responsibilities for the 100-plus hectares that we are revoking today.

In my brief contribution I would like to focus on the key benefits that this revocation will bring to the people of Glass House and the broader Sunshine Coast hinterland. Firstly, this revocation will give Australia Zoo the certainty that it needs to implement Steve and Terri Irwin's dreams and aspirations for the site. I am very supportive of the zoo's intention to expand and include accommodation options and open-range safari experiences. I am supportive because of the immense flow-on benefits that it will have for individuals and communities in the electorate of Glass House. Not only will the expansion increase the worldwide fame and attractiveness of the zoo; the employment opportunities for locals will be expanded—locals who share the Irwins' passion for conservation, animal welfare and the environment.

More broadly, the expansion will mean that the likelihood of tourists spending more than one day at this award-winning tourist attraction will also increase. That, too, can only be a positive for the wider Glass House community as these tourists will look to supplement their visit to the zoo with other eco based tourism opportunities that are also developing along with the growth of the zoo. There are opportunities such as the now fully functioning Glass House Mountains Visitor Information Centre, hiking, eco lodges and other nature based experiences in the Glass House Mountains themselves and the neighbouring Blackall Range.

Domestic and international tourism is one of the economic bedrocks for Glass House. The flow-on effect of this revocation and the consequent development of Australia Zoo will further entrench and strengthen this base. It will increase the number of local jobs which in turn will deliver on the lifestyle we all love in the hinterland. The benefits go beyond economic development. There are environmental wins as well.

The former macadamia farm at Peachester involved in this land swap is incredibly strategic. It forms a natural link between the Glass House Mountains National Park, the Beerburrum West State Forest and the Peachester State Forest. I have mentioned previously in this House my support for strategic land purchases that deliver true nature corridors. I have outlined my beliefs that Glass House fills a very considered role in developing one contiguous corridor from the D'Aguilar National Park in the south to the Kondalilla Falls, Mapleton Falls and Conondale national parks in the north. The property at Peachester is one such strategic investment and I thank Australia Zoo for its foresight in identifying it and including it in this land swap.

In conclusion, I reiterate that this revocation will finalise a process that will deliver tangible and substantial economic and environmental outcomes for Australia Zoo itself, Glass House, the Sunshine Coast hinterland and Queensland. I commend it to the House.

Hon. KJ JONES (Ashgrove—ALP) (Minister for Climate Change and Sustainability) (4.01 pm), in reply: I thank the opposition for its support for this motion. I am glad that we have bipartisan support. I acknowledge the contributions of members wherein they said that they think this is a good thing in regard to progressing environmental outcomes and supporting one of the major tourism icons here in Queensland.

As members heard, the shadow minister has provided me with a list of 10 questions during this debate. I will undertake to get those answers to him. I think it is worth having on the public record that my staff offered a briefing to the opposition on several occasions. It did not take up that briefing. Knowing that this was coming up today, as early as Monday this week we said we would be happy to provide a briefing.

The overall theme that I picked up from the contributions of opposition members was not just their support but also their concern in relation to impacts on the local community of construction at Australia Zoo. That is a fair and justified concern to raise. We have very strict planning laws here in Queensland, and Australia Zoo, like all commercial entities, would have to comply with all planning and environmental laws that we have here in Queensland, many of which have been opposed by the opposition over time. That also entails community consultation. Australia Zoo did undertake consultation at the time. This has been on the public record since 2006. There is nothing new in what has been put forward as a motion here in this parliament. This has been in the public arena since 2006. At that time Australia Zoo undertook extensive community consultation on both parcels of revocation. Quite frankly, the reason why it was not done in one parcel at the time was because of native title issues associated with this revocation that we are discussing here today. That has now been finalised. That is why we were able to bring this revocation forward today.

I thank the opposition for its support. As the minister, particularly in regard to local issues such as the pony club, I am happy to continue to work with local representatives to make sure that there are minimal impacts. I am sure Australia Zoo is being a good corporate citizen in that area. Testament to that fact is how many members from the Sunshine Coast made a contribution here today.

In summary, I am happy to get these answers to the shadow minister as soon as possible and look forward to working with him in this regard.

Question put—That the motion be agreed to.

Motion agreed to.

CIVIL LIABILITY AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

Resumed from 7 October 2009 (see p. 2607), on motion of Mr Dick—

That the bill be now read a second time.

Mr SPRINGBORG (Southern Downs—LNP) (Deputy Leader of the Opposition) (4.03 pm): At the outset I indicate that the LNP will be supporting the Civil Liability and Other Legislation Amendment Bill 2009. We do have a couple of questions that we would like to have the Attorney answer during the course of his summing-up and there are some matters that we do have some concerns about. We will be watching the implications of this legislation as it comes into effect. We are very much aware of the reasons why the personal injury legislation was put in place a number of years ago. That was, of course, because we did have a public liability crisis in Queensland in the early part of 2002-03.

Members who were in parliament at the time can very much remember, and others who were not can very much appreciate, that there were any number of community organisations that were struggling to get affordable public liability insurance for their community groups. We are talking about groups that have served the community, in many cases exceptionally well, over a very, very long period of time. In my own patch there was a range of community halls which had been overseen by non-profit community groups that were concerned whether they would be able to afford insurance. If they could not afford that

insurance it would mean that that particular community would lose a vital community centre facility which had existed over many generations, in some cases for as long as 100 years. Certainly throughout Queensland there were a number of longstanding community groups that folded as a consequence of that particular public liability crisis. We also saw a situation where a number of the festivals and major community events that operated generally throughout Queensland were threatened by that public liability crisis at the time. I refer to a festival in my electorate, one of the Q150 icons, the Apple and Grape Harvest Festival. I am sure that some members have been there and can appreciate this biannual event. They were having some difficulty securing affordable public liability cover.

It was extremely necessary and essential that the government of the day—and I pay credit to the Attorney's predecessors—took the bull by the horns and put a process in place to ensure that these groups were able to access affordable public liability cover. It is also fair to say that by and large it has worked very, very well and we have seen a situation where those community groups have been secure in being able to get affordable public liability insurance.

It was not just for those community groups; its implications were much broader, but the reason that I concentrate on those particular community groups is that they were the ones probably affected most disproportionately because in many cases they are non-profit organisations which work on a little bit of membership here, a little bit of fundraising there. If their public liability insurance were to go up several hundred dollars or even by $1,000 or more, that would be more money than they earned during the course of that particular year. Proportionally it was affecting them more, but people generally were concerned about the extremely significant cost of being able to access public liability insurance throughout Queensland.

By and large, over the last six or seven years this has been very, very good and a great success. It has actually settled down the public liability industry in Queensland. It has made insurance more affordable and it has actually given a platform of certainty to the industry and those people who do require affordable public liability insurance, which includes people in a whole range of different fields and occupations. I note it amends other acts of parliament as well, including the Motor Accident Insurance Act in Queensland. We have a situation where it reflects by and large the same principles as I have outlined in my contribution thus far.

I wish to speak to various aspects of the bill. Certainly it makes a lot of sense to remove the statute of limitations that would otherwise place limitations on those Queenslanders who could suffer and are suffering from dust related injuries. In recent years we have seen an extraordinary growth in the potential and real number of people who are subject to dust related illnesses and, most particularly, we are talking about asbestos dust related illnesses that culminate in the likes of mesothelioma. We know of the horrific circumstances and terrible pain that those people endure as they enter the latter stages of life, as well as the pain of the family members. As the Attorney-General pointed out quite correctly in introducing the bill into the parliament, we are talking about people who could have been exposed as far back as the 1950s and 1960s. It takes so long for dust related illnesses to manifest themselves that it is proper, compassionate and realistic that there should not be a limitation on the time that people have to make a claim for personal injury. It could be another 10 or 20 years down the track before we truly understand this. Therefore, we support that amendment in the legislation.

I turn to the capacity to ensure that people are able to claim for gratuitous services. It was thought to have been a part of the law in Queensland that people could make claims for gratuitous services. This relates to people who have been providing services to a family member with a disability, that is, that person relied upon them to help and support them. It was understood that if the carer were then injured, they would be eligible to make a claim to help them assist the person who relied upon them for gratuitous services. A decision in the High Court took away the understanding that existed that a person providing such services had the right to make a claim. This bill establishes in statute what has been taken to be the case over a period, which is the right of people to claim for an impact on providing gratuitous domestic services.

The bill provides a more broadening definition for claims for loss of consortium. I will not go into the details of that. It has been outlined in the explanatory notes to the bill before the parliament.

Something that particularly concerns me is that it is not clear how much consultation there has been other than with the insurance industry and those people involved in the field of legal services in Queensland. Pre-2003, those who were generally most affected were not non-profit community groups. I would be very pleased to hear from the Attorney as to what consultation may have been undertaken with non-profit or community organisations in Queensland, such as the organisations that represent the festivals and events. I know there has been consultation with the insurance industry, the Law Society and the plaintiff lawyers' association or its modern manifestation as it has now rebadged itself. I would be keen to have assurances from the Attorney that organisations that represent non-profit community groups are comfortable and satisfied with these changes.

By and large, the fundamental change to the law proposed in the bill is that this moves from a statutory regime to a regulatory regime. Of course, a statute will still underpin the regulation. Until the passage of this legislation, if there was to be a change to the schedule of claimable damages that people could make, it would have to come before the parliament to be debated, that is, it is legislation of this parliament. The Attorney's proposal is that this will become a regulation. On the surface, it makes some sense for the Attorney to have the ability to make an annual decision as to the most appropriate cap on claimable damages, that is, the basic amount that can be claimed for loss of income and then, of course, the schedule of damages available based on the level of incapacity. There is an element of logic in saying that on 1 July each year the minister should consider these particular factors as he or she seeks to adjust that in line with realistic earnings and the consumer price index of the day. I cannot recollect a change to the basic amount of damages that can be claimed since it was introduced. There is to be a one-off adjustment of about 17.4 or 17.8 per cent to take those things into consideration. That will start on 1 July. The Attorney will make a decision about the adjustment on 1 July each and every year after that.

My concern is that making this a regulation takes away a level of parliamentary scrutiny. A whole range of statutory instruments is brought into this parliament on a day-to-day basis. Not many of them are put up for disallowance. It is also fair to say that one would not seek to disallow the majority of them. It is fair to consider that when something is an act of parliament, it has to be changed through the introduction of a bill into this parliament; when something is a regulation, basically, it can be changed at a whim and can then only be sought to be disallowed by the parliament, sometimes weeks later. That reduces the level of parliamentary scrutiny. That is of concern to me and, certainly, we will be keeping a watching brief on it. Given that the bill contains quite a strict formula to be used by the Attorney-General when considering adjusting and ramping up the amounts that can be claimed for damages against an individual who may have been personally injured in some way, there is a check or brake on that process getting rampantly out of control. We are concerned about the change to a regulatory process rather than a process that requires an amending bill to be introduced into the parliament.

Last night the member for Lockyer—who I understand will make a contribution in this debate later on—raised with me the issue of dust related illnesses and the statute of limitations. He spoke about what are now becoming known as nanoparticles. I am not sure if the Attorney-General is aware of this, but scientists are developing a greater understanding of a whole range of things such as nanoparticles, particulates that arise from diesel, particulates that arise from insulation films that are put on windows and that are found in paint. They are tiny particles. Even in comparison to a speck of dust, they are absolutely minute. Scientists are becoming a little concerned about these things and how they might affect the health and wellbeing of people.

We need to keep in mind that a lot of research goes into any new product to be put on the market, to test that it will have minimal or no health impacts on the community, However, there may be things that we do not know about at this stage. As a former vice president of the United States once said, they are the unknown unknowns. The member for Lockyer has raised a legitimate point. One day there may be a need to look at the definition of 'dust related illness', given that nanoparticles may have major unforeseen broad health implications for our community in the future. I would be very pleased if the Attorney would comment on that. From my understanding of the definition of 'dust related illness', I do not believe these things would be covered for personal injury claims, but it may not be very difficult for an amendment to be introduced to deal with that if it becomes a problem in the future.

The LNP supports this bill, although we have some concerns about it. We are concerned that the regulatory process is in no way abused as the bill gives a significant reserve power to the Attorney-General to adjust, on an annual basis, the amount that a person is able to claim. I wish to be reassured that the legislation we are debating today will in no way affect the reasonable cost of public liability insurance available to people throughout Queensland, particularly non-profit community groups and events that, before we made the amendments in 2003, struggled to make personal injury insurance in Queensland far more affordable.

I would like to have those assurances from the Attorney because they are the issues which people are concerned about in the community. I do not think that anything we do in this parliament should seek to take away or undermine—I am not saying it is going to undermine deliberately but consequently—the capacity of those organisations to be able to function in the future. Some unforeseen consequences of the actions that we take in this parliament could push up the cost of public liability insurance and take away the capacity of those extraordinarily good and worthwhile organisations to be able to function in our community. We support the bill and I look forward to hearing the Attorney-General's summary.

Dr DOUGLAS (Gaven—LNP) (4.20 pm): I call this the 'what would TJ Ryan have done?' amendment bill, in view of the Attorney-General's statement. I agree with the Attorney-General's initial statement regarding the legislative purpose of the bill. It is a response to stakeholders' concerns about the state's laws in relation to those federally and to those of the other states. Indeed, it should improve the civil and personal liability scheme in Queensland whilst maintaining the affordability and availability

of insurance. I have concerns, similar to those of the shadow minister, with regard to whether the quantum cost of it may be affordable. I would like to see some numbers done on that to see whether it is achievable.

It is a clean-up bill. It addresses two critical areas: the removal of the statute of limitations for dust related illness, otherwise including the vast bulk of occupational lung diseases; and the issue of general damages, quantum payments and their reference base that stems from the CSR v Eddy case in the High Court. There are some general areas that are also to be addressed but are less substantive. These are the rebase of the future indexation of monetary amounts in the civil liability and personal injury acts; ensuring that a de facto partner of an injured person can claim damages for loss of consortium; and streamlining the process to allow for urgent commencement of proceedings. This has relevance possibly increasingly where, for example, a party may be terminally ill at the time and a delay may then mean it becomes a case between the defendant and the estate of the deceased. What clearly should be recognised is that the quantum aim allocated to estates is considerably lower than that allocated to a live person who is traumatised, and that needs to be addressed.

The bill also addresses the overlaps between section 59A damages and other damages. The Attorney-General has used the example of damages awarded to the recipient following a dependency claim. This is reasonable in view of there often being a member of the family who is the sole breadwinner whose illness might have such a severe impact that damages for everything from economic loss to out-of-pocket expenses are entirely reasonable and needed.

The other less substantive change that is entirely appropriate could be addressed under the good Samaritan group. This is an amendment to amend the definition of 'community organisation' to ensure that volunteers in community organisations doing legitimate community activity are entitled to protection from liability provided under section 39 of the act. This is common sense and it rightfully places volunteers as those who are deserving and should be guaranteed protection under the law where they are merely doing that which their community group is doing in response to responsible activity within the community. Nothing less should be expected of the state's role.

I will now discuss the first two major areas in a little more detail. The first is the issue of partial reinstatement of the Sullivan v Gordon damages for seriously injured persons. This amendment is in response to the High Court case of CSR v Eddy and has application to the issue of general damages. This is largely pain and suffering including loss of general amenity. This change will address the issue of changing the schedule so that it is more reflective of what is fair and reasonable as a quantum. It brings Queensland into line with other states. It is a sensible step. It needs to be said that the other areas of economic loss, out-of-pocket expenses and specific damage schedules are more appropriate already but are still part of that which can be awarded to the same individual. That has been previously addressed. The general damages amount has not changed in line with CPI inflation and the community's expectation in many years. This is unfair and it is an abuse of trust and integrity of the process. The actions of the High Court have effectively ensured that something is done to reduce this anomaly. This legal change is reflective of that.

The second major area is the appropriate removal of the statute of limitations for dust related illnesses. This an obvious one when one clearly realises that pulmonary fibrosis, mesothelioma and certain cancers secondary to dust can take 20, 30 or 40 years to develop. They can cause great harm even before formal diagnosis, such as with lead, coal dust or radioactive material. But, when the diagnosis is made, death can come swiftly or can be painfully slow. The removal is in line with other states and it is fair.

What needs to be said is that it is creating enormous difficulties for actuarial staff and financial advisers of many corporations affected by it, especially James Hardie but now it is increasingly obvious at CSR, where the demerger plans into two business units—one being sugar; the other being building materials—is in jeopardy because of the uncertainty of the civil liability. These delays affect many Queenslanders and Australians in terms of their jobs and incomes, and it also affects shareholders and superannuants. Most people are actually linked to them through their lifetime income but they do not always realise it.

It is all very well for commentators and governments to demand greater amounts of safe, secure trusts but nothing is ever truly safe and secure, as the global financial crisis has shown. This is so throughout the world. Equally, how much is enough? What is the price of a life? Is money what we should accept as restitution? Has compensation and the industry associated with it gone too far? Will honest, capable, sensible, potential board members ever join a company with any sort of a difficult long-term history if they are treated as poorly as Meredith Hellicar was treated at James Hardie by newspapers and unions supporting valid yet substantial claims?

I again say that I support the removal of the statute of limitations, but I have great difficulty in accepting the trite comments of the Attorney-General in his ministerial statement regarding the centenary of TJ Ryan as the first majority Labor leader in Queensland with relevance to this bill. I am sorry, but I dispute the Attorney-General's claim about fairness, equity, political, social and industrial justice in Queensland under Labor. I believe the Attorney-General needs a history lesson based on fact.

Labor, whilst the natural government in Queensland, has governed in deficit for over 50 per cent of its time in government. Its legislative approach has been generally sloppy and most regulation has then developed over time and been extensively modified after enactment of the acts. It did govern for the vast bulk of time after 1914 until its split in 1957 under Gair when it reached for a more socialist constituency. It spent 30 years out of power as a result of that. The Attorney-General should not let Labor's 18 years of incumbency go to his head. His leader has again lurched to the left of politics. Thirty years is a long time for a man of the Attorney-General's age. In his journey of this historic mission, there are those famous words 'history is written by the victors' and 'you cannot govern from opposition'.

TJ Ryan's government was a very different one from the government of Anna Bligh. He was not seeking to remove public assets from the asset register blindly ignoring his union colleagues, and he was respected by his adversaries for his consistency and his integrity. TJ Ryan was a scholar, a jurist and a patrician politician. The Ryan medal, for those who might remember, is awarded to those who have the highest pass in the senior examination in the state of Queensland.

Mr Dick: It was awarded today.

Dr DOUGLAS: Was it today?

Mr Dick: Yes.

Dr DOUGLAS: Do you know who the awardee was?

Mr Dick: A number of them.

Dr DOUGLAS: Okay. His legal cases were complex and primarily constitutional. As a politician, he was a radical liberal and strongly endorsed consensus politician. He was a builder and a fundamental believer in the state building business to compete with the then monopolies. Most of his initial investments were in business within railway stations. He started railway shops within railway stations and he extended it to railway shops beyond railway stations. The very thing Ryan sought to build upon is that which Labor is now demanding be sold. His favourite investment—and people may not be aware of this—was the old State Government Insurance Office, and Suncorp has emerged from that and it eventually was sold.

Mr Hoolihan interjected.

Dr DOUGLAS: Mr Attorney-General, your government's big dreams and plans for the state are very different to TJ Ryan's. Your government is not firmly—

Mr Hoolihan interjected.

Dr DOUGLAS: Just listen to this. You should go and read the book. There is a good book by Denis Murphy that you can read. He is a solid Labor guy.

Your government is not firmly in the tradition of Ryan. It is quite wrong to link the Bligh Labor government with Ryan's and also somehow with this bill. This is a fair piece of legislation and it is timely. It is what Ryan too might have considered, but I will put this to you. Ryan's philosophy was mired in fairness, equity, conciliation, arbitration and the rule of law. He strongly believed that liberal capitalism was the best method of ensuring a better result. Ryan would have introduced a no-fault state compensation approach to deal with issues beyond standard workers compensation so as to primarily facilitate a person's ability to fund their health care, their daily lives and their family's needs so as to return them back to a working and effective position within the state.

The evidence for this lies in TJ Ryan being the originator of the Golden Casket to fund our hospitals and the myriad schemes proposed along affordable, sustainable insurance lines to rehabilitate people's lives when affected by disaster. Such a scheme, correctly implemented, would go a long way to removing the need for adversarial personal injury, medical negligence and vicarious liability cases, as does occur now. It would accelerate the rehabilitation of patients and fairly compensate those whose working lives or other lie outside conventional workers compensation and other systems.

I sense this is the introduction of one law for the fortunate union man and yet another for the non-union worker. TJ Ryan was a teacher before he went to the bar and subsequently the parliament. He was not a unionist. He had a great respect for those unionists and he had their respect, including the respect of Ted Theodore, his deputy, who was the then chief of the AWU.

Ryan would never have endorsed selective laws. He was bigger than that. But as big as he was in stature, he was very modest and humble. His Catholicism ensured that. QR's great champion would not have been silenced if he had known that, 100 years later, a Labor leader would auction off his greatest state asset. Nor would he have had much time for the Attorney-General claiming him as their great champion on the one hand yet supporting the sale of something he greatly treasured on the other.

This bill is a timely piece of legal relief to many. We in the LNP support it. We have been careful to ensure that history, correctly recorded, will always see the light of day. In some ways, this is what someone in a personal damages case also wants too. To some, it is just getting their day in court. It should be, for most, being treated fairly and equitably by a decent community.

Ms GRACE (Brisbane Central—ALP) (4.33 pm): I rise to speak in support of the Civil Liability and Other Legislation Amendment Bill 2009. This bill seeks to amend the following acts and regulations: Civil Liability Act 2003, Civil Liability Regulation 2003, Law Reform Act 1995, Limitation of Actions Act 1974, Motor Accident Insurance Act 1994, Motor Accident Insurance Regulation 2004, Personal Injuries Proceedings Act 2002 and Personal Injuries Proceedings Regulation 2002. The Civil Liability and Other Legislation Amendment Bill 2009 will improve the civil liability and personal injury regime in Queensland, and I support it fully. Many of the amendments contained in the bill are in direct response to stakeholder feedback.

The bill includes amendments to rebase and facilitate the future indexation of monetary amounts in the Civil Liability Act 2003, the Motor Accident Insurance Act 1994 and the Personal Injuries Proceedings Act 2002, better known as PIPA, including the legal cost thresholds and the amounts used for calculation of general damages. It ensures that a de facto partner of an injured person can claim damages for loss of consortium. Loss of consortium refers to a loss of things such as housework, comfort, society, assistance and companionship. The bill removes a requirement in the PIPA that parties must sign a certificate of readiness for trial prior to the compulsory conference. Parties will still be required to sign a certificate of readiness for the conference. The bill streamlines the process under the PIPA if parties agree to the urgent commencement of proceedings. It abolishes the statutory limitation period for personal injury claims involving a dust related condition. It also partially reinstates damages for loss of a claimant's capacity to provide gratuitous domestic services, also known as Sullivan v Gordon damages.

The bill also includes the following minor amendments—amendments to the definition of 'community organisation' in section 38 of the CLA to ensure that a volunteer undertaking community work for a parents and citizens association is protected from liability, and an amendment to clarify the protection from liability provided to volunteers by section 43 of the CLA.

The amendments to index monetary amounts and reinstate Sullivan v Gordon damages will impact on compulsory third-party insurance premiums and liability premiums. The estimated impact on compulsory third-party insurance premiums, though, is expected to be minimal. The relevant amounts have not been indexed since commencement, so they are somewhat overdue. The yearly indexation of monetary amounts will ensure that injured Queenslanders receive compensation that is fair and that reflects current standards of living. As a result of the amendments from 1 July 2010, the cap on general damages will increase from $250,000 to $294,500—an increase of approximately 17.8 per cent.

The amendments will also partially reinstate Sullivan v Gordon damages for seriously injured persons. Sullivan v Gordon damages compensate an injured person for the loss of their capacity to provide gratuitous domestic services to others. An example of a person who might be entitled to Sullivan v Gordon damages is a person seriously injured in a motor vehicle accident who can no longer care for his legally blind wife. There are certain restrictions on when these damages will be awarded by a court. These include: the recipient of the services is a member of the injured person's household; the services were necessary; the recipient would be unable to perform the services themselves; the claimant would have provided the services for at least six hours a week for at least six months; and the need for the services is reasonable.

One of the significant amendments in this bill—and one that I particularly welcome—is the abolition of the statutory limitation for dust related conditions. Dust related conditions are defined in the Civil Liability Act 2002 to include conditions such as asbestosis, mesothelioma and silicosis. The removal of the statutory limitation for dust related conditions will mean that a person suffering from this kind of condition will no longer need to make an application to the court to extend the limitation period. The removal of this hurdle will deliver significant benefits to those suffering from very debilitating dust related conditions by improving their access to justice and reducing the cost and stress associated with pursuing a claim. I note that earlier in the House the member for Rockhampton referred to people suffering from dust related conditions. It truly is a very debilitating injury that comes on very slowly over a long number of years, and often when it hits it hits people very badly.

There are some procedural amendments contained in the bill as well. The requirement for a certificate of readiness for trial to be filed before a compulsory conference has been removed. There is also an alternative method for commencing urgent proceedings. Previously, leave of the court was required. This amendment provides that urgent proceedings can be commenced by the agreement of the parties. However, the proceedings are stayed until the precourt procedures have been complied with. This ensures that neither party will be disadvantaged.

The Attorney has circulated a number of amendments that he will move during the consideration in detail stage. I will turn to a couple of those. Under section 39 of the Civil Liability Act 2003, a person undertaking volunteer work for a community organisation is entitled to receive protection from liability in certain circumstances. The first amendment in committee will allow an entity to be prescribed by regulation as a community organisation for the purposes of the act. This will provide the government with greater flexibility to respond to requests received from organisations that wish to be captured by section 39 but which are currently disqualified due to their organisational status. The factors that would

be taken into account when deciding whether an organisation should be prescribed by regulation as a community organisation include, of course, the organisation's legal status and structure and whether it has appropriate insurance in place. Each case would be decided on its own merits, but the bill will enable for that decision now to be taken.

The second amendment in committee will replace a transitional provision inserted by clause 15 of the bill with a new transitional provision. The purpose of the new transitional provision is to ensure that the amendment in the bill to partially reinstate Sullivan v Gordon damages has retrospective operation in the case particularly of dust related claims that are not otherwise excluded from the Civil Liability Act 2003. I strongly support the retrospective operation of this amendment. It is justified given that most dust related claims arise from exposure to asbestos that occurred many years in the past.

This bill will, as I have said, improve the civil liability and personal injury regime in Queensland. It makes access to justice and compensation easier and more equitable for injured Queenslanders. Most of the amendments contained in the bill are as a result of stakeholder representations. I welcome many of the amendments. I commend the bill to the House.

Mr MOORHEAD (Waterford—ALP) (4.42 pm): It is with great pride that I rise to support the Civil Liability and Other Legislation Amendment Bill 2009. I congratulate the Attorney-General and the government on bringing this bill before the House.

This bill is a proposal to move to protect some of the most vulnerable in our society, those people who are injured through the negligence of others. It is also a bill that provides protections to volunteers such as parents and citizens associations. The historical context of the bill has been referred to by other speakers. We must remember that in 2003 we were facing insurance premiums with significant rises. That made public liability insurance for many groups unattainable. Since that time and the introduction of the 2003 legislation, insurance premiums have stabilised. Frankly, it is time for some of the benefits that were taken away in 2003 to be returned to injured people. In particular, this bill retains some of the focus on costs and reducing the cost of insurance, particularly those areas where legal costs have made up a significant proportion of the costs in meeting claims.

The Civil Liability Act 2003 currently imposes a cap on general damages of $250,000 and it has been at this level since 2003. This bill provides a 17.8 per cent increase on the cap, increasing the potential general damages to $294,500. The bill also ensures that the lag that we have seen since the 2003 act does not continue and provides an annual indexation of these monetary amounts going forward.

Injured Queenslanders have done the heavy lifting when it comes to protecting a safe and viable public liability insurance system. It is now time for those injured Queenslanders, particularly workers, to have the good faith that they have shown over the last seven years returned, and that is what this does.

The bill also brings back Sullivan v Gordon damages, which is an important recognition that injury to a person can deprive not only them but their family of significant support that they might otherwise provide. This is an important recognition of the role that injured people may have played as carers to their family. This amendment to reinstate in a limited way Sullivan v Gordon damages preserves the dignity not only of the injured person but their family as well. Importantly, the bill abolishes the statutory limitation period for personal injury claims involving dust related conditions. In this regard Queensland is following a number of other states in Australia that have already taken this important step.

I have had the great pleasure of working with the Queensland Asbestos Related Disease Support Society over a number of years, both in my role as a member of parliament and before that in my career with the Australian Manufacturing Workers Union. When I was at the union I dealt with a lot of workers particularly from the shipbuilding industries who had spent time working with asbestos insulation in ships' hulls and contracted these diseases and were seeking to prove their claim. These workers often find that it is quite difficult to prove dust diseases and the causality on which to base a claim when the actual incident may have occurred over 20 or 30 years prior to the time the claim is being made.

The Queensland Asbestos Related Disease Support Society has been part of that advocacy for asbestos sufferers in Queensland for many years, and I speak particularly of the heroic efforts of its founder, Shirley White. I am lucky to have as constituents Ray and Helen Corbett, who are the current active volunteer leaders within the Queensland Asbestos Related Disease Support Society. I must say that they are on to me constantly about the issues facing asbestos disease sufferers.

I have been pleased that the current minister and his predecessor, the member for Logan, have been willing to both meet and discuss and have been quite sympathetic to the issues of asbestos sufferers and the particular circumstances they face. In particular, often people do not become aware that they have these conditions until the condition is terminal. They often do not make claims early because they are not aware that the actual symptoms they are suffering are a terminal illness or a dust related disease. It is important that these claims are progressed quickly. While often workers can apply to a court to have the time for making a claim against the statue of limitation extended, that does take up important time and legal effort which might otherwise be spent by that person with a terminal illness with their family. This is a really compassionate response to people with some difficult circumstances.

I had the opportunity to raise this bill at the Logan meeting of the QARDSS support group on 22 February 2010. This was warmly welcomed by members of that group because it took away some of those legal barriers and the uncertainty that comes with people making these claims. I must say that there was some concern raised by participants there who had contracted dust related diseases through their time in the military and that the military compensation system was still a very difficult path for dust related disease sufferers to navigate.

I know that the WorkCover scheme is currently under review. I think it might also be timely, when we are reviewing WorkCover, to consider whether similar abolitions of limitation periods might be extended to the WorkCover statutory system and whether that is affordable within the current statutory scheme.

The minister has also tabled some amendments to ensure that the reinstatement of Sullivan v Gordon damages will be retrospective for people with dust related conditions who are not otherwise excluded from the Civil Liability Act 2003. That is very important, because if there was no retrospectivity for dust related diseases it would mean that people making claims for Sullivan v Gordon damages would not be able to found a claim in another 20 or 30 years when those symptoms of the disease actually become evident. This will mean that people who are suffering a dust related disease now who may have contracted it over the last 20 or 30 years can now commence to seek Sullivan v Gordon damages in coming years. That is another great amendment to what is an already great piece of legislation. It is great to see that it is supported by all sides of the House, and I commend the bill to the House.

Ms BATES (Mudgeeraba—LNP) (4.49 pm): I rise to contribute to the debate on the Civil Liability and Other Legislation Amendment Bill 2009 introduced by the Attorney-General. The objective of the Civil Liability and Other Legislation Amendment Bill is to improve the civil liability and personal injury regime in Queensland. The bill includes amendments to various acts. Whilst the amendments contained in the bill are numerous, I will confine my comments to the amendments pursuant to community organisations which ensure that a volunteer undertaking community work for a parents and citizens association be entitled to protection from liability. The LNP supported the original introduction of the Civil Liability Bill 2003. At that time there were serious issues surrounding insurance and liabilities and small community groups being unable to obtain insurance because of skyrocketing liabilities. The introduction of a capped civil liability regime was welcomed.

Amendments across the entire regime seek to move various caps out of legislation and allow them to be calculated on a year-by-year basis. This could have the effect of again locking some smaller community groups and nonprofits from gaining insurance because the liabilities may be too high. Reservation over cost limits in the legislation and replacing it with regulation could be seen as removing additional layers of scrutiny. However, provided that the formula is adhered to, this should not be an issue. As previously highlighted, any change to the upper limits of claims needs to ensure that they will not price out smaller non-profit and community groups from gaining insurance, as was the case previously.

Small sporting groups in my community of Mudgeeraba raised this issue on a recent visit by the shadow sports minister, my colleague Jack Dempsey, the member for Bundaberg. These groups were considering and are considering a community type insurance model to reduce the burden their smaller clubs have to cope with to provide insurances and indemnity for our local kids in order for them to play sport. The LNP previously supported the placing of caps on insurance claims so as not to price out these smaller non-profit and community groups from obtaining insurance. The amendment maintains a cap that is calculated yearly on the rising cost of living expenses and average income. The LNP supports this legislation with reservation as to the impact of lifting caps on claims based on previous issues surrounding high costs of insurance related to not having any ceiling on insurance claims.

Mr BLEIJIE (Kawana—LNP) (4.52 pm): I rise this afternoon to add my support, with reservations, to the Civil Liability and Other Legislation Amendment Bill 2009 introduced by the Attorney-General. The bill includes amendments to various acts including the Civil Liability Act 2002 and the Civil Liability Regulation 2003. The bill being introduced purports to make amendments to the civil liability and personal injury regime in Queensland, and an important aspect to note is the affordability and availability of insurance to Queenslanders. I think that members on both sides of the House would agree that insurance for community groups still is an issue in our respective electorates. Many community groups in my electorate have folded because of huge insurance claims or wanting to take some sort of community action for the benefit of the community but simply cannot because of high insurance costs. In saying that, the LNP has previously supported and will continue to support any legislation that places a cap on insurance claims in an effort to assist the smaller and non-profit community groups in obtaining insurance. It is important that all of our hardworking volunteers continue to be protected by public liability insurance in a society that is increasingly litigious in nature.

Mr Rickuss interjected.

Mr BLEIJIE: Honourable members such as the honourable member for Lockyer will blame all lawyers and the career that some of us chose, but in any society we had a job to do, and sometimes that is what we did. This being such an insurance for these groups—

Mr Shine: You don't have to apologise!

Mr BLEIJIE: I am not apologising. I take the interjection from the honourable lawyer opposite. We have to band together and stay together.

I am pleased to see that this cap has been retained and calculated annually in association with the rising cost of living expenses and the average income. I welcome the change to the definition of a 'community organisation' in section 38 of the Civil Liability Act 2003. This now entitles those who partake in parents and citizens association activities to protection from liability provided by section 39 of the act. This was not the case previously, and the vital role that these men and women play in our schools—government and non-government, independent and Catholic schools—should not be understated.

The amendment to the Law Reform Act 1995 refers to the recognition of the status of de facto relationships in society and is an important social alteration that reflects this societal change. Previously, the definition of a spouse only applied to the husband of an injured person under the common law and to the wife of an injured person under section 13 of the Law Reform Act. The new definition of a spouse under this act will now recognise de facto relationship arrangements and ensure that the spouse is entitled to benefit from any claim loss or impairment of consortium of an injured partner.

The proposed amendments in this bill will have financial implications for defendants and insurance companies as a result of changes to the level of damages and the removal of the statutory limitation on claims for dust related illness. The effects of asbestos and the dust related conditions associated with this material are well known. The removal of the statutory limitation will assist those who are pursuing compensation claims as a result of exposure to the deadly material. It is unfortunate that most of these cases have arisen from decades past when the dangers of asbestos were not known to unsuspecting Queensland workers. This amendment will allow these people to access the justice they deserve without the legal implications of having to apply to the court for it to extend the time limitation period. Given the stress and harm that dust related conditions have already caused these people and their families, it is this important circumstance that ultimately speaks to the common-sense approach in removing the statutory limitation period for dust related conditions which I am happy to support.

I am happy to support the bill before the House. I note that the deputy opposition leader has contributed substantially to this debate in his remarks to the parliament, and I will not delve into those issues that he has already raised. However, the issue that needs to be addressed is of course based on the general impact of lifting caps on insurance claims. In essence, effectively having no ceiling cap on the claims will see the costs of insurance continually rise. As we all know, the end result in claims increasing will be the cost of obtaining various types of insurance for all Queenslanders spiralling out of control. I urge the Attorney-General and his department to consider ceiling caps as a way and means of ensuring that insurance premiums remain affordable for all Queenslanders. As I said, it will be a short contribution because the shadow Attorney-General covered it in his remarks. However, I think there are still issues in some respects in Queensland with regard to community organisations. There are many organisations such as public halls and the local groups that continually contact my office and the offices of other members because they financially struggle to hold events. They struggle to hold their annual shows because there still are insurance difficulties in Queensland—that is, it is getting out of reach for many associations. With those closing remarks, I commend the bill to the House with the reservations that have been discussed by previous speakers.

Mr CHOI (Capalaba—ALP) (4.57 pm): I rise today to speak in support of the Civil Liability and Other Legislation Amendment Bill. This bill addresses a number of important issues in our community, but today I want to focus on the proposed amendments to the Limitation of Actions Act 1974 and in particular to the proposal to abolish the statutory limitation period for dust related disease personal injury claims. This bill seeks to change the current statute of limitations in claiming compensation for dust related diseases and therefore removes a great deal of stress, I believe, currently experienced by victims of this disease. As the law stands at the moment, victims and their families not only have to cope with the illness itself and its ramifications inside their family unit but also must conduct a wide range of legal and other hearing activities in order to claim compensation for the dust related injury within a set time period.

Stakeholders in the legal profession, the insurance industry and victims and their support groups are in accord that this amendment to the Limitation of Actions Act 1974 is necessary and, in fact, long overdue. This amendment will allow better access to the process of claiming compensation and will offer a greater sense of dignity to the claimant and his or her family. In order to formulate these amendments, the Bligh government has taken on board the findings of very broad consultation undertaken with the Queensland Law Society, the Bar Association of Queensland, the Australian Lawyers Alliance, the Insurance Council of Australia and a number of other organisations and insurance companies that are currently operating in Queensland.

The amendment will also reinstate damages for the loss of a claimant's capacity to provide gratuitous domestic services. For example, if a woman is diagnosed with a dust related illness and is unable to work or to continue to provide domestic services in the family home, this amendment reinstates damages for the loss of a claimant's capacity to provide those domestic services. This issue

is close to the hearts of many people in my electorate and around Australia. Many victims of dust related diseases such as asbestosis and mesothelioma exhibit very few, if any, symptoms of the illness for years after the injury is incurred. When symptoms manifest and a medical diagnosis confirms one of these two deadly diseases, the victim faces great pain and the whole family experiences loss of their quality of life. Few victims are able to work, even part time, so loss of earnings is a significant factor in their family's welfare. Often the victim's partner returns to work on a part-time basis in order to care for the children and the victim and the whole family is placed under a considerable amount of stress. Improved access to the compensation regime would alleviate much of that stress.

Many of the current cases of dust related disease arise from exposure to asbestos during the 1950s, 1960s and 1970s—some 30 to 60 years ago—when few, if any, adequate precautions were taken to protect workers and others. This amendment will not only remove the statute of limitations but also remove the requirement of the Personal Injuries Proceedings Act 2002, easing the restrictions on claiming compensation in a court and streamlining the process. The removal of the statute of limitations will be retrospective for dust related conditions. This may adversely affect insurers and defendants, but the amendment will mean that a person suffering from a dust related disease will no longer need to make an application to the court to extend the limitation period before pursuing their claim.

By the time the medical profession first realised what was causing the conditions such as those that I have mentioned, many victims had died and many families were left bereft. Today, we need to provide for potentially unknown dust related diseases that may be identified in the future. We must make the law just and equitable for all—for the unknown future victims and for the insurance organisations that underwrite those companies that may in the future find themselves defendants in a compensation case. It has been forecast that we can expect the number of people diagnosed with asbestos related diseases to peak in around 2020. By then there will be an estimated 13,000 cases of mesothelioma and up to 40,000 cases of asbestos related lung cancer. We cannot allow the current limitation on the process of claiming compensation to continue. We must act to ensure that victims of dust related diseases are able to claim compensation with facility and dignity. I commend this bill to the House.

Mrs CUNNINGHAM (Gladstone—Ind) (5.03 pm): I rise to speak to the Civil Liability and Other Legislation Amendment Bill and thank the minister for the briefing that was made available this morning. There are a number of elements to this bill that other speakers have touched on. I want to raise a couple of issues and comment on a couple of others. The bill will amend the Civil Liability Act in part so that the loss of an injured person's capacity to provide gratuitous domestic services is addressed. The minister in his second reading speech stated—

> In order to ensure that section 59A damages are focused on those claimants with the greatest need, the damages will not be available for minor injuries where general damages have been assessed at less than $35,340.

I am sure that amount of money is relevant for some injuries, but I put on the record that many families would not regard that payment as damages for a minor injury. They would regard that injury as being a significant impost on their family. However, as I said, I am sure that amount of money has been determined on the basis of relativity as much as on other factors.

This amendment bill takes out of legislation the quantum of damages for loss of consortium and for other damages paid under the civil liability legislation and places that quantum into regulation. I was advised that the major reason for that change is that these amounts are going to be indexed and that it is much easier—and this is me saying this—to alter the indexed amounts through regulation than in legislation. That is true. It is quite a complex process for any amendment to go through this chamber. The converse is also true—that is, it will also be easier to alter a regulation and decrease that quantum of money.

For those people who do not have a lot of resources available to them, it is very difficult—I would say impossible—to keep up with all of the changes that are made to regulations. Therefore, I think it would be possible—if the minister of the day was of a mind to—to reduce the quantum of damages by regulation equally as easily as the minister could increase them. So I seek an undertaking from the minister that there is no intention to decrease the payments in damages and that the only reason for changing the entrenchment of the quantum from legislation to regulation is so that upward indexation can be implemented seamlessly.

Other changes that are proposed by this bill retain the status quo. I am not going to deal with those. I want to raise two other issues that other members have referred to, and they relate to the impact of dust related illnesses. I know that we tend to think these illnesses are historic—that the claimants will be people who have had close contact with asbestos and related materials in the past. But there will be people being affected now and who will in the future need to access the removal of the statute of limitations to make a claim. We still live in a time when there are unscrupulous employers who will allow employees to deal with material, with or without their knowledge, with inappropriate or inadequate protection. So although the majority of the claims will be from historic exposure to asbestos—mesothelioma and asbestosis and other terrible diseases in terms of the impact that they have on the sufferer and their family—I think we will continue to have, although one would hope a smaller number, sufferers of such diseases in the future because of unscrupulous employers or because people have handled asbestos in their homes without realising they are disturbing a damaging product.

The other issue that I want to raise in terms of this legislation is the extension of the cover to P&Cs for civil liability. I also understand that the extension of cover is not just to P&Cs. By regulation, the Attorney-General will be able to include any other organisation that qualifies under the criteria of voluntary organisation. Like other speakers, I welcome that inclusion. Our communities are already feeling the pinch of a reduced number of volunteers. We rely incredibly on volunteers across all sectors for community services. P&Cs are fundamental to schools and to the provision of services in the community but other organisations have been impacted by, as previous speakers have said, the insurance bust that occurred when HIA collapsed.

Many volunteer and not-for-profit organisations closed their doors and many almost closed their doors because of the hike in insurance costs. Even though many of those organisations had never had a claim—the show societies, the musical societies, the CWAs—their insurance costs peaked and continue to increase. Any protection that we can give to volunteer organisations under this legislation and, indeed, under other legislation is welcome. I put on the record my gratitude to all of the volunteers in my electorate. They certainly are the glue for our community to hang together in a caring and compassionate way.

Mrs STUCKEY (Currumbin—LNP) (5.10 pm): I rise to address the Civil Liability and Other Legislation Amendment Bill 2009 introduced into parliament by the honourable the Attorney-General and Minister for Industrial Relations on Wednesday, 7 October 2009. The purpose of this bill, as we have heard, is to make amendments to the current civil liability and personal injury regime in Queensland.

The 2003 Civil Liability Act was introduced in response to the rapid escalation of insurance premiums, more commonly referred to at that time as the insurance crisis. This act was the second stage of reforms implemented. The first stage was the introduction of the Personal Injuries Proceedings Act and was designed to provide a common-sense approach to negligence and personal injury damages awards. These reforms sought to make injured parties in a negligent law suit more personally responsible for their own conduct and safety. This act did not apply to negligent conduct resulting in personal injuries relating to dust related disease.

The Civil Liability Act 2003 also changed the method of assessment of damages for personal injuries. It reduced awards of damages for personal injuries and provided a new method for assessing general damages in personal injuries cases. Courts were subsequently required to assess an injury and allocate a value on a scale between zero and 100 to that injury. Once the court had assessed the scale value of the injury, the act provided a simple mathematical calculation of the general damages that would be awarded for that injury.

The current bill's objective is to improve the civil liability and personal injury regime in Queensland while also maintaining the affordability and availability of insurance. Many of the amendments are said to be in direct response to stakeholder feedback. Consultation on this bill is noted as being undertaken with Queensland and Australian law societies, insurance bodies and companies in Queensland. However, as mentioned by the honourable member for Southern Downs, we would like to hear from the Attorney whether broader consultation with community groups was undertaken.

The focus of my contribution today will be the abolition of the statutory limitation period for dust related personal injury claims. Firstly I will briefly address the re-basing and facilitation of the future indexation of monetary amounts in the Civil Liability Act 2003, the Motor Accident Insurance Act 1994 and the Personal Injuries Proceedings Act 2002 along with aspects of the Civil Liability Act 2003 relating to gratuitous domestic services.

With regard to the amendments in relation to the index of monetary amounts, prior to 2002 non-profit organisations and community groups faced the issue of escalating costs for obtaining public liability insurance to the point where the costs for insurance were so high that a number of these groups had no option but to disband. The public liability crisis facing community organisations in 2002 and 2003 is one I remember well as I was president of a local community association based in Coolangatta that had only incorporated a couple of years before. I am pleased to say that we have survived.

The LNP supported the introduction of the Civil Liability Act 2003 because it introduced a capped civil liability regime to reduce the costs of obtaining insurance and thereby enabled small community groups to obtain necessary public liability insurance as it was more affordable for them. The government proposes to increase the cap so that it is calculated yearly on 1 July supposedly based on the rising costs of living expenses and average income. As was outlined by the LNP spokesperson and honourable member for Southern Downs, the opposition does hold concerns that this may have a harmful effect on the ability of some community groups to insure and therefore their ability to provide services. Every member of this House understands the value of community groups in their electorates. Most run on a shoestring budget and are totally dependent on the goodwill of committee members who put in a mountain of hours. I acknowledge the vital work that they do and the benefits that they bring to our respective regions. Sporting clubs, 60 and Better, U3A, Lions, Rotary, the Currumbin Happy Group and Meals on Wheels, to name a few, bring immense comfort to so many.

There is no doubt that basic costs are rising: food, electricity, water, car registration, to name a few. These costs are also borne by struggling community groups that deserve some reassurance from this government that they will be able to survive these forthcoming fee rises. It is disappointing that the Bligh government decided in this particular case to put the increased cap into the Civil Liability Regulation rather than the act itself which will see amounts determined in a regulatory rather than a statutory manner. This could be viewed as a tactical move by this government to avoid the full scrutiny of its actions. But as usual this arrogant government will just press ahead as it pleases.

As already mentioned, amendments in this bill affect other acts. These acts will be regulated using the same formula proposed in the Civil Liability and Other Legislation Amendment Bill—that is, removing the fixed cap and allowing it to be adjusted in line with cost increases. The result will see the maximum damages available for personal injury increase from the current $250,000 up to $294,000. Examples of multiple personal injuries that could result in the maximum payout include total sight and hearing impairment, extreme brain damage and quadriplegia.

In relation to the amendments to the current definition of 'community organisation' found in the 2003 act, the definition of 'community organisation' will expand to include volunteers who perform community work for parents and citizens associations. This is a welcome move as P&Cs do important work for our schools and for our communities and deserve the recognition and protection that this bill, if passed, will bring.

The bill proposes to include under a new section 59A the cover of damages for loss of an injured parent's capacity to care for their disabled child. Every parent's nightmare is what will happen to their child if they are no longer able to care for them or, worse still, they die before they do. This is especially true with regard to parents of a child with a disability, the majority of whom are fiercely opposed to their child being placed into care no matter how good that care might be. Whilst the idea of being separated is abhorrent to many of these parents, this provision will hopefully lessen one facet of their distress. Furthermore, the Civil Liability and Other Legislation Amendment Bill seeks to reinstate Sullivan v Gordon damages in Queensland for seriously injured persons. Sullivan v Gordon damages compensate an injured person for the loss of their capacity to provide gratuitous domestic services to others. A definition for domestic services is not provided in this bill and it is proposed that these will be assessed on a case-by-case basis. This amendment also seeks to ensure that damages will not be available for minor injuries where general damages have been assessed at less than $35,340. This particular amendment would result in necessary amendments to the Law Reform Act so that a de facto partner of an injured person will be able to claim damages for loss of earnings.

This bill also seeks to amend the Limitation of Actions Act 1974 to remove the statutory limitation on claims for dust related personal injury claims. With the passage of this bill a person suffering from a dust related condition will no longer need to apply to the court to extend the limitation period. It is also proposed by this bill to amend the Civil Liability Act 2003 to ensure damages can be awarded to persons suffering from dust related injuries who provide gratuitous domestic services. We know from the significant amount of media surrounding dust related illnesses that this amendment is indeed a good step forward and so very long overdue. Retrospectivity will be applied under specific circumstances as a number of these diseases were as a result of asbestos exposure during the 1950s, 1960s and 1970s. I fear there will be an even greater number in future years and amongst a younger population due to some sloppy practices that the governmental allowed to continue.

Prior to 1990 asbestos was used in Australia largely in the manufacture of building products, pipes, insulation materials and brake linings. Generally asbestos products in an undisturbed and stable state are relatively safe, but once disturbed without strict controls potential health problems can arise. The subsequent release of asbestos fibres if inhaled can give rise to a variety of dust related illnesses such as lung cancer, asbestos related pleural diseases and mesothelioma. Asbestos related diseases may take many years after exposure to manifest themselves. Mesothelioma is especially insidious. Even very slight exposure to asbestos may cause it, and while the disease may not manifest itself until 40 years or more after the exposure, when it does the course of the disease is most often short, very painful and fatal.

Particularly vulnerable to the ill effects of asbestos exposure are those people who have worked with cement sheeting, by either cutting or drilling it or causing the fibres to be released into the air in some way. In order to prevent further risks associated with exposure to asbestos materials, governments, former asbestos manufacturers, sectors of the building and construction industry, health, safety and research agencies and the community all have a responsibility to engage in the development of effective prevention programs and expand awareness through education.

Children are far more susceptible than adults, which is why the presence of asbestos in schools should only be treated when employing maximum safety procedures. The issues of asbestos removal and the prevention of further deaths from exposure to this product are obviously important for government safety regulators, who ultimately have the responsibility to work to protect the public. Yet this government has not only failed previously to implement its own safety procedures for its QBuild staff and employees; it has also recklessly put the lives of thousands of Queensland children and teachers at

risk. Now we have the Schools Asbestos Register, which finally has been released via the department of education website. It shows the scale of the problem. Refusal to reveal the contents of this register earlier indicates the government's reluctance to make public the extent of the problem. The majority of schools—eight to be precise—in the electorate of Currumbin are on the register of schools with confirmed, presumed or removed asbestos sites.

Despite promises to the people of Queensland in July 2006, when it introduced the asbestos management and control policy for government buildings, that this government was committed to ensuring that asbestos-containing material in government controlled buildings was to be managed and controlled to protect the health and wellbeing of workers, contractors and the community, we have seen several incidents of children in our schools being exposed to asbestos because this government has not kept its promises. The government should be leading the way, but it is not. It is paying lip-service and is allowing untrained workers to remove this deadly substance. Asbestos should be a top priority for the government, but it is turning a blind eye to corrupt practices that are resulting in stand-over tactics and untold numbers of people being contaminated with asbestos fibres.

What is the point of having legislation to protect workers and consumers when the minister and this Labor government do not heed their own safety procedures? When they are caught red-handed, they deny it and then resort to threats and defamation to get well-meaning citizens to shut their mouths or retract the truth. There is a very dark cloud indeed hanging over this industry that warrants a full CMC investigation. I ask the Attorney-General: what will happen to Asian workers who are brought here on short-term work visas called 457s? Do they get any protection from this legislation or, when the job is finished, are they sent back home contaminated and none the wiser?

I would like to acknowledge the government for bringing into the House this legislation, which is well intended. The LNP offers its support.

Mr RICKUSS (Lockyer—LNP) (5.23 pm): I rise to say a few words about the Civil Liability and Other Legislation Amendment Bill 2009. It is an all-encompassing bill that amends the Civil Liability Act, which since its introduction has been important in trying to lower the insurance liability of small community groups. I have some concerns about some of the small community groups that have to be incorporated under the act and, therefore, have to have insurance. For example, it refers to groups that run small halls and will have to pay $2,000 or $3,000 for insurance, although they work only to assist the community. It is a bit of a problem.

Mr Shine: Not if they are sued.

Mr RICKUSS: Even if they are sued, they are covered under the legislation dealing with volunteers. Volunteers run these groups and they are covered, but because they use a hall in their work for the community they have to raise funds to cover the insurance. They cannot be sued personally because they are volunteers. It is a complicated issue. I am sure the Attorney-General would love to give me a complicated answer as to why small community groups, which are made up of volunteers, have to pay for insurance. It is only because they are involved with property. This does not affect small community groups that are not involved with property, as I am sure the member for Toowoomba North would know.

Mr Shine: A word of advice: I would be careful about giving legal advice.

Mr RICKUSS: I do not give legal advice. I am asking the Attorney-General to give me legal advice.

The shadow minister, the member for Southern Downs, raised an issue that I, too, would like to speak about. Nanotechnology is becoming quite important. I will give the Attorney-General some paperwork on this when I have finished my speech. A known nanoparticle is one-billionth of a metre domain, which is one-millionth of a millimetre. It is a very small particle, but some real health issues could arise from nanoparticles.

As the member for Toowoomba North and the Attorney-General would know, it is possible that someone will decide that nanoparticles are not dust and, therefore, are not related to this legislation. What are the limitations? Do they cover nanoparticles? We have to think about this issue. Nanoparticles are present in sunscreens, toothpaste, sanitary wear and food products. At home, my fridge has nanocoating on it. Some of the nanotechnology will probably be very efficient. It will be used for sun reflectants, heat reflectants and so on. It is something that will come into this debate. It is an interesting concept that is relevant to the particle infection criteria that we are talking about with asbestosis and we have to start thinking about it. An article from a journal of nanotechnology states—

> Proven otherwise it would be a challenge for the industry, legislators and risk assessors to construct a set of high throughput and low cost test for nanoparticles without reducing the efficiency and liability of the risk assessment.

Therefore, the nanoindustry is well aware of what is going on. I ask the Attorney-General to get his department to have a look at this issue and to think about what should be done and how we can protect workers and consumers into the future. With those few words, I support the bill.

Mr WETTENHALL (Barron River—ALP) (5.27 pm): In the short time available to me, I will make a brief contribution in support of the Civil Liability and Other Legislation Amendment Bill 2009. All members would be aware of one of the most tragic chapters in Australia's history, which is the terrible affliction of dust related diseases. Anything that any parliament can do to facilitate access to justice for people who have been diagnosed with any of those dust related diseases is an excellent thing to do. In essence, one of the most important features of this bill does that by abolishing the application of the statute of limitations in relation to claims for personal injuries for dust related diseases.

The bill introduces other important reforms in relation to Sullivan v Gordon damages and Griffiths v Kerkemeyer damages, which have been well covered during the course of the debate. Principally, they extend the ability of persons to claim damages for loss of consortium and for gratuitous services. The essence of those amendments is improving access to justice for people who have been diagnosed with dust related diseases. Anything we can do to make access to justice and damages easier, quicker, less complex and less stressful is certainly a very worthwhile exercise for this parliament. With those few words, I commend the bill to the House.

Debate, on motion of Mr Wettenhall, adjourned.

MOTION

Health System

Mr LANGBROEK (Surfers Paradise—LNP) (Leader of the Opposition) (5.29 pm): I move—

That this House supports the right of Australians to know what happens to a state health system when Kevin Rudd is in charge and calls on the Premier to put into the public domain all cabinet submissions pertaining to Queensland Health for the period 1992 to 1995 when Kevin Rudd was responsible for overseeing health policy as the most senior bureaucrat in Queensland as a director-general of the office of cabinet.

This week we have seen the arrogance of the Bligh Labor government on parade. They have turned their backs on their own supporters. They have persisted with their dishonest campaign of assets sales. They are putting the Prime Minister's job prospects above the health needs of Queenslanders. They have blithely scrapped yet another election promise—this time the cornerstone of their much vaunted green credentials: the Solar Hot Water Program.

This chamber is meant to provide Queenslanders with the truth about their government. It is meant to provide answers to basic questions about the expenditure of taxpayers' money. Even after 21 years of all but unbroken Labor rule, this parliament is meant to cut through the cant. Even in a state where spin doctors outnumber medical doctors, it is meant as a small haven for truth.

Mr Fraser: Do you want us to release '96 and '97?

Mr LANGBROEK: I move this motion today because, although each sitting day questions are asked and statements are made in response—

Mr Fraser: Why don't you release what happens in shadow cabinet now?

Mr LANGBROEK: Why don't you go sit back in your own chair? The opposition and the media in this state cannot rely on anything said by the Premier or her ministers in this forum or in any other.

Now we are told that the Commonwealth-state relationship is to be radically re-engineered, that our front-line hospitals—our teaching and research hospitals like Royal Brisbane and the Mater—will be funded and therefore controlled by bureaucrats 1,500 kilometres away.

Mr Fraser: What about when you took ministerial expenses to the cabinet? They were the good, old days, weren't they?

Mr ACTING SPEAKER: Order! Treasurer, cease interjecting. The Leader of the Opposition has the call.

Mr LANGBROEK: We have been told this proposal comes from a particular source—the Prime Minister of Australia, Kevin Rudd. Mr Rudd, a resident of Canberra, plans to take 33 per cent of Queensland's principal source of growth revenue—the GST—in exchange for a Canberra based funding nirvana. That is the cracked recording from the Queensland Premier. That is the message on hold from the Queensland health minister. That is the deep space transmission from HAL, the Treasurer, too. But who would believe them?

We are talking about the government that gave Queensland the Nuttall amendment—the rule to break all rules. And we can see it in action. This week we have heard that when the *Pacific Adventurer* spilled thousands of litres of oil across Moreton Bay in the first week of the state election campaign the Labor government had no plan in place to cope with major oil spills. But the Premier had told Queensland everything that could be done was being done, and her transport minister stood in this chamber barefaced to declare the damning report as a sort of Labor triumph—a statement worthy of a

special award, not so much an Oscar as a 'Gordon'. So, once again, a little more of the mirage of responsibility this government conjured at election time evaporated. Another reel of the Disney fantasy it played for Queenslanders bounced off the projector and went rolling across the floor.

Since the election, not a day has gone by without one or another Bligh promise being revealed as a sham. This Premier is so vain and her credibility so totally shattered that Queenslanders have just switched off. They see government spin on the TV news. They read it in the paper. They log on to it. But they are not listening. They are sitting back out there on their porches, swinging that baseball bat, awaiting their opportunity.

We know that since his shocking mismanagement of the Home Insulation Program, Prime Minister Rudd's reputation has been on the slide as well. So a scheme from a panicked Prime Minister backed by the questionable government of Queensland has to be treated with a high degree of scepticism. That is why this motion poses such a very modest request and why it deserves full support from every member of this chamber.

Among the many fantasies and fairytales spun by this lazy government has been a claim that it is a genuine advocate for the release of material under freedom of information and now right to information processes. It touts its involvement with right to information. It wears it like a badge. But, as we all know, the Labor government is less transparent today than ever. Let's consider this current request as a gauge.

In 2008, the government commissioned David Solomon as the head of a panel to review the government's Freedom of Information Act. On page 4 of his report, David Solomon wrote the following words—

... the Panel proposes a reduction in the 30 year rule on Cabinet material, to just 10 years. For exempt incoming ... briefs, parliamentary estimates briefs and question time briefs, the Panel proposes that the exemption expire after 3 years ...

So our request today is designed to provide Queenslanders and Australians with some independent and truthful advice about the record of the man who would take control of essential health services in our state and across the nation.

It is a fact that the Prime Minister, his managerial style and his long-held views about the administration of health are well known in Queensland. Mr Rudd was the chief of staff appointed by former Premier Wayne Goss when he came to power in 1989. In 1992, he was promoted to Director-General of the Office of Cabinet and he remained in that position until 1995. So he has form in Queensland. He was the gatekeeper—the controller of the cabinet office. He vetted cabinet submissions and set the agenda for cabinet meetings. He was the first Queensland public servant commonly referred to as 'Dr Death'.

Mr Rudd was at the centre of the administrative purges run by the Goss government. He set up the gulags, he closed courthouses, railway lines and hospitals. So now, as Prime Minister, Mr Rudd appears in a federal election year with a vague proposal for a dramatic health takeover. In response, his proposal has received a frosty reception in New South Wales, Victoria and Western Australia. In Queensland, Rudd initiatives from the past are recalled with serious concern by the hundreds of thousands of Queenslanders they affected. In many areas of public administration, the then director-general of the cabinet office caused massive destabilisation and job losses.

It is clear that the pain and damage caused by those initiatives contributed directly to the defeat of the Goss government. By and large, those changes remain as discredited today as they were in 1996. Today it is in the public interest for all Australians that we look again at that record and consider to what extent the Rudd of 2010 is seeking to revisit the discredited policies and agendas of his past.

A chief focus of the campaigns staged by the Goss government and directed from the cabinet office by Mr Rudd was in the area of health. Remember that there have been serious concerns voiced from interstate about the current proposals of Prime Minister Rudd. In New South Wales there is a list of 117 small hospitals that clinicians say are likely to close. In Victoria, Premier Brumby says Mr Rudd has sold out his commitment to cooperative federalism and, in Western Australia, Colin Barnett seems set to say no.

The finances of this new Rudd deal are unclear, although the respected economic commentator Henry Ergas had this to say—

... this looks like a huge windfall for the Commonwealth, while stripping the states of more than $140 billion ... during the next 10 years.

In the absence of a full and proper explanation from the Queensland or Commonwealth governments, we members of the Queensland parliament can still assist by making available the cabinet office records that apply to the Goss government period when Mr Rudd had his hands on the levers in Queensland Health. Members might recall, for example, an 'old Rudd' green paper that gave Queensland the 'area-isation' of health. This sounds suspiciously similar to the new Rudd proposal for local health networks.

On this side we have been long-standing supporters of local hospital management through the establishment of local hospital boards, but the old Rudd scheme was something altogether different. 'Area-isation', as it was presented in Queensland by Kevin Rudd and Premier Goss, made a travesty out of local representation. It was not about local management; it was about bureaucratic mismanagement. It was not about local community leaders taking responsibility for health services on the ground; it was about a whole new layer of ineffectual bureaucrats devoid of responsibility but replete with every conceivable administrative accessory. No-one in Queensland wants to revisit 'area-isation' with old Rudd or with new Rudd.

Another great example was the Goss government's attack on the QEII Hospital. At the time, it was the third biggest maternity hospital in Queensland, with the third largest accident and emergency unit. In 1988, it was treating 3,000 more injuries a year than the PA. But, in a few short years, under Mr Rudd's direction the QEII was stripped of resources which were then relocated to the Logan Hospital in the electorate of the Premier. Doesn't that sound familiar? Today we have a Premier taking the same steps, stripping the Royal Children's Hospital to create a whole new facility in her own electorate. In any case, the Rudd campaign against the QEII went so far that by the time the coalition won minority government in 1996 the QEII was on the verge of closure. These sorts of memories send shivers up the spines of Queenslanders from the coast to Cape York.

If we apply David Solomon's yardstick, our request is for cabinet and related documents for the period from 1992 to 1995, and the parliamentary briefing notes should be included as well. The government will deny it now, but Queenslanders have seen the way it works and the way it uses its cynical connection with the Labor government of Prime Minister Rudd. They remember the Prime Minister's endorsement of the Bligh government's economic strategy prior to the 2009 state election and the deceitful backflips that followed once the votes were in.

The worst thing would be to see a reversal of roles in six months. We do not want to see the Bligh government endorsing this untenable health scheme. We do not want to see a sham endorsement of the Rudd government or its proposals, only to have to sit through a sham collapse in the relationship once the federal race is run. So, I say to the government: release the documents, release the briefing notes and don't sell out Queensland like you have sold out Queensland unions.

(Time expired)

Mr McARDLE (Caloundra—LNP) (5.39 pm): I rise to second the motion. Can I say at the outset that one thing Queenslanders should always be wary about is a Labor Premier or Prime Minister saying, 'You can trust me,' or 'I have a solution.' When you hear that, Queenslanders need to step back because it is coming at you again, it is going to be coming at you. What you are going to get is a whole heap of words, a whole heap of policy documents, a whole heap of photographs and a whole heap of nothing—nothing. That is what Kevin Rudd did last week when he launched this document—*A national health and hospitals network for Australia's future*. Have you read it? It has wonderful pictures and a great deal of text, but there is no detail. There is not one bit of detail.

But do you know what? Queensland is blessed because we have already had Mr Rudd's gentle touch upon the health system in this state, strangling the life out of it for three years. Mr Rudd can hold his head up high because, in a single motion, he pulled apart a health system that was viable, that was good and that was positive and he destroyed it piece by piece by piece by piece. Public servants lived in fear of this man.

Mr Springborg: Terror.

Mr McARDLE: Terror. They were terrified that the knock might come on the door and suddenly they would be out of a job. The regional health boards were torn up and we began the incremental growth of the health bureaucracy that we suffer from today in 2010. Back in 1992 to 1995, we began to put together a system that utterly destroyed the health services and the delivery to the people of Queensland for years to come.

We are at the crossroads in this state. We are at the crossroads in regard to health and where we go. Kevin Rudd wants us to trust him. He wants us to trust that he will do the right thing. Let us just go to a question that was asked by Lyndal Curtis at the National Press Club last week. She said to the Prime Minister—

You set very high expectations for this reform before the last election. When are people going to see things getting better? And if people don't see things better or don't feel that this reform will fix the system, do you deserve to be voted out of office?

Old Mr Rudd said—

We've got our sleeves rolled up in terms of when it begins. We intend to get on with the job now.

Then he made this comment—

But you know something, the time for delay is gone.

I have a sneaking suspicion that 1 July 2009 was the takeover date. That was to be the date when, if the states had not fixed the health systems in this nation, Kevin, on his white steed, would come forward and fix the health system because he would take it over. If there is any history to be learnt from Kevin Rudd, it is to be learnt right here in this state and what he did between 1992 and 1995. If this government is saying that this man is the one who can fix the health system in this nation, let us see the documents. Let us see what he did in that period to destroy the health system in Queensland. Paul Sheehan made this comment in the *Sydney Morning Herald*—

All Rudd's instincts are to aggregate power to Canberra instead of devolving greater power and autonomy to those who actually deliver services, such as headmasters and medical professionals. The result of Rudd's obsession with centralisation and standardisation has been a succession of debacles.

Let us have a look at them—

The schools revolution has been an exercise in over-promising and overspending.

The green energy revolution has been a multifaceted embarrassment. The reformation of the asylum-seekers process has been a costly debacle. Given the government's record in the past two-and-a-half years, why should we now believe these sweeping promised reforms of the hospital system are going to be any different? Where is the evidence?

If the government has got the evidence, release the papers. If government members support this man and what they say he can do, release the papers. This man's history is such that he cannot do anything except puff up his chest, get out in front of a camera and sprout words. This state needs real action from a real health minister and a real Premier, not a pseudo government.

Mr ACTING SPEAKER: Before calling the Deputy Premier, can I please acknowledge in the public gallery the Hon. Ken Baston, the government whip from the Western Australian Legislative Council. Welcome to the chamber.

Honourable members: Hear, hear!

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Minister for Health) (5.44 pm): I move the following amendment—

That all words after "House" be deleted and the following words inserted:

- notes the historic announcement by the Prime Minister on 'National Health and Hospitals Network' reform;
- notes that this is the first time in a generation that a Commonwealth Government has committed to a formula for automatic growth in federal health funding;
- notes the federal Leader of the Opposition's multiple failures on health policy, such as his failure to deliver adequate growth funding for health services, his ad hoc and irresponsible takeover policy of Mersey Hospital, and his obstruction of the Commonwealth Dental Scheme in the Senate;
- notes that the Queensland Government will continue to negotiate with the Federal Government to ensure the reform package delivers more funding, more staff, and more services into regional Queensland; and
- notes that Queensland's Opposition has failed to come up with any constructive or detailed policy response to the historic reforms.

Tonight we had a very, very instructive contribution from the Leader of the Opposition, and indeed it goes for the whole opposition. They are the ones who, when we point out the record of many of them when they were last in government, say, 'That's a long time ago. It doesn't matter,' yet tonight they have sought to claim as legitimate cabinet documents from 1992 to 1995, from 15 to 18 years ago. They do not want to be held accountable for what they did when they were in government—the Horan hospital tax, for example—but they think it is legitimate to want to see cabinet documents from back then. Here would have been the opportunity for opposition members to articulate their alternative health policy vision but, no, that is too hard because they do not have one. Instead, what they want to do is make this ridiculous request to have cabinet documents from 1992 to 1995.

I thank the Leader of the Opposition for reminding me about what happened in the hospitals in the past. I can remember—and the member for Rockhampton often says this—that when Mike Horan was the minister he took money from the Rockhampton Hospital and put it in his own electorate in Toowoomba. The Horan hospital tax; it would be very interesting to see that.

The Rudd government is acknowledging that the federal government needs to contribute more to health funding. The fundamental element of this is that for the first time the federal government has acknowledged its responsibility to fund the escalating growth in health costs. Ageing populations, increasing expectations, health costs increasing far beyond population growth—we need a federal government to take responsibility for this, where the level of government that raises the most revenue contributes to growth and the provision of services.

We are committed to working constructively with the federal government because this is not about a turf war between the states and the federal government; this has to be about the best outcomes for patients. We welcome their initiative in relation to outpatients. It is a great outcome for Queensland patients. Time and time again, I have raised this with the federal government, and it is a good example

of how we can work together. Queensland provides more outpatient services than any other state. In 1997 the Howard government—they keep on hearing about them—locked Queensland into providing $240 million worth of these services in our hospitals while denying us the right to recover our costs from the medical benefits scheme as every other state does. We know that outpatient or specialist appointment lists are growing. Despite what those opposite say, the problem is not confined to Queensland. We are committed to working with the Rudd government to get the best outcome for patients.

There are some key areas we need to work with the Rudd government on: aged care, primary care, recognition and calculations of efficiency costs, bearing in mind the decentralised nature of Queensland. We will not sign up to everything that we do not agree with. We will negotiate with them. We also need to recognise that hospitals are not islands and that health care in Queensland is provided across hospitals, across districts, across the state. Again, we want to play a constructive role because this is a once in a lifetime opportunity for genuine healthcare reform.

Surely now, more than ever, the Queensland public deserves a mature debate. I would not have had a problem if the Leader of the Opposition had tonight moved a motion articulating the opposition's alternative vision, but he cannot do that because he has not got one. This is another classic example of that. We will have a debate about Kevin Rudd 15 and 18 years ago, but of course now it is quite legitimate for us to debate your time in government as well. What did the opposition leader contribute? Nothing! He opposes everything, proposes nothing. What is his health spokesman's response? 'I need more detail, but without seeing it we will oppose it anyway.' So they need more detail, but they oppose it.

I have outlined a number of areas that are particularly important to Queensland on which we want to work with the government. Opposition members have not raised one genuine point of policy discussion. Rather, they have gone straight to the gutter in a pathetic attempt at mud-slinging. Not only have they failed to positively contribute to a mature debate, but their understanding of the health system is so limited that they have failed to recognise the blatant hypocrisy of their own position. On the one hand, they say they want local hospital boards and local health networks; on the other hand, they argue that having networks under the Rudd proposal will mean that hospitals will close. So what does that mean for their proposal? If they argue that hospital networks would cause the closure of smaller hospitals, how can they in the next breath argue for a hospital board for each individual hospital? By their own logic, they are suggesting their proposal would cause the closure of every small rural and regional hospital. They have the hide to stand in this House and criticise Labor on health policy, yet time and time again they refuse to provide any policies of their own.

What happened under Tony Abbott? The Commonwealth share of health funding declined. What happened under Tony Abbott? Mersey Hospital, the greatest debacle of the lot. The funniest thing, the thing that speaks volumes, is that, if they were so interested in comparisons, why would they not stand here and say, 'Regardless of the outcome of this debate we are going to make the cabinet documents under Mike Horan and Borbidge'—when many of their members were cabinet ministers—'open for public scrutiny.' He hid the hospital lists; he did not report them. That is what they did and they do not even have the hypocrisy to admit to it.

Mr DEPUTY SPEAKER: Order! The word 'hypocrisy' is unparliamentary. I ask you to withdraw.

Mr LUCAS: I withdraw that.

Ms JARRATT (Whitsunday—ALP) (5.49 pm): Mr Acting Speaker, I second the Deputy Premier's amendment. How very predictable it is to have the LNP come in here tonight and conduct what amounts to no more than a campaign of fear designed to make the sick and vulnerable anxious and health workers nervous.

The fear campaign is the stock in trade of conservative governments. John Howard used it in relation to refugees, George Bush rolled out the fear campaign in relation to Iraq, and this opposition is whipping up fear about health care because it is simply too lazy and bereft of policies to make a positive contribution to the debate about health reform in this state.

The health budget in Queensland runs to $9 billion. That is 24.4 per cent of the entire state budget. Close to a quarter of all the money expended by this government goes to ensuring that our hospitals and community health sector keep pace with the demands placed upon them. So let us have a look at those demands.

Firstly, there is the issue of growth. Queensland is growing at 2.6 per cent per annum compared to 2.1 per cent for the rest of the country. In fact, the ABS predicts that by 2056 our population will have doubled to around 8.7 million people. By this time we will have eclipsed Victoria in population and be second only to New South Wales. This means thousands of additional people every year seeking access to our hospitals and community health facilities.

In areas like Mackay, where growth is running at around three per cent to four per cent per annum, the demands on the health system become even greater. Add to this the expanding menu of equipment and technology available to keep people alive longer or to improve treatment or hasten recovery and the budget starts to experience real pressure. Of course, very little of these advances in equipment and technology is inexpensive and often the cost is compounded by the need to have staff trained in its use and operation.

The real clincher for Queensland is that, unlike Victoria whose five million-odd people live within a compact state boundary, our four million people live across an area that is eight times the size of Victoria. Victorians are never far from a tertiary hospital where they can expect to access the broadest range of healthcare responses. All Queenslanders who live outside the south-east corner have to accept that the heath care they need may be located hundreds, if not thousands, of kilometres away. This is the reality of living in regional Queensland. We have great hospitals, but it is impossible for each of them to provide the wide range of services and equipment that is found in our larger capital city hospitals.

Despite all this, the Queensland health budget has increased by 69 per cent since 2005 and we have the largest hospital building program ever undertaken in Australia, with over 200 projects underway from the Torres Strait to the Tweed. This program is set to deliver more than 2,000 additional beds by 2016, a significant achievement by anyone's standards.

But we should never get hung up about beds as the primary measure by which to judge health delivery. These days our priorities are becoming more and more focused on delivering health care in the community. For example, in the past six months two post-natal drop-in centres have opened in my electorate alone, allowing new mothers and their babies to access expert care and advice without needing to go anywhere near a hospital or a GP. I am pleased to say that initiatives like home dialysis and transitional care facilities are allowing more and more people to avoid the need for hospital stays. But for those who do require emergency care, our public hospitals remain responsive. In fact, our wait times have improved from the sixth to the third best in the nation thanks to the Bligh government's determination to provide world's best practice.

Our investment in emergency departments will see $145 million dedicated to upgrades across nine of our busiest departments in coming years. Queenslanders can also be assured that they will face the shortest wait times for elective surgery in the country, with an average of 27 days wait compared to 34 days nationally.

The real question is, though, given the challenges faced by every state in this country and the challenges that are unique to Queensland, can we afford to continue to grow the health budget by 70 per cent every five years? Of course we cannot. We recognise and acknowledge the fundamental need for reform in the way health care is funded in this country. We are committed to working with the Rudd government to get the best outcomes for Queensland people.

Dr DOUGLAS (Gaven—LNP) (5.54 pm): It seems everyone has an answer to this very vexed problem of health care in Australia in 2010 and beyond. The universal answer seems to be best solved by a central funding pool mix. Who says so? The PM, other state Labor health ministers including our own health minister who wants to give it up, the head of the national review appointed by the PM, Christine Bennett, and the media—the newspapers and some TV commentators. Who says they will go along with it? The AMA has said that it might go along with it as well as some individual doctors, the Labor Party and the misinformed. The evidence that is being used is the national review results, the inability of the state to achieve reasonable outcomes for the expenditure outlaid, the rising costs of service delivery, rationing of service, fear of the years ahead and sensational media releases designed around propaganda. Note that the three major program areas of federal overall health care are private and public expenses, 38.6 per cent—these are the facts; medical expenses, 19.3 per cent; pharmaceuticals, 14.3; and the rest are 25 per cent for the variety of about 160 programs.

Of concern is the imminent retirement of the baby boomers, excessive patient demand and a rising population as a consequence of our birth rate and immigration. We have an ageing population as a consequence of greater life expectancy and weakened genetics which is leading to IVF procedures in older mothers. We do not really die like we used to. Death is almost an option now. Rather than being drowned in this sea of nay-sayers who say that I am wrong and by inference they are right, I will put some questions to honourable members based on statistics and get them to look at the hard answers.

The critical point of medicine is that most problems are really simple but they are hard to cure. It is easier to control them. Generally we have more money for service providers in the perverse system of control, but it costs the nation a fortune because, irrespective of whether it is public or private, we all pay in the end. Private health insurance effectively pays seven to eight per cent of our total costs after the tax variation, but it provides a cap on services that is needed. We need to look at reality and must confront hard answers to deliver outcomes.

The current Labor philosophy is wrong. I say so on the basis of evidence and looking forward rather than looking back. The current Bligh Labor government-Rudd-Christine Bennett solution is hospital based and is post Vietnam War thinking. This continues old world thinking about acute, chronic and aged care streams. I would like to point out that the former New South Wales Auditor-General, Tony Harris, has come out and stated that these reforms are a muddle. He stated—

It is a muddle that will create acrimony with no great benefit, even if the Commonwealth wins agreement.

…

The Commonwealth has identified two instruments to obtain efficiencies. The first is the Commonwealth's decision to base its payments to hospitals on efficient cost.

…

The second weapon is persuasion.

The Commonwealth believes it can persuade the states. He goes on—

Well, good luck. Commonwealth persuasion to reduce waste is unlikely to achieve what state treasuries have not.

He has stated here—

And the government has not ended the blame game. Because responsibility is still split, patients will be able to hold both levels of government accountable.

That is the assessment of a former Labor person.

Philosophically, medicine has been morphed into a community and primary care base because contemporary health care has to deal with chronic illness, mental health, debility with age, multiple chronic illness, less in-home family support due to smaller families and early detection screening. For example, there were 500,000 colonoscopies performed in 2007-08. We need to keep people out of hospital—I mean everybody, except those needing complex medical care and surgical procedures. We must not use acute care models for chronic care of geriatric patients other than when the hospital is built for that care. Our existing hospitals have to change totally to a day surgery model for nearly everything. They must reduce waiting times dramatically for categories 2 and 3 and increase their operating output by 200 per cent. Private and public output should be equal. Our budget must be flexible to achieve this. We need to compare results, hospital to hospital, with a regional adjustment indexing factor.

No-one should ever mention angst over medical exemption ever again. There is no difference between private and public care and we should use private facilities where we can to get people to insure. We need to understand that 40 per cent or greater are currently insured and 51 per cent were covered in 2005. As for this issue about Kevin Rudd's regional health authorities, he is creating national health and hospital networks that are no different to those in place in 1992. He sacked all of the boards previously and now he wants to recreate them! But he says that it is fully funded on forward estimates. Well, Daniel Andrews says it is not and that health reforms need to be about more money. He can't blame John Howard, as did Paul Lucas. I table the documents which show that over the last 10 years of the Howard government health funding increased by $10 billion to $39.9 billion.

Tabled paper: Copy of a document titled 'Healthcare: bang for buck' by Sinclair Davidson [1878].

Tabled paper: Copy of a document titled 'Did Howard cut health spending?' by Sinclair Davidson [1879].

They are the facts by Sinclair Davidson. It is all there. Queensland Health needs to change, and it needs to be part of the answer.

(Time expired)

Ms CROFT (Broadwater—ALP) (6.00 pm): The Rudd government has delivered the most significant health reform policy for a generation. Labor will rise to the challenge that a growing and an ageing population will present for our health system. As the population grows, so does the demand for our health system. As the population grows older, that also increases demand on our health system. As medical technology advances, it also becomes more expensive. So the future challenges of running a health system relate to greater and greater demand for more and more expensive services.

Can I offer for the opposition tonight some sobering facts. According to the Commonwealth Treasury's 2010 intergenerational report, the proportion of Australia's population aged over 65 will almost double over the next 40 years from 13 per cent in 2003-04 to 24.5 per cent in 2044-45. In fact, it has already doubled in the past 40 years since 1970. The life expectancy of a child born in 1965 was 71. For a child born in 2010, it is 81. Queensland Health performance reports indicate that our emergency departments see on average an additional 50,000 patients each year. Over the past five years the number of patients treated in our emergency departments rose by 23 per cent. The report also states that our hospitals admit into wards on average an additional 35,000 patients each year and that our surgeons provide on average an additional 4,000 occasions of elective surgery each year.

As our population ages, the nature of health care changes too. Older people are more likely to require longer hospitalisation. Older people are more likely to get cancer. At current incident rates, one in two men and one in three women will get cancer by the age of 85. As the population ages and more people live to reach 85, the demand for cancer treatment will skyrocket. The number of new cancers diagnosed each year increased by 25 per cent from 1994 to 2004. Cancer diagnosis will continue to increase by more than five per cent each year. The incidence of breast cancer has risen 20 per cent from 1996 to 2006. According to the Australian Institute of Health and Welfare's cancer incidence projections for 2001 to 2011 for Australian women, the number of new cases of cancers is projected to increase by 29 per cent in a decade.

However, the quality of health care is also improving. People are living longer because health care is also keeping people alive. More than half of all cancers diagnosed in Australia today are successfully treated—that is a 20 per cent increase from 20 years ago—and the cost of treatment is increasing as quality improves and technology advancements and new treatments become available. The inflation rate for healthcare costs is tracking at twice the rate of CPI—seven per cent—and the health indexation has risen faster than inflation eight years in a row. The Australian Institute of Health and Welfare has predicted that real total health expenditure in real dollar terms by government will increase more than 190 per cent between 2002 and 2032. According to the intergenerational report, health expenditure is projected to nearly double as a proportion of GDP over the next 40 years from four per cent this year to 7.1 per cent by 2049-50.

In Queensland our costs are rising rapidly because we are investing more in health care and in our health professionals. Between 2005 and 2010 we have more than doubled the number of medical interns from 250 to 644. Since 2005 the Bligh government has hired an additional 12,600 extra doctors, nurses and allied health professionals. The government has also given our clinical staff very significant wage rises in recent years. Nurses have had a pay rise of over 20 per cent in less than five years. Junior medical officers have had a pay rise of over 20 per cent between 2005 and 2008. Senior medical officers have had a pay rise of 17.5 per cent between 2005 and 2008. The Queensland government will negotiate constructively with the Commonwealth to ensure that in the detail Queensland gets the best possible outcome from these reforms. We congratulate the federal government on its acknowledgement that with the growing population and ageing population and skyrocketing costs the burden of paying for health care needs to be borne by the level of government—

(Time expired)

Ms BATES (Mudgeeraba—LNP) (6.05 pm): I rise tonight to contribute to the motion on the proposed federal health takeover by the Rudd Labor government. The Prime Minister recently announced a reform of Australia's health system, a national health and hospitals network, by reducing the GST revenue given to the states and territories by 30 per cent and taking responsibility for funding 60 per cent of public hospitals nationwide. I share a lot of Queenslanders' cynicism that the Rudd government is not capable of running a federal health system given that it was unable to successfully or safely run an insulation scheme! If there are problems with the running of the proposed federal health system, will the Prime Minister sack his Minister for Health and Ageing and will Rudd take responsibility for his ill-thought-out vote grab, or will we see a Beattie type shallow apology with the often quoted 'the buck stops with me'? Will the buck really stop with him? Queenslanders have a right to know and have long suffered boundless promises of having their health system fixed by this incompetent Beattie-Bligh government, which lurches from one failure to the next.

We have eight state-run health systems that are underfunded, understaffed and underresourced. Despite the fact that Queensland has had its GST revenue increased annually, a mining boom which has given the Bligh government a river of gold and the constant impost on residents of increasing taxes, increasing car registrations, increasing stamp duty, increasing electricity prices and the abolition of the fuel subsidy to name but a few, this government's track record on reducing waiting lists, stopping the secret culture of Queensland Health and the continued bullying and intimidation of staff has not and does not look to ever improve under the stewardship of this arrogant, out of touch, on the nose Labor government. The Minister for Health cannot guarantee even today that no doctors, nurses or allied health professionals will not lose their jobs if the federal government takes over our health system. This means that this Queensland Labor government is willing to hand back billions of dollars in GST revenue, buck-pass the responsibility for health but not guarantee the jobs of our health professionals. So much for representing working families!

Since the Labor Party came into government in Queensland we have had a series of ministers for health and, despite annual funding given to Queensland Health increasing, the waiting lists for elective surgery are getting longer and the waiting times are still increasing. There are 34,480 Queenslanders waiting for elective surgery as at 1 January 2010 and, of that, 4,498 have been waiting longer than medically recommended for categories 1 and 2. As stated by the Victorian health minister, Daniel Andrews, on 3 March 2010, 'Health reforms need to be about more money.' Yet the Deputy Premier and

Minister for Health stated yesterday that there would be no new money for four years. How is this going to benefit our great state? Queensland has been short-changed for many years—and that has been done by this Labor government! This has been on its watch; it has been in charge of our state health system and it cannot blame anyone but itself.

Whilst some Queenslanders are waiting for surgery to save their lives, we have had another layer of bureaucracy added to Queensland Health since the Patel debacle. It is no wonder the Premier and Minister for Health are so eager to hand over responsibility and buck-pass our deficient health system to the federal government. Now Kevin Rudd—who, coincidentally, upon being elected in 1998 voted against the private health rebate—has publicly confessed that when he made the commitment to fix our country's health systems during the 2007 federal election he had not understood the complexity of the problems at that time. Let me repeat that: he had not understood the complexity of the problems with our health system. This is the same person who held the position of Director-General of the Office of Cabinet in the Goss government and therefore was responsible for public health and hospitals and in fact cut 2,000 beds out of the Queensland public health system! Those beds would go a long way today towards fixing the bed shortages throughout Queensland and would solve the current crisis being experienced on the Gold Coast. Queenslanders will not be satisfied with decisions made by our public hospitals and health boards being made by Canberra based bureaucrats.

The Deputy Premier also went on to say—

I am not interested in a debate about who runs what or who funds what, if that does not deliver for Queenslanders.

I say to him: let us have a real debate about health, not just petulant name calling and derogatory and crude personal attacks. Let us have a real debate on where our health system is at and what can be done to rectify the many problems and issues that it is facing currently. Yesterday the Minister for Health stated—

We want to see strengthened incentives for clinical staff to go west, that is, to western Queensland and other places.

So why is he closing down all the services? I say to the minister: it is time to come clean with Queenslanders and advise how many Queensland regional hospitals will close and if any other health services, particularly in outback Queensland, will be affected or closed down. Surely, as part of a duty of care and due diligence owed to Queenslanders, the minister and his megadepartment must undertake an impact study prior to any health takeover by a Rudd Labor government. The federal Leader of the Opposition, Tony Abbott, stated on 4 March 2010—

... I think it's important for Kevin Rudd to understand that the people of Australia want their problems solved, they don't want another bureaucratic shake up, and that's what I think yesterday's announcement is ultimately going to be, just another bureaucratic shake up.

I say to those opposite: ensure you put the health of the people of Queensland first instead of rushing to off-load the responsibility for and funding of our health system, which has haemorrhaged under their care.

Mr RYAN (Morayfield—ALP) (6.10 pm): I rise to oppose the opposition's motion and to speak in support of the amendment moved by the Deputy Premier. The opposition's motion says a great deal about its depth of health policy. The opposition's motion will do nothing to help Queenslanders. It will do nothing to support health reform in Queensland. When it comes to policy debate, the members opposite will say anything, will oppose everything and will do nothing. They stand for nothingness. The opposition is devoid of ideas.

An opposition member: You're giving it away.

Mr RYAN: I take that interjection, because the louder they squawk the clearer it is that they stand for nothingness. They have nothing to offer. On the other hand, the Bligh government has engaged constructively in discussions with the Rudd government and we will continue to work with the federal government to ensure Queensland gets the best deal out of the national health reform process.

So far, the contributions to this debate by members of the opposition have been particularly unconstructive. They continually snipe at the Prime Minister and this government's record of health service delivery. With all the important issues existing in Queensland today, all the opposition can present to us is a motion about cabinet procedure.

The opposition needs to stand up and be counted on health policy. Where does it stand on the Commonwealth dental scheme, which has been blocked by its federal counterparts in the Senate? Has any member of the opposition picked up the phone and asked Tony Abbott to let the changes pass? Do members of the opposition support those senators who have refused to pass the Commonwealth dental scheme, which will deliver 180,000 extra occasions for service for Queensland? Tony Abbott refuses to stand up for Queenslanders who are in need of dental care. When will the opposition stand up for Queenslanders? Where do they stand on Tony Abbott's record of pulling $1 billion out of the health system while he was health minister—a disgraceful record? Tony Abbott refused to stand up for the Queensland health system. When will the opposition stand up for Queenslanders?

Where does the opposition stand on the Prime Minister's offer to pay 100 per cent of specialist outpatient and primary health services? Tony Abbott continually criticises the health reforms proposed by the Prime Minister which will deliver real results for Queenslanders. When will the opposition stand up for Queenslanders? It has no new ideas, no policy and this motion shows the opposition up. One of the most significant national conversations in our history is taking place right now on health reform and the opposition has skipped town. It has taken a leave pass. Instead of contributing, it is focused on procedure and the past.

In the Bligh government, health policy is run by the Premier and the Deputy Premier and Minister for Health, not by bureaucrats or party officials. In the Rudd government, health policy is run by the Prime Minister and the health minister, not by bureaucrats or party officials. It was the same in the Goss government. Kevin Rudd was a public servant—a senior one—but in Labor governments it is the responsible minister and the head of the government who are responsible for policy. This motion shows that in the LNP that is not the case. The Leader of the Opposition has famously said that it is not his job to come up with policy. We know that the shadow minister for health has come up with no new policy ideas since the failed mental health policy that relied on volunteers. It is just the same old Nationals offering the same old thing and that certainly does not include policy or ideas.

Instead of carping, squawking and opposing everything as a disguise for their lack of capacity to propose viable policy alternatives, the opposition members need to get serious about policy development. The last time the people of the Morayfield-Caboolture area heard anything of substance from the opposition in respect of health policy, they were gobsmacked by its disastrous consequences. After promising and failing to build a hospital at Caboolture for four election campaigns, the National Party decided to go further by downgrading the stage 2 expansion of the Caboolture Hospital as part of its infrastructure freeze during the Borbidge government years. That decision effectively cut the planned stage 2 hospital expansion in half. The people of the Morayfield-Caboolture area have been forced to live with that decision ever since. The people of the Morayfield-Caboolture area want the opposition to stop playing politics with health and start standing up for Queenslanders.

Mr HORAN (Toowoomba South—LNP) (6.15 pm): In around 1947 Queensland led the way in Australia by introducing a free public hospital system. The rest of Australia coveted that and eventually tried to copy it through the introduction of the Medicare system. So Queensland has a proud history. How pitiful it was last week to see the health minister for Queensland race out to throw away the control, management and running of the Queensland hospital system. Queenslanders run their system, but the minister wants to throw it away and give it to Canberra so it will be run by long-distance remote control by bureaucrats in Canberra. If there was a reason for the minister to rush out in his obscene haste to do that then we might consider that it was worthy, but there is no reason. There is no more money; there are only problems.

One of the biggest issues arising out of this whole transfer is the gobbledegook of the Prime Minister of Australia. Members should read the speech he gave to the National Press Club. Everything in his speech is generalised. Everything is little advertising cliches. Members should read the transcript of the question-and-answer session after his speech. No details were given, because it is just going to be this big cover-up: 'It will be better when we take over.'

But when we analyse the proposal, we see that he is taking away from Queensland one-third of our GST, which is more money than he is giving back with the 25 per cent extra money that he is going to put in as the Commonwealth's contribution to hospital funding. He will be taking away about $2.6 billion in round terms from the GST, which is a growth tax. We are so lucky to have the GST here in Queensland so that we can use it in our annual budget. He is taking out $2.6 billion and giving back approximately $2.4 billion per year over the next four years to reach the 60 per cent funding that he has promised he will provide.

That is one reason this government should not have caved in within seconds of the announcement. It should have thought about Queensland first. We should run our hospital system. We should be able to run it properly because we are closer to the system—we know the people, we know the staff, we know the patients—and not have it run by remote control from Canberra.

There are other reasons, but we can boil it all down to this: if there is less money—or the same money, even—why is it better for the hospital system to be run by a bunch of politicians from Canberra compared to being run by a bunch of politicians up here who happen to be closer? There is no logic to what the Prime Minister is suggesting he will provide.

Our motion is to try to overcome this charade of the Prime Minister. We saw that when he talked about the education revolution and there was no detail. We saw the charade with the insulation program, with $2.5 billion spent, thousands of homes ruined and four lives lost. He could not run a chicken coop. With this motion, the LNP wants to show the form and the track record of Mr Rudd when he was chief of staff and then when he was the director of the office of cabinet. During that time the hospital waiting list was a shambles. It was scraps of paper; there was no waiting list. That was introduced by the coalition. That government had about $1.6 billion for hospital rebuilding. We doubled that. But what did that government have for its $1.6 billion? It just had watercolour drawings of the

capital works run by a social worker. We put in place engineers and project directors and started over 100 projects ranging from projects at the Royal Brisbane to the PA Hospital to the little country hospitals right across the state. All of those projects were put in place and were all funded and started by our government.

All of these projects were put in place, funded and started by us. We put in place 90 per cent immunisation and 90 per cent breast screening targets. We put in place the 10-year mental health plan. We got rid of this bureaucracy called regional health authorities. This is the real problem with the Rudd plan. In the regional health authorities there were 300 extra bureaucrats put in separate buildings in the CBDs of all the regional towns. They were not in the hospitals; they were in the CBD paying for accommodation, cars, meetings, symposiums, white boards and all the rest of it. That cost millions and millions of dollars. When we eliminated that entire unnecessary level of bureaucracy and went back to district local managers we saved millions of dollars and we did thousands more operations per year because we employed doctors and nurses, not bureaucrats.

This plan is flawed. This plan will not look after patients. It will be based on casemix. It will be about figures and accountants, not care of patients, not humanity. It will be about casemix, bureaucrats and long distance control. It will be the biggest failure this nation has ever seen.

Mr WATT (Everton—ALP) (6.20 pm): Tonight as I was sitting here listening to the member for Toowoomba South speak I was transported back 20 or 30 years in Queensland politics. I thought we had Joh Bjelke-Petersen up again rambling on about state's rights without a word of concern for the rights of Queenslanders. Tonight the opposition has yet again proven it takes the cake for small-mindedness. It has spent the entire debate protesting against the federal government's proposed reforms to health care.

Opposition members interjected.

Mr DEPUTY SPEAKER (Mr Wendt): Order! Member for Everton, take your seat. I would ask the members on the left to please be quiet. I cannot hear the member speaking. We did not have a problem with the previous speaker, so I would ask you to give the member for Everton a chance.

Mr WATT: As I was saying, these are the biggest changes to health care in Australia for a generation and what does the opposition want to talk about? Queensland cabinet documents from 20 years ago. Finally we have a federal government prepared to step up and contribute the majority of funding for public hospitals in this state and what does the opposition want to talk about? The prospect that it may reduce the power of state governments. Speaker after speaker from the opposition has been channelling Joh Bjelke-Petersen. They talked about the rights of state governments and not a word about the rights of Queenslanders to better health care. These are the people who stood by and said nothing when their federal counterparts under John Howard reduced federal funding of Queensland public hospitals from 50 per cent to 35 per cent. Where was the concern of those opposite for state governments or Queenslanders then?

Opposition members interjected.

Mr WATT: They really do not like being told those figures, do they? Where was their concern for state governments or Queenslanders then? No wonder they are getting the man who led the destruction of federal healthcare funding, John Howard, to tutor them. As soon as there is a Labor federal government what do they do? Squeal like stuck pigs. This opposition does not care about the health of Queenslanders, it only cares about scoring political points. Yesterday we saw the Leader of the Opposition flay the federal government like the piece of wet lettuce that he is. He is incapable of seeing the big picture. All he could do was complain that state governments may be losing some power. There was not a shred of concern for what is best for the health of Queenslanders.

I have not been in politics long, but I have been here long enough to know that if there is one thing Queenslanders hate it is politicians who blame another level of government for problems for which they are responsible. They do not care who delivers their health services. They just want them delivered properly. Yet all the opposition can do is continue the blame game. At last we have a Prime Minister who wants to end the blame game. Those in opposition continue the blame game.

The opposition's motion tonight shows that it is more interested in documents from 20 years ago than health care now and in the future. I was sitting here thinking maybe this is the new Heiner conspiracy for the opposition. There are a number of opposition members who were deeply involved in the Heiner conspiracy over the years. They spent years picking through the entrails of the supposed Heiner conspiracy only to have it proven time and time again that the allegations were absolutely baseless. Now they want to dream up a new conspiracy.

Opposition members interjected.

Mr DEPUTY SPEAKER: Order! Stop the clock. The member for Everton has the call.

Mr WATT: Now they want to dream up a new conspiracy based on documents from 20 years ago. I suppose it is just more evidence that the opposition can only look backwards. It is only the latest in a long line of rear-vision statements from this opposition, given the attitudes it has expressed of late on issues such as tree clearing, altruistic surrogacy and the constitutional preamble. I wonder whether the former Liberals in this House are squirming in their seats tonight as they did in each of those debates. Queenslanders are not interested in documents from 20 years ago. They want to know what governments are going to do for their health now and into the future.

What does the opposition have to offer Queenslanders? It is hard to say. As in so many other policy areas it prefers to leave it to the government to do the hard yards and put forward ideas for Queensland's future health care. What little it has said is patently absurd. It wants to reintroduce the local hospital boards stacked with National Party cronies.

Opposition members interjected.

Mr WATT: The Liberals want some of their cronies as well. Not just National Party cronies; Liberal Party cronies as well. Their big health election commitment, not yet disowned, is running mental health facilities using volunteer labour. When we look to the opposition for policy ideas we know where the real policy grunt in the opposition lies: the member for Burnett. He is still committed to the idea of hospital ships—hulks travelling up and down the Queensland coastline delivering health care. I do not really know how that will help the member for Mount Isa and her constituents but if anyone can work that out it is the member for Burnett.

There has been a lot of talk this week about the Oscars, but I am not sure that anyone has acknowledged the nomination the Leader of the Opposition received for his wonderful performance in *A Simple Man.* He is a simple man. He has simple thoughts and he is simply incapable of coming up with positive ideas for Queensland's future. If the Leader of the Opposition had any ideas he would have put them forward for debate tonight. But, of course, he does not have any ideas; he prefers to pick over the bones of 20-year-old cabinet documents and continue the blame game between the states and the Commonwealth. We will know who to blame when Queenslanders reject his lack of substance and lack of spine at the next state election in two years time.

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

AYES, 47—Attwood, Bligh, Boyle, Choi, Croft, Dick, Farmer, Finn, Fraser, Grace, Hinchliffe, Hoolihan, Jarratt, Johnstone, Jones, Kiernan, Kilburn, Lawlor, Lucas, Male, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Neill, Palaszczuk, Pitt, Reeves, Roberts, Ryan, Schwarten, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wettenhall, Wilson. Tellers: Keech, Darling

NOES, 37—Bates, Bleijie, Crandon, Cripps, Cunningham, Davis, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Flegg, Foley, Hobbs, Hopper, Johnson, Knuth, Langbroek, McArdle, McLindon, Malone, Menkens, Messenger, Nicholls, Powell, Pratt, Rickuss, Robinson, Seeney, Simpson, Springborg, Stevens, Stuckey, Wellington. Tellers: Horan, Sorensen

Resolved in the affirmative.

Division: Question put—That the motion, as amended, be agreed to.

AYES, 47—Attwood, Bligh, Boyle, Choi, Croft, Dick, Farmer, Finn, Fraser, Grace, Hinchliffe, Hoolihan, Jarratt, Johnstone, Jones, Kiernan, Kilburn, Lawlor, Lucas, Male, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Neill, Palaszczuk, Pitt, Reeves, Roberts, Ryan, Schwarten, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wettenhall, Wilson. Tellers: Keech, Darling

NOES, 37—Bates, Bleijie, Crandon, Cripps, Cunningham, Davis, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Flegg, Foley, Hobbs, Hopper, Johnson, Knuth, Langbroek, McArdle, McLindon, Malone, Menkens, Messenger, Nicholls, Powell, Pratt, Rickuss, Robinson, Seeney, Simpson, Springborg, Stevens, Stuckey, Wellington. Tellers: Horan, Sorensen

Resolved in the affirmative.

Motion, as agreed—

That this House:

- notes the historic announcement by the Prime Minister on 'National Health and Hospitals Network' reform;
- notes that this is the first time in a generation that a Commonwealth Government has committed to a formula for automatic growth in federal health funding;
- notes the federal Leader of the Opposition's multiple failures on health policy, such as his failure to deliver adequate growth funding for health services, his ad hoc and irresponsible takeover policy of Mersey Hospital, and his obstruction of the Commonwealth Dental Scheme in the Senate;
- notes that the Queensland Government will continue to negotiate with the Federal Government to ensure the reform package delivers more funding, more staff, and more services into regional Queensland; and
- notes that Queensland's Opposition has failed to come up with any constructive or detailed policy response to the historic reforms.

Sitting suspended from 6.35 pm to 7.35 pm.

WATER RESOURCE (BARRON) AMENDMENT PLAN (NO. 1)

Disallowance of Statutory Instrument

Mr SEENEY (Callide—LNP) (7.35 pm): I move—

That subordinate legislation number 266, Water Resource (Barron) Amendment Plan (No. 1) 2009, tabled in the House on 9 February 2010 be disallowed.

In moving this motion I intend to make some broad comments about the water reform process as a whole. The water reform process is the process of which the water resource plan for the Barron River, which we seek to disallow, is but one instrument. The detail of the issue will be addressed by the member for Dalrymple as he seconds this motion. At the beginning of my contribution, I commend the member for Dalrymple for the way that he has represented this issue to date. The fact that we have sought to move a disallowance motion in the parliament is the last step in a long process of trying to get some sensible change for the landholders who have been affected by this particular statutory instrument.

As is the case with so many other water resource plans across Queensland, the Barron water resource plan is based on a political ideology. When the water reform process first kicked off 10 years ago—and it is 10 years ago, because the first of the water resource plans are coming up for their 10-year review—in debates in this House I said a number of times that the government ideology was driving the whole water reform process. That has proven to be the case. Right across Queensland, every one of the water reform processes has been based on a government ideology—an ideology of limiting irrigation, limiting water use and putting a stop to development.

Plan after plan, in catchment after catchment, has seen the available water levels set at the existing development levels so that the government avoided the necessity of or the responsibility for paying compensation, which it would have done had it set the available water limits any lower. The government refused to allow any further development. Right across the state it set the limits at those levels. Ten years ago I said—and I reiterate it tonight—that that is a fallacy. It is an ideologically driven approach and not a scientifically driven approach. For 10 years the department of natural resources misused science for an ideological purpose. There is no greater example of that than the water resource plan that we seek to disallow tonight. There are many good examples of it in the water resource plans that were put in place over the 10-year period, but the plan that we are talking about tonight is the best example of them all.

The draft Barron water resource plan was released for public comment on 20 December 2001. The key issues for the water users were the conversion of area based licences to volumetric entitlements using a conversion factor of 5.5 megalitres per hectare and the prohibition on the issue of new or increased licences for surface water and groundwater in area A. In the first draft water plan, groundwater in area B was the only option for new entitlements. In June 2008, the department released the draft Barron water resource plan amendment for public consultation. That is the instrument we seek to disallow tonight. This amendment proposed some changes sought by the local farmers, including increasing the conversion factor for area based entitlements. However, it proposed to close area B to further groundwater entitlements, despite the fact that the technical basis for such an action is still the subject of court proceedings and is disputed by technical experts. It is the technical information and so-called expert opinions that the government relies upon when drawing up these water resource plans that have been illustrated to be completely false and an absolutely outrageous misuse of the department's powers.

Tonight I will refer to one case in particular which involved a local landholder appearing before the Land Court. The Land Court dealt very harshly with the evidence that was presented on behalf of the government. I will quote extensively from the court's findings. Mr Scott for the Land Court said—

Evidence led before me from various experts focused mainly on the first element: The question of the availability of water to meet the application. As the water sought by the appellant is sub-artesian, the evidence was necessarily complex, requiring conclusions to be drawn on such evidence as is available to indicate the nature of what lies beneath the ground and is therefore hidden from view. There was also evidence as to the potential impacts of making the water allocation sought.

That is a common feature of all water resource planning. You are dealing with things that you cannot see, you are dealing with things that have been the subject of scientific study and the integrity of the process has to rely on expert scientific opinion. However, when talking about the expert opinion that was given on behalf of the government Mr Scott was very derogatory. He said—

First, given the manner in which each of the parties treated the case advanced by the appellant through her expert Mr Iain Hair (Hydrogeologist) and deficiencies in the expert evidence advanced for the Minister; the evidence as to the availability of the sub-artesian water is not as complex as might first thought to be the case.

Second, and this relates in some part to the first point, I have concluded that the opinion evidence provided by Dr John Bernard Prendergast (Hydrologist and Principal Policy Officer, Department of Natural Resources and Water) could not be safely relied upon. He attempted to distance himself from important aspects of his own earlier co-authored reports; was selective in his treatment of such material; was evasive in cross-examination; and was intellectually arrogant in his treatment of Mr Hair's expert evidence.

Mr Scott from the Land Court makes the obvious observation—

An expert witness, unlike a lay witness, is permitted to offer opinions to a Court as to the meaning and implications of proven factual evidence. There is, co-existent with that privilege, a requirement that the expert exhibit such objectivity in his evidence that opinions given can be relied on by the Court as being opinions which resulted from the application of expert knowledge to the factual evidence. Any tendency of an expert to be less than objective or to become an advocate in the cause of the party who called him, will undermine the confidence that a Court can place in his opinion evidence. This is not to say that an expert witness may not be passionate in advocating the correctness of the opinion he advances, but he ought not display the behaviour I observed in Dr Prendergast.

Later in the report the judge says—

For reasons not clear to me, Dr Prendergast's report introduced a new case for the Minister one inconsistent in important respects with the case based on Mr Lait's evidence and inconsistent with the pre-trial process of meeting of experts and the production of the joint report by Mr Lait and Mr Hair.

I set out this brief history relating to the introduction of Dr Prendergast as a witness, not because it is relevant to my conclusion as to the acceptability of his opinion evidence, but because it indicates a lack of cohesion in the presentation of the case from the Chief Executive, an entity expected to demonstrate the attributes of the model litigant.

That last sentence is particularly pertinent to the whole water resource planning process. There is an expectation that the department would demonstrate the attributes of a model litigant if it seeks to use taxpayers' money to litigate against landholders, as it has done time and time again in the administration of natural resources in Queensland. It has done this particularly with water resources but also in a whole range of other areas such as vegetation management and a whole range of natural resource issues, where the department falls back to the process of litigation, to bully landholders, to force landholders to accept their ideologically driven agenda. The department of natural resources is an ideologically driven department. It is a department in which officers pursue their own agendas, safe in the knowledge that they can use the power of the department to litigate against anyone who stands in their way. That was the case with this particular court case from which I read the extract.

In that particular case, unlike so many others where landholders are bluffed out of taking the case to its final conclusion—where landholders either do not have the resources or for some reason cannot take the case to its final conclusion and have the evidence of the department tested—the evidence that the department presented was tested in the court and found to be wanting. Not only was it found to be wanting; it was found by the judge to be outrageously wanting. It was found by the judge to be an indictment on the department, on the chief executive and on the minister himself. That is not the first instance where that has happened. It happened with the smart rivers issue in South-West Queensland, which was also a part of this water reform process. Landholders got together and employed their own experts who very quickly showed the untruthfulness and the falseness of the claims that the government was putting forward masquerading as science.

The same thing happened in relation to vegetation management, with the Brimblecombe family, where the department was almost liable for perjury in the way that it conducted that case, and with the famous case of Ashley McKay, who was pursued by the department through a series of court cases stretching over five, six and seven years. He was eventually able to demonstrate the falseness of the department's claims and the absurdity of the so-called scientific evidence that the department sought to use against him. This is a department that has misused science for its own ideological outcomes. I said 10 years ago when I stood in this place to debate the first of the water resource plans that one day—one day—this department would be subject to a review of its operations and that one day it would be forced to use proper peer reviewed science and it would be forced to administer natural resources in this state in a fair, equitable and reasonable way rather than in an ideologically driven way. Ten years later that day is coming closer.

I say tonight to all of the officers in the department of natural resources that the day is coming when they will be forced to use proper science, when all of the decisions that have been made in this water reform process, including the decisions that are part of the statutory instrument that we seek to disallow tonight, will be subject to proper peer reviewed science. Rather than misusing the science, using the weight and the clout of the departmental name and using the weight and the clout of taxpayers' money to threaten litigation and to use litigation to force through the ideological position of the department, the department will be forced to use proper science and natural resource administration in this state will be based on science. It will be based on science that is peer reviewed, that is credible and that has an integrity that should be a given in the administration of natural resources and in the administration of any area. It certainly has not been so in this state for 10 years now when it comes to water resource planning. It was outrageously misused when it came to vegetation management in this state. I look forward to one day all of those decisions being reviewed.

So I say to the minister, to the department, to the chief executive, to the director-general, to all of those people who hide in the department in a position where they can pursue their own personal agenda, as they have done for the last 10 years, that the day is rapidly coming when they will be subject to the light of reason and they will be subject to the light of a fair test for the decisions that they impose upon Queensland landholders. For 12 years now Queensland landholders have not had a chance of a fair go from this department because they have had to fight against the financial resources of the

department, a department which seeks to use those financial resources that rightfully belong to the taxpayer to allow officers within the department to pursue their own ideological agenda and to pursue the government's ideological agenda.

This statutory instrument before the House is a classic example of that, where the so-called science that the department depended upon was found by the court to be absurd and laughable. For that reason alone, this statutory instrument should be disallowed. No-one disputes that the water resources in the Barron River need to be managed in a proper, sustainable way, but that management regime needs to be based on credible science that has integrity, not the sort of laughable, philosophically driven position that was exposed in the Land Court and of which Mr Scott in the Land Court was so derogatory. I urge all members tonight on that basis to support us to have this statutory instrument disallowed.

(Time expired)

Mr KNUTH (Dalrymple—LNP) (7.50 pm): I second the motion moved by the shadow minister for natural resources and water, and I quote—

That subordinate legislation number 266, Water Resource (Barron) Amendment Plan (No. 1) 2009, tabled in the House on 9 February 2010 be disallowed.

In particular, we are targeting clause 53, 'Applications for subartesian management area B', which states—

(1) This section applies if an application for or about a water licence to take subartesian water in subartesian management area B would increase the volume of subartesian water taken in the area.

(2) The chief executive must refuse the application.

This has been going on for 10 years. It is not the farmers' fault, it is not the irrigators' fault; it is the government's fault and, likewise, it is the department's fault. This problem could have been solved many years ago if the departments and this government had worked with irrigators. That is what we plan on doing. We are not about introducing these spy-in-the-sky satellites like this government has. We are about working with farmers and irrigators to get a proper outcome.

Even the water advisory group, which the Minister for Natural Resources set up, advised the minister that there is enough water in area B. They know this area; they have the local knowledge. Not only that, they have provided a leading hydrogeologist to examine these areas. They have found that there are large volumes of subartesian water in area B.

I will give the House a bit of history of the Barron catchment before 2002. All water in the Barron catchment above Tinaroo Dam was regulated. Subartesian water in the former Atherton shire was regulated. Subartesian water in the former Eacham shire was unregulated—that is, licences were not required. The Barron water resource plan came into force on 18 December 2002. Two management areas for groundwater were declared—area A and area B. Area A encompasses the known abundant groundwater near Atherton where irrigated farming is well established. Further entitlements were prohibited in area A on the basis that the resource was already overallocated. Area B surrounded area A and contained land which traditionally had not been so heavily used for irrigated farming.

The department encouraged irrigators to explore suitable subartesian water in area B and a lot of money and effort were put into drilling to find suitable water. The department issued new entitlements in area B in the water resource plan and then the government slammed on a moratorium. This has resulted in a number of court cases and has cost irrigators hundreds of thousands of dollars.

The department has presented an internal report on the reasons area B was locked up. That has been highly criticised by, naturally, the water advisory group which tried to advise them, including leading hydrogeologist consultants Douglas Partners. They have described the department's report as having a pessimistic view, having a number of errors and being fundamentally flawed. The department did not seek the views of leading hydrogeologists at all.

An example of one of those flaws is the claim that it would be detrimental to the iconic curtain fig tree. This is very important. The fig tree is uphill and the roots of the fig tree go down only two metres. It is impossible to draw water from that area B subartesian basin. This is one of the examples that was used. They want to save this iconic fig tree so they lock up area B.

The department's report is conflicting, as the member for Callide said earlier. In a case in the Land Court of Queensland on the take of water in area B—De Tournouer v Chief Executive, Department of Natural Resources and Water—the judge reviewed the Department of Natural Resources and Water's report in relation to area B and said—

... I have concluded that the opinion evidence provided by ... Hydrologist and Principal Policy Officer, Department of Natural Resources and Water could not be safely relied upon.

The judge said that the principal policy officer—

... attempted to distance himself from important aspects of his own earlier co-authored reports; was selective in his treatment of such material; was evasive in cross-examination; and was intellectually arrogant in his treatment of Mr Hair's expert evidence.

The judge said that the rationale behind the principal policy officer's inclusion in the case was somewhat perplexing.

Given that the scientific debate is not settled, why does the minister not continue the existing moratorium? Why has the government already made the decision to lock up area B? Why is the minister closing area B to further applications for groundwater when his department's evidence will be strongly contested by leading hydrogeologists? Some licensed applicants alone have spent hundreds of thousands of dollars proving that the water is there and challenging the department's stance on this issue—and the water is there. Some bores were pump tested for 24 hours at 35,000 gallons per hour. The previous assessment criteria used by the department would give applicants a fair and equitable share of resources.

Tinaroo Dam has a 46,000-megalitre distribution loss each year. This is more than the total of all the irrigators and urban licences in the Tinaroo Falls catchment, and there is very little evidence that the department is addressing this loss. If it does address it—and I do not believe it will—why not allow the irrigators to utilise that water? I say again: 46,000 megalitres of water is lost each year. Why is the government locking up area B? Why is it so important to this government, when more water than in all the licences put together is going down the drain?

The question needs to be asked of the minister: where is the criteria for the report from leading hydrogeologist Iain Hair from Douglas Partners which is a part of the Tableland irrigators submission? The Tableland irrigators are asking for a technical review of Iain Hair's Douglas Partners report. There has been no response from the department over the report. The irrigators have written and requested a response. I table the Douglas Partners report, which conflicts with the department of natural resources' report.

Tabled paper: Document, dated 18 July 2008, titled 'Comment on Draft Amendment to the Barron Water Resource Plan Proposed by Natural Resources & Water June 2008', prepared by Douglas Partners for Tableland Irrigators [1880].

Will the minister provide a technical review of Iain Hair's Douglas Partners report, which describes the department's report of area B as fundamentally flawed?

Irrigators are just asking for a fair outcome, not distorted, conflicting, twisting, political ideology. The farmers and irrigators are about sowing the good seed, producing the best crops and, in the end, putting good food on your table. That is why they are out there. That is why they are asking for this water allocation—so they can give you good meat, good vegetables, good pieces of fruit, good bananas.

I hope this government supports our motion. The government wants to create 100,000 jobs; this is about 10 years of locking up, of sustainable management where jobs could have been provided. This is all about political ideology. I ask the government to support our disallowance motion.

Mr WETTENHALL (Barron River—ALP) (7.59 pm): I rise to speak against the disallowance motion relating to the Water Resource (Barron) Amendment Plan (No. 1) 2009. In debates of this kind that have attracted litigation it is always tempting to selectively quote from judgements of courts. I would suggest that that is exactly what has happened tonight in the speeches made by the members for Callide and Dalrymple. Unless I am mistaken, what we have heard—without the specific court cases being identified and the parties being identified and without the result of that litigation being included in the debate—is some very selective quoting.

I am looking forward to hearing further speakers in support of this disallowance motion elaborating and informing this House on the result of the litigation that has been the subject of remarks in the speeches of the members for Callide and Dalrymple. It is one thing to quote selectively from litigation and it is another thing to properly inform the House what the result of that litigation was. I look forward to hearing exactly that from future speakers.

It is, of course, important that these water resource plans and specifically this amendment plan are directed primarily to two things: the sustainable use of water resources in our catchments and security for those persons who are allocated water. They are really the two objectives of this amendment plan. The Barron water resource amendment plan will provide the community and water users with the security of water supply which is vital for the future of the region. This plan is about providing existing water users in the region with the type of flexible trading opportunities that underpin good water management across Australia. The Bligh government has listened to the community and we have developed a plan which will increase access to water entitlements, encourage efficiency and provide the opportunity for entitlement holders to trade water. Under the amendments developed in close consultation with the community, water users in the Atherton area above Lake Tinaroo will see surface water flows and groundwater more equitably shared. The planned provisions will provide irrigators with the flexibility necessary to adapt to and keep peace with fast-changing local and global markets. This plan is about securing future economic opportunities within natural and sustainable limits. It will provide for some of the most comprehensive and sophisticated water-trading arrangements in Australia. This will see efficiencies in production and provide for significant future enterprise development.

We have developed this plan in consultation with the community and as a result the majority of existing water users support the plan. An extensive consultation process was undertaken during the development and when the draft amendment plan was released in June 2008 for public submissions, 25 written submissions were received from the community. This plan will give people the ability to relocate or temporarily trade water. Through this, it will promote diversity in irrigated agriculture and encourage increased production driven by efficiency incentives.

Through the Barron resource operations plan, the new provisions will result in the conversion of more than 200 water entitlements to tradeable water allocations. To disallow this plan would be to deny water users and the Barron community access to the security and flexibility already provided to many communities all over Australia. With many water entitlements in the Upper Barron unused or only partly used, trading underpinned by new efficiency measures will provide an opportunity for newcomers to obtain and relocate water allocations to support growth and encourage new users. Water users with supplies excess to their current requirements will be able to trade that water to other users who can put it to productive use. Disallowing this plan would deny the local community that opportunity. This plan will free up water that may be allocated but not fully utilised by entitlement holders. It will also encourage water users to find ways to produce the same or more with less water.

It is important to note that over 70 per cent of the predevelopment average annual flow of the Barron River at Tinaroo Falls Dam is already allocated for consumptive purposes. Metered water use data collected by the department in the Upper Barron River catchment for the 2007-08 water year shows that the cumulative amount of water used by irrigators is considerably less than the volume of water authorised to be taken under existing entitlements. For purposes other than town water supply only 30 per cent of the water allocated was actually used. This means that approximately 25,000 megalitres, or 63 per cent, of water licence entitlements for the area were not utilised.

Trading arrangements through the Barron resource operations plan will allow holders of water entitlements the opportunity to trade unused water entitlements to other people. People who have excess water can trade it and those who do not have it and have a need for it can purchase it. This is a far more efficient market, a win for the community and a win for future economic prosperity.

The plan will also allow trading to be expanded to the Barron River's tributaries, those of Leslie and Peterson creeks and to part of Mazlin Creek. This plan is the result of the Bligh government listening to the community to produce the most comprehensive framework for good water management that exists in Queensland. During the amendment process the Department of Environment and Resource Management worked closely with the Upper Barron Water Advisory Group, which was formed in 2004. The group was set up by the minister for natural resources to ensure that the community could provide information about water resources in the region. An example of the government listening to water users was the change made to the conversion factor for changing the area based surface water licences. It was increased from 6.6 megalitres per hectare in the original Barron water resource plan to 10 megalitres per hectare in the amendment plan, a change supported by the Upper Barron Water Advisory Group and a fact omitted to be mentioned by the member for Callide or the member for Dalrymple.

I would like to take this opportunity to thank the 10 community representatives who formed the Upper Barron Water Advisory Group for the part they played in developing this plan. With the Barron water resource plan due for review in 2012, the government will continue to work with the Barron community to make continuous improvements to water management in the region. The motion to disallow this plan threatens the future of all water users in the Barron catchment. For those reasons, I cannot support the disallowance motion.

Mr HOPPER (Condamine—LNP) (8.08 pm): In 2003-04 the only option for new water entitlements in that area was the groundwater in area B. Considerable effort was put into drilling to find suitable water supplies. If honourable members do not understand the cost of drilling for water, it is a massive cost for property owners to have to bear.

Good bores in area B were not easy to find. Many successful bores were drilled. However, some good bores were established and licences were given. The annual volume entitlements attached to the licences were derived using a factor of five megalitres per hectare, provided a test pump indicated the bore was capable of delivering the volume after many hours of pumping. This had been a standard procedure of the department to derive volume entitlements.

On 9 December 2006 licences with very meagre entitlements were issued regarding the outstanding applications. Five of the 11 applicants appealed the department's decision. One of these has been settled out of court. One case has been heard by the court. Despite the court finding considerable deficiencies in the department's technical argument, the case was decided in the department's favour due to a separate technicality. One applicant has opted not to proceed to court due to the horrendous cost and the remaining two cases are still to go to court.

After a protracted delay, the plan amendment was notified in the *Government Gazette* on 27 November 2009. I understand that this was the day after the last sitting day of the Legislative Assembly in 2009. The plan amendment was essentially similar to the draft which had been released for public

comment 18 months earlier. In effect, the plan amendment provided for a change to the conversion factor as sought by the water action group but also formally closed off area B to further allocation of groundwater. The closure of area B had been strongly and unanimously opposed by WAG on the basis that the science behind the decision was quite inconclusive. That is what we are on about tonight—that is, the science that has been used is inconclusive. It is wrong and it is not solid, and that is the point that the member for Dalrymple has made. His constituents are calling for something to be done, and that is why this disallowance motion is before the House tonight.

Tableland irrigators have requested documentation used by the department to discount the technical report prepared by Douglas Partners. No response has yet been received. So we have a department that is hiding because it knows that it is in the wrong, and this is about a fig tree! That is what this whole deal is about. Irrigators in area B cannot get their licences because this is about protecting a fig tree to appease the greens.

Mr Knuth: And it's uphill.

Mr HOPPER: That is exactly what this is about, and the fig tree is above where the irrigators are trying to pump from. There is just an absolute fallacy before us tonight in this House. We are bringing some truth into this chamber tonight. There are some very interesting comments by Mr Keith Gould on the department of natural resources paper. I will not read the whole thing due to time constraints, but there are a couple of paragraphs that really stand out. He says—

Regrettably in this paper there has been a breach of diligence in pursuing good science, at least in part. The paper hypothesizes the iconic Curtain Fig Tree Scrub could be reliant on the sub-artesian aquifer, and suggests that as there is no scientific evidence in this regard—

so the report says there is no scientific evidence in this regard—

the precautionary principle should be invoked. The authors have chosen to ignore scientific evidence gathered by CSIRO in the Curtain Fig Tree Scrub that strongly points to the forest not being able to access the aquifer.

The government is saying that farmers cannot get an irrigation licence because they are going to hurt the fig trees, yet the scientific evidence says that the fig tree roots do not go down far enough to affect the aquifer that the farmers want to pump from. Do members opposite understand that? With a water aquifer there is a certain depth that farmers have to get to before they get the water, and the roots of the tree only go so far. The evidence is absolutely flawed. Keith Gould continues—

I have previously provided verbal information in this regard. I suggested that Dr Geoff Stocker, (former head of the CSIRO forest research centre in Atherton), and Dr Greg Unwin (former CSIRO scientist) would be worth contacting regarding tree physiology studies, which gave an insight into the water relationships in the forest. I have not recently spoken with Geoff Unwin, but Geoff Stocker has told me he has not been contacted by the authors. Geoff has given me a written statement to the effect that CSIRO studies *'suggest that water in the water table at depth would have no influence—*

no influence—

on the survival of trees in this forest'. He concludes his statement saying *'The available evidence indicates that the Curtain Fig Forest would not be harmed by removal of some of the water lying in the sub-artesian basin beneath it. In my opinion to apply the 'precautionary principle' to prohibit use of this resource on the basis that the forest may be harmed is not warranted.*'

There we have it. The report says that there is sufficient water to go ahead with these licences, yet the licences are not being granted. The government is hiding behind water trading, but there is only a certain amount of water in area B and the farmers who have the licences do not want to trade the licences. So we have a government that is hiding behind water trading yet not allowing licences to be issued in area B, where there is water that could be irrigated, for the sake of appeasing the greens and for the sake of looking green.

Farmers are trying to produce food—farmers who were told by this department to go out and find water. They were told by this department to go out and explore bores. It costs a heck of a lot of money to put a bore down. Once you find the water, then you have to equip the bore. You have to put casing down. Then you have to put a pump down, and a column and a shaft. If you do not have electricity, you have to put a diesel motor on it. It costs a massive amount to equip these bores. Farmers were told by the department to go out and find the bores. They did, and now they are not being issued with a licence. So there is a false pretence. That is why this disallowance motion has been moved by the opposition tonight to try to get some common sense in place.

All we are asking is for the minister to have a serious look at the farmers in the Tablelands just so common sense can be put in place, and it would not hurt. The question is: why is the government locking up area B? The scientific evidence says it does not have to. That is the point that we are raising tonight. Everything we do here is based on scientific evidence, but the scientific evidence says that it is all right to irrigate in area B. The question is: why is it being locked up?

Tonight I call for a new review to be undertaken. I ask the minister to have another review and look into it and not be false—to have some true evidence come forth and then act on that evidence accordingly, because farmers are trying to make a living. They have got the water. The resource is there, yet they are not allowed to tap into where they should be allowed to tap into. This is one of the areas where they should be allowed to tap into it. We are calling for a new review. These farmers just want to grow food to feed Queensland.

Mr CRIPPS (Hinchinbrook—LNP) (8.16 pm): I rise to support the disallowance motion moved by the member for Callide and seconded by the member for Dalrymple in relation to the Water Resource (Barron) Amendment Plan. I had some contact with the development of WRPs during my time as the shadow minister for natural resources and water before the last election and more recently in my electorate with the commencement of the Wet Tropics WRP in Far North Queensland. Water resource plans are not new. For over a decade WRPs have been commencing in various catchment areas across Queensland, but few have been progressed without difficulties and without controversies. For example, yesterday the Minister for Natural Resources introduced a bill to amend the Water Act that includes provisions to finalise the Condamine-Balonne resource operations plan, and that is the WRP for the Condamine-Balonne catchments. As the minister said yesterday, finalising the Condamine-Balonne WRP was delayed in 2008 because the draft plan was contested in the courts.

The Condamine-Balonne WRP took more than a decade to develop and finalise, and this is partly due to the complex nature of water entitlements in that area but also relates to the actions of the department in this process whereby the local knowledge and experience of landowners has not been given due regard, and it should have been given that due regard in the first instance. Those with the most experience had to fight hard to have their intimate knowledge of the catchment recognised and accepted by the department, and there remains a degree of dissatisfaction with the end result. Unfortunately, the story is similar in respect of the Barron WRP. The Barron WRP commenced in 2002, so it is only being finalised eight years later—yet another example of this process being a long and drawn out episode during which the security of water entitlement holders is in limbo. That seriously affects investment in industry and economic growth in the region—in this case, in Far North Queensland.

So what is the gripe being put forward by the landowners in the Barron WRP which the LNP is supporting and giving voice to on their behalf tonight in the form of this disallowance motion? The issue is not the conversion of area based irrigation entitlements to volumetric entitlements in areas C or H in the proposed plan. The issue is not the condition to limit the take in the annual allocation of two-thirds between July and December each year, nor is the gripe related to the proposal to develop a system of tradeable water allocations in certain areas above the Tinaroo Falls Dam. In fact, they support the extension of that system to other areas above the dam.

So there should be no attempt by the state Labor government, as we heard from the member for Barron River, to suggest that water entitlement holders in the Barron WRP are completely opposed to the development of this WRP, because that is not true. These landowners are reliant on the ongoing sustainable supply of water within the Barron catchment. They know that and they understand that. The water entitlement holders are objecting to—justifiably in my view—the proposal to prohibit an increase in the take of groundwater from area B in the Barron WRP.

The department of natural resources and water, as it was at the time, asserted that water resources were effectively too scarce to accept any further applications for additional water entitlements in area B of the Barron WRP. The then DNRW relied on the views of its preferred experts. Once again, the department had little regard for the local knowledge and local experience of landowners within the Barron WRP area. There are other well-credentialled technical professionals who have put forward different views about the sustainable availability of water resources in area B. These reports have been made available to the DNRW—now DERM—but have been ignored. This lack of accountability and transparency understandably frustrated many landowners within the Barron WRP.

As occurred in other catchment areas, legal proceedings were resorted to by some who felt particularly hard done by. Those individuals who choose that option have to have the financial means with which to pursue a court action. This is not the case for everyone in these circumstances. If they do not have the means, they are disadvantaged in that regard and they are run over by a department that does not listen.

Let me draw to the attention of the House some very interesting details indeed about how unreasonable DERM is being in not taking on board the local knowledge and experience of the landowners and the qualified technical experts who have alternative views to those of the department. Currently, the total existing annual amount of water allocations above Tinaroo Dam, which includes area B, is approximately 43,000 megalitres per year. If you consult the draft Barron resource operations plan document from 2005, you can see that SunWater—the state government owned water manager in this catchment—makes an annual allocation in area D of the Barron WRP of about 45,000 megalitres to something called distribution loss. What is distribution loss, members may ask if they are not familiar with the WRP for the Barron? It is the loss of water through SunWater's leaky pipes, leaky irrigation channels, irrigation channels that overflow and the loss of water through supplying water to SunWater customers via natural watercourses, where up to 80 per cent of the volume of water originally released by SunWater fails to reach the intended customer.

It is very interesting to note that the amount of water allocated each year to be lost completely by SunWater through these so-called distribution losses as a result of inadequate infrastructure, failing infrastructure, or the fact that SunWater is obliged to deliver water to some customers to whom it has no

infrastructure, is approximately 2,000 megalitres a year more than the total annual amount of water allocated above Tinaroo Dam, which includes area B. This is an extraordinary statistic. Each year, SunWater plans to lose more water through inefficiencies and inadequacies in its own infrastructure than is allocated above the dam in the Barron WRP, which, as I mentioned earlier, includes area B that is the subject of the objection of the local landowners.

Given that SunWater is a state government owned entity, this is an embarrassing reflection on the incompetence of this government and DERM to manage water resources in this catchment. What is the state government doing with the dividends that it receives from SunWater? It is simply the case that this money hungry, stone motherless broke, debt ridden government is taking such a high level of dividends from SunWater that it does not have enough capital left over to reinvest in its infrastructure. For a government that holds itself up to be focused on sustainability issues, it is an extraordinary indictment to say that distribution loss can account for such a massive amount of water every year. It is a glaring hole in the government's credibility—at least as far as water resource management is concerned—and as a result the landowners in the Barron are being unfairly disadvantaged.

It is not as though it would cost an extraordinary amount of money for these inefficiencies and inadequacies to be dealt with. The leaky pipes and irrigation channels should certainly be able to be addressed without too much demand on SunWater. It should be the responsibility of SunWater to maintain its assets. The result would be water savings that could be made available to landowners in area B of the Barron WRP who have had their applications for additional allocations rejected since 2004. This is not an unreasonable claim, especially when you consider that the total volume of applications made to DERM for additional allocations in area B of the Barron WRP is only in the order of 14,000 megalitres.

So in other words, if SunWater could reduce its annual allocation of water resources to be lost completely due to the inefficiencies and inadequacies of its own infrastructure in area D from 45,000 megalitres to 31,000 megalitres, DERM could grant all of the applications for additional water allocations lodged by landowners in area B of the Barron WRP. So that is not unreasonable. The government would have to improve its efficiency by one-third to grant all of the extra applications in area B.

That is why the LNP is pleased to stand up today for the landowners within the Barron WRP who are being disadvantaged. This issue is important for industries in North Queensland. I am very pleased to support the member for Callide and the member for Dalrymple in this regard because this is a familiar story of DERM failing to listen to local landowners and stakeholders with local knowledge and experience. It is an all-too-familiar one that we are repeating again and again. It does not matter if you are talking about the Condamine-Balonne WRP, or if you are talking about the Barron WRP, or if you are talking about the Wet Tropics WRP, which has just started in Far North Queensland, DERM does not listen to locals who have the knowledge and experience of the catchment in which these plans are developed. I am very pleased to say that I was happy to hear the member for Callide say that there was a day of reckoning coming when DERM will have to rely on good science and not politics. I support the motion.

Mr PITT (Mulgrave—ALP) (8.26 pm): I rise to speak against the disallowance motion in relation to the Water Resource (Barron) Amendment Plan (No. 1) 2009. Although Far North Queensland is the wettest region in Australia, sometimes people in the area take for granted that they will always have water. Almost 90 per cent of the rainfall in that area happens during the wet season, which means that the area's dry seasons can be very dry. Many people do not realise that we lose much of this rainfall due to run-off or evaporation before it can be put to good use. This loss of rainfall, combined with the population growth being experienced in the region, makes water planning and management essential to cater for future consumption needs, economic development and the protection of the environment.

I do not support the disallowance motion moved by the opposition. There is no more important issue for the long-term viability of Queensland than managing our water use. The Bligh government has consulted the community on the best way in which to achieve this viability, and this water resource plan is the result of that process. The development of water resource plans under the Water Act 2000 is essential for ensuring the security and sustainability of water supplies in the state, both now and into the future. The plans deliver on the principal aims of the Water Act to ensure the sustainable allocation and management of water in Queensland. The plans establish the framework to deliver the most efficient use of water through a system of tradeable water allocations.

Tradeable water allocations are separate to land and are held as titled assets that can be traded to new locations or uses. Trading is subject to some limitations to ensure that the environment is protected. Tradeable allocations allow water to be traded for higher value use and encourage more efficient water use. The plans ensure that any new entitlements issued will not adversely impact on the two primary planning goals which are, firstly, security of water entitlements, and, secondly, environmental flows.

The water resource plans specify the strategies and outcomes used to address the social, economic and environmental goals for the area covered by the plan. The plans specify outcomes for water use, such as the needs of agriculture, fisheries and industry, and outcomes for the environment,

such as the needs of specific plant or animal species and the health of water-dependent ecosystems. The plans include strategies to achieve water use efficiency and best possible environmental outcomes. They also include monitoring and reporting requirements to ensure that the plans are working.

The Barron water resource plan, which was originally finalised in December 2002 and includes the town areas of Kuranda, Mareeba, Atherton, Dimbulah, Yungaburra and Tolga, is of course of regional significance. The plan provided a range of strategies for sustainably allocating and managing water resources to increase economic activity and at the same time protect the ecological health of the Barron and upper Mitchell catchments.

The amendment plan makes the entitlements and environmental flows framework for the Barron catchment the most comprehensive and flexible water-trading arrangements in the state. This has very important consequences for Queensland's commitments to the COAG water reform agenda, which is now absorbed into the National Water Initiative 2004. This amendment plan provides opportunities and benefits for water users and those who may wish to access further water in the future. To deny this amendment would be to deny water users new opportunities and new benefits.

Minister Stephen Robertson recently announced the start of the planning process for the 10-year Wet Tropics water resource plan, which complements the Baron water resource plan. This plan for the Wet Tropics catchment is the last area in Queensland to have a water resource plan prepared under the National Water Initiative. As many in Far North Queensland would be aware, the first step on this plan was a moratorium put in place in January this year. The freeze on new licence applications will, of course, have ramifications but is necessary in order to provide a stable base of entitlements and improve certainty into the future.

I have made representations to the minister regarding the fate of those 'caught applications' that were already under consideration by the department when the moratorium was announced but had not been finalised. I have also raised concerns about the potential impacts on other stakeholders such as the drilling industry. While I await the outcome of these questions, I continue to support the sound planning principles that underpin this government's commitment to establish a water resource planning process for the region.

While in the short term the moratorium limits the expansion of irrigated agriculture in the Wet Tropics plan area, it is important to note that the moratorium protects existing town water supplies, our important ecotourism industry, commercial and recreation fisheries and a range of existing agricultural production.

Queensland's commitments to the national water reform agenda are principally met through the Water Act 2000. This act obliges the minister to plan for the allocation and sustainable management of water to meet the state's future water requirements, including providing water for the environment and providing greater security for water users. I say again that to deny this amendment would be to deny water users new opportunities and new benefits and place in jeopardy the water security of the broader Far North Queensland region. I cannot support the disallowance motion.

Mrs MENKENS (Burdekin—LNP) (8.31 pm): I rise to speak to this disallowance motion that has been moved by the shadow minister, the member for Callide. I certainly support his motion. As we have heard, this motion seeks to disallow section 53 of the Water Resource (Barron) Amendment Plan (No. 1) 2009 made under the Water Act 2000.

Section 53 states that applications to increase the amount of water that can be taken from management area B of the Barron River plan will be refused. This of course applies to water licences to take subartesian water in the subartesian management area B. Just to go back a little bit in the history of this area, in 2002 the Barron water resource plan came into force. Two areas were declared. The area B that is being referred to and which makes up the part of this disallowance motion tonight as referred to in section 53 is the outer surrounding area of the central area A. Area A encompasses the known abundant groundwater areas near Atherton, and these have been in use for irrigated farming for many years.

Licensing in area A was declared to have been fully allocated at this time in 2002 and there were no new licences being allowed. As a result of this the area B was declared. This contained land that had traditionally not been so heavily used for irrigation. These are areas around Atherton and in the Eacham shire within the Barron catchment. The government encouraged these farmers to go out and seek water. Many landowners went to considerable expense sinking bores in the search for water. This is not a cheap enterprise. Many were unsuccessful, because that is what happens when one is sinking bores for water. Some very good water sources were secured and licences were issued on a five-megalitre-per-hectare formula.

The last bore licence issued in area B was in 2004. Because of the lack of technical information, the department presented an internal report, *Assessment of the potential for further groundwater development within area B*. The last bore licence was issued and this report came out to prove why they had stopped issuing the licences. This report was very negative. It was geared against the farmers. It was very negative towards further allocations on the grounds of environmental harm, in particular that the iconic curtain fig tree could be adversely affected by this.

The Tablelands irrigators felt at this stage that this report was biased and hired, at their own expense, independent consultants to provide comments on this report. At the end of the day the findings of their report varied greatly. Although the government report was modified slightly, in 2006 the department imposed a moratorium on further applications and drilling works in area B. This left many farmers in a very precarious position because they had spent thousands of dollars in drilling costs with licence applications pending and they were thus caught in the moratorium. These farmers had been actually encouraged by the government to seek water. It has been estimated that they had spent in aggregate over $750,000 in seeking water. These farmers had an expectation that they would be granted the same five-megalitre-per-hectare allocation licence, but that was not the case. After quite a long time those that were allocated were well short of that mark.

Five of those 11 applicants have appealed that decision. They have had varying disappointing results. We heard the member for Barron River querying what the results of those court cases were. Let me share the results with him. Five of those applicants appealed the department's decision. One of those has been settled out of court. One applicant has opted not to proceed because of the horrendous cost. There are two remaining cases that are still to go to court. One case that has gone to court was decided in the department's favour on a technicality, but it must be pointed out that the judge felt extremely strongly the deficiencies of the government case. That is a very important point: the judge felt very strongly the deficiencies in the government's case. The government in this case is on very, very shaky ground. I would remind the minister of this.

Following the release of the Barron water resource amendment plan for public consultation in June 2008, it was finally gazetted on 27 November 2009. During this time the water advisory group engaged specialist hydrogeologist consultants Douglas Partners to look at the department's rationale to impose legislation to close area B. This report is very critical of the government's report. Tablelands irrigators are justifiably very upset that their livelihood has been impacted on so severely as a result of this very inconclusive scientific finding. That is the important issue that we are talking about here.

The closure of area B has been strongly and unanimously opposed by the water advisory group, and it is to that extent that this disallowance motion has been moved. Time and again we see this government making major decisions that affect Queensland farmers and landholders based on very, very dodgy scientific findings. What we see here is in parallel with the Barrier Reef protection legislation that this government has imposed on farmers in the Burdekin and various other areas along the coast.

This particular legislation targets cane and cattle country as the sole culprits affecting the water quality on the Great Barrier Reef. Yet just as we see in this case here, there are no refereed scientific papers to say that these industries, particularly in the case of the Great Barrier Reef, are affecting the reef's water quality. As we see here in the Barron River plan, there is serious conflicting scientific evidence on the environmental impact of irrigation water for farming enterprises.

The agricultural sector is one of the few sectors that has still performed well during the recent economic downturn and now is not the time for additional imposts to be put on our food producers. Farmers do not work nine to five. This legislation adds to the burdens already placed on them by this government. Farmers right across North Queensland have drawn the short straw when it comes to paying this government's green credentials. Farmers are being forced to their knees by much of the legislation that is being imposed on them by this Labor government just to appease the green movement.

One of the central points of contention within the scientific evidence surrounding the decision made to disallow further water allocations under area B relates to the iconic curtain fig tree scrub. The government paper suggests that this curtain fig tree scrub is reliant on the subartesian aquifer. However, let us look to what is said by respected scientists such as Dr Geoff Stocker, the former head of the CSIRO Tropical Forestry Research Centre in Atherton. He worked at the centre for many years and has much local knowledge. When a gentleman such as that disproves the government's theory, questions must be asked. In his written statement, Dr Stocker suggests that water in the watertable at depth would have no influence on the survival of the trees in this forest. He states that the available evidence indicates that the curtain fig forest would not be harmed by the removal of some of the water lying in the subartesian basin beneath it. It is his opinion that to apply the precautionary principle to prohibit the use of this resource on the basis that the forest may be harmed is not warranted.

It is disappointing that the government firstly encouraged those farmers to search for water and then, as soon as they found water, slapped a moratorium on them. As the shadow minister has said, naturally we support the sustainable and correct management of all water aquifers. The sustainable use of water must occur right across Queensland. Of course, nobody opposes that and we will not dispute that. However, the government is doing this—and I reiterate what the shadow minister has said—for ideological reasons only. Time and time again, very disappointingly, we see scientific reports used in a specific way to support the direction in which the government wishes to go. That is a very serious matter.

(Time expired)

Hon. AP FRASER (Mount Coot-tha—ALP) (Treasurer and Minister for Employment and Economic Development) (8.41 pm): I rise to speak against the disallowance motion against the Water Resource (Barron) Amendment Plan (No. 1) 2009. The amendment to the Barron water resource plan, which the opposition seeks to set aside tonight, was in fact developed with extensive community consultation and support. Let us be quite clear: this amendment plan is about providing the community of the Upper Barron with the sustainable water management tools they need to ensure growth in their local economy. We reviewed the original plan in regard to the Upper Barron at the request of the community. Those people are the ones who understand the importance of getting water resource planning right. Apparently, they are ahead of the opposition in this place. Of course it is always a complex task, but we are determined to get it right because the prosperity and livelihood of so many are at stake.

The government is committed to ensuring the sustainable use of natural resources and, therefore, a sustainable environment and a sustainable economy into the future. By securing water resources in the Upper Barron, the community can forge ahead with certainty. Resource allocation is always critical to certainty. It is worth noting that the amendment plan that is the subject of tonight's debate is in line with requirements of the National Water Initiative which was, in fact, developed by the Howard government—a fact not mentioned so far in tonight's debate. It was developed based on the best available science and data. As we know, science is continually evolving, particularly when it comes to natural resource management. From time to time it is necessary to review the plans to ensure that they are pragmatic, they meet the community's expectations and they secure natural resources for future generations.

In preparing the Barron water resource amendment plan, this government listened to the community and we listened to the scientists. Technical assessments were conducted of the hydrology in a complex interlinked aquifer system. Of course, as members would be aware, demand for irrigation water in the Upper Barron is highest in the dry season when run-off ceases and groundwater discharge supports the stream base flows. Base flow underpins the ecological health of the river system and the rich environmental diversity that brings many millions of tourist dollars to Far North Queensland each year. Of course, its worth extends far beyond this basic monetary value. The relationship between surface water and groundwater in the Upper Barron is not only critical but also complex. Anyone who believes that the aquifers of the Upper Barron are a bottomless bucket of water is living either in a fool's paradise or in postcode LNP. We need the Barron water resource plan and the subsequent amendment that is the subject of tonight's debate to plan and manage one of our most valuable natural resources.

We listened to water users in the region and conducted a full assessment of the social and economic factors that will shape their future. With this in mind, we developed the amendment that is the subject of tonight's debate. The amendment maximises and supports growth and new opportunities for the local community from the limited and finite water resource of the Upper Barron. It is significant that it provides the most comprehensive unsupplemented water trading arrangements in Queensland. The amendment plan provides for a total of 309 unsupplemented surface water entitlements to convert to tradeable allocations and defines 217 groundwater entitlements. The initial Barron water resource plan provided for unsupplemented surface water entitlements in the Barron River above Lake Tinaroo, but not in its tributaries, and to convert to volumetric tradeable allocations. Following representations by the Upper Barron Water Advisory Group, which was set up by my colleague the Minister for Natural Resources to assist with understanding the water resources of this area, it was agreed to extend the priority area to include the tributaries. This will allow people in the Barron River and its tributaries to trade water allocations subject to the finalisation of the resource operations plan.

Data indicated that many entitlements in the Barron water resource plan are either unused or only partially used. This means, of course, that a considerable volume of water could be made available for sale through water trading. Further, water trading will significantly improve the efficiency of the use of water entitlements in the catchment. Under the finalised amendment plan, unsupplemented surface water entitlements above Lake Tinaroo will become tradeable in the Barron River, Leslie Creek, Peterson Creek and their tributaries in part of Mazlin Creek. That is what the community told us that they need and it is what the government is delivering through this plan. There was also demand for more flexible groundwater management and the plan allows for groundwater licences to be relocated or seasonally assigned to support individual business plans. Within the Natural Water Initiative context, these trading achievements are at the cutting edge.

From the water users we learned that irrigators in the Upper Barron need the flexibility and resources to keep pace with fast-changing markets. In the past, it has been the case that a single annual crop might have been sufficient, but now markets demand crops are grown year around. To support multiple crops in a single year, the plan amendment provides for the area based licence conversion rate to be lifted from 6.6 megalitres a year to 10 megalitres a year. With careful assessment and some rules around extraction, this was able to be achieved without compromising the environmental and resource security objectives of the Barron water resource plan and amendment. This is yet another example of our government—which has a plan—getting on with the job and delivering what the community needs, to provide for prosperity right across regional Queensland.

In achieving these important outcomes, the amendment plan also ensures that there is no potential risk to the overall plan's integrity, including water users' security. In developing the plan it was recognised that allowing for future growth in water extraction would erode the value of all entitlements in the Upper Barron; in particular, it would undermine water allocation security and environmental flow objectives. We need to protect our natural environment and this amendment plan will help achieve this goal. We need also to provide the framework to allow healthy water markets to develop and support expanded economic activity. Defining the security and size of existing entitlements underpins the water market by generating a clearly identifiable unit that can be readily traded. This will allow buyers to assess their water requirements and provide an incentive for efficient water use.

We have an amended water resource plan that will sustainably secure supplies and provide certainty for the communities of the Upper Barron. It will also protect water entitlements and environmental flows across the whole Barron catchment. Critically, this includes protecting future drinking water supply options for Cairns. I acknowledge the contributions made tonight by the member for Barron River and the member for Mulgrave.

This plan is based on the best available science. It recognises the fundamental truth that water resources in the fragile Australian environment are not limitless. Members should compare this blueprint for sustainability with the approach canvassed by those opposite. Rather than providing for sustainable growth and safeguarding the livelihoods of the people of the Upper Barron, they would repeat the mistakes of the past and simply allocate more and more water until the rivers stop flowing and the bores pump dry. The fact remains that the opposition is without a plan and without a vision on this front. It would stand by as our natural resources are whittled away and our prosperity is undermined.

As the member for Barron River indicated, there has been a bit of selective quoting of judgements here tonight. Members who have listened to the debate could be forgiven for thinking that these judgements go some way towards validating the concerns and actions taken by the plaintiffs and the appellants in this case. Of course the opposite is quite true. These are matters that have been considered by the Land Court, by the Land Appeal Court and the Court of Appeal, and the result for the Department of Environment and Resource Management was three out of three in those judgements.

What we have seen tonight is a window to the old style National Party that seeks to regain power in this state. So far during this term of this parliament those opposite have sought to trash the CMC—the Crime and Misconduct Commission—the independent watchdog over corruption in this state. They have sought to draw into question the integrity of the new Integrity Commissioner, David Solomon. They have also sought to impugn the reputation of the Police Commissioner, Bob Atkinson. They have not missed the Electoral Commission and drawn into question, heinously and without evidence and without basis, the independently constituted Boundaries Review Commission, which drew the electoral boundaries in this state.

There is no doubt that what members witnessed here in this parliament tonight was the putting on notice of the officers of the Public Service of this state. Those independent officers who across the agencies of this government provide advice, doing their job independently for the people of Queensland to the benefit of the people of Queensland, were given a none too subtle warning. They were put on notice tonight by the shadow minister in a speech that should send shivers across the public sector of this state. They have come into this House and trashed the Treasury. They have traded on the name of QTC for Barnaby Joyce-like political expediency.

There is no doubt that what the people of Queensland and the independent officers who work across the Public Service heard tonight were the idle threats of an opposition that is bone idle. What we heard tonight were the idle threats of an opposition who remains idle—that has only threats, that has only intimidation, that has no positive plan for Queensland, that has no policies. What we saw in this debate tonight was a window to the future, a window to what those opposite aspire to—the same old view about a hit list and there to trash the work of the officers of the Public Service of Queensland who do their job without fear or favour, without regard to the politics of the government of the day. What we saw tonight was them reaching into their position where they are just what they have always been: the reactionary anti-intellectuals that they have always been. This government supports the plan and opposes the disallowance motion.

Division: Question put—That the motion be agreed to.

AYES, 37—Bates, Bleijie, Crandon, Cripps, Cunningham, Davis, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Flegg, Foley, Hobbs, Hopper, Johnson, Knuth, Langbroek, McArdle, McLindon, Malone, Menkens, Messenger, Nicholls, Powell, Pratt, Rickuss, Robinson, Seeney, Simpson, Springborg, Stevens, Stuckey, Wellington. Tellers: Horan, Sorensen

NOES, 44—Attwood, Boyle, Choi, Croft, Dick, Farmer, Finn, Fraser, Grace, Hinchliffe, Hoolihan, Jarratt, Johnstone, Jones, Kiernan, Kilburn, Lawlor, Male, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Neill, Palaszczuk, Pitt, Reeves, Roberts, Ryan, Schwarten, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wettenhall. Tellers: Keech, Darling

Resolved in the negative.

ADJOURNMENT

Hon. AP FRASER (Mount Coot-tha—ALP) (Acting Leader of the House) (9.00 pm): I move—

That the House do now adjourn.

Milbi Farm

Mr MALONE (Mirani—LNP) (8.59 pm): Milbi Farm, the Indigenous detox centre at Mount Belmont near Etna Creek, Rockhampton, was established to provide support to Indigenous people who are homeless and suffering from the harmful effects of alcohol and substance abuse. This farm is a concern for a growing group of local residents who live nearby because of the interaction of the clients and the residents, with drunken and abusive action by some of the clients. The farm lodged a material change of use application with the Rockhampton Regional Council for a rehabilitation centre at Etna Creek. This application was to formalise its status as a residential institution. The Rockhampton Regional Council approved the application, with Mayor Brad Carter, a supporter of Milbi Farm, exercising his right to decide the issue with a casting vote. The residents are appealing the decision through the Planning and Environment Court.

More recently, I became aware that Milbi Inc., which is associated with the Australian government's Aboriginal Hostels Ltd, is receiving funding from both the federal and state governments. I am concerned that the Department of Justice and Attorney-General issued a 'please explain' letter dated 16 December 2009 to Milbi Inc. regarding its recent annual return lodged for the financial year ending 30 June 2009. It stated—

It has been noted from the auditor's report that the auditor has raised concern in relation to the viability of the association as the current liabilities exceed current assets. As the auditor has advised that there is significant uncertainty in relation to whether the association can continue as a going concern, please advise how the association intends to extinguish its liabilities and what action the association will take to continue operating as a going concern.

Yet only recently Milbi's management briefed a council meeting stating that it has secured funding to build a further 10-bed house at the farm. I fail to understand how our present governments continue to provide funding to this incorporation that is potentially trading insolvent. I hope that both federal and state governments are closely monitoring this situation, as we have already seen the abolishment of the former ATSIC and a major overhaul of Indigenous services.

The taxpayers need to be assured that organisations like Milbi are fully accountable for any government funding they receive and that the existing facility is properly run and provides a caring and supportive environment for their clients. There are many accusations of alcohol being supplied to clients in what is supposed to be a dry facility. This has a major implication for the neighbours. The residents are concerned that an increased facility will mean increased problems for them. Until the present facility can get its act together, there should be no further development at the site.

Mundingburra Electorate, Alcoholism

Ms NELSON-CARR (Mundingburra—ALP) (9.03 pm): Alcoholism is a family tragedy and is so often misunderstood, and I am glad I was here to listen to the member for Mirani tonight. The general definition is that alcoholism is a primary illness or disorder characterised by some loss of control over drinking, with habituation or addiction to the drug alcohol causing interference in any major life function—family, health, jobs and that sort of thing. The medical definition supported by AA says that alcoholism is a primary chronic disease with genetic, psychosocial and environmental factors influencing its development and manifestations. The disease is often progressive and fatal. It is characterised by continuous or periodic impaired control over drinking, preoccupation with the drug alcohol, the use of alcohol despite adverse consequences and distortions in thinking, most notably denial.

To suggest that alcoholics choose to live the way they do is not only illogical but also daft. No-one chooses to live rough, to live in fear of rape, violence and abuse, to suffer chronic health problems, to lose family and friends, to suffer indignity and to have no self-respect. Long-term sober alcoholics will tell you that their alcoholism was never glamorous or enjoyable; it is quite the reverse. It is a living hell. Alcoholics have no choice but to drink. Perhaps a better definition of alcoholism is when drinking costs more than money.

In the Townsville region alcoholism is a problem, but, like any other city or region, it is not unusual. Indeed it is a fact of life, but in Townsville some alcoholics congregate publicly, causing themselves and others undue harm. It is a situation that is always fraught and on many levels. So it is a pleasure to support the Townsville Recovery Services run by the Salvation Army. The intention is to build a 10-bed low-medical detoxification service targeted at the residents of the Townsville area and the North Queensland region.

Our government has continued to provide financial assistance to the Salvation Army service over many years, more recently by providing a $1.55 million Department of Environment and Resource Management block of land for its much anticipated proposed expansion. Queensland Health plays a very big role in rehabilitation services, with about $770,000 per annum for recovery and residential services. Of course, diversion and drug courts also play a big part.

But Townsville has a heavy demand for people experiencing problems related to their use of alcohol and other drugs and it therefore brings an increasing new need for detoxification services prior to admission to residential treatment. The Salvation Army proposal deserves our continued support, particularly in providing residential treatment places for women and parents with dependent children. I would even go so far as to say that, for a core group of many poor unfortunate individuals who are helpless under the grip of alcoholism, mandatory secure detox and rehabilitation will be their only way out. Should we ever have the will to make such a bold commitment not only will the lives of these same people be saved and feel enriched but also the social costs to government will fall.

(Time expired)

Palmview Structure Plan

Mr BLEIJIE (Kawana—LNP) (9.06 pm): I rise this evening to address the issue of growth on the Sunshine Coast and the state government's responsibility to manage this growth. Can I start by saying what an appalling job the state is doing. I refer specifically tonight to the Palmview Structure Plan issued by the state government last Friday. This plan sets an alarming precedent for the future planning of growth on the Sunshine Coast.

Firstly, I acknowledge that we require development on the Sunshine Coast to support the economy and to support jobs. Construction workers make up 12 per cent of all jobs on the Sunshine Coast. However, development that is planned needs to strike a balance between being sustainable, affordable and supported with the relevant infrastructure to ensure that the standard of living we enjoy is maintained and the environment is conserved. The Palmview Structure Plan does not live up to these expectations.

The state government's plan disregards many of the sustainable planning measures included in the original position paper presented by council. Of those, the population maximum for the development of 13,830 is now expected to be the minimum number of residents living in the new development. To achieve this, the 100-metre buffers around significant wetlands have been reduced to 50 metres to squeeze in a further 825 dwellings. The government has also cut the intra-urban break buffer between the development and the Bruce Highway from 200 metres to 80 metres. This will ensure that noise reduction walls will be built, completely disregarding the original vision for the development that the visual amenity be preserved.

The removal of other sustainable efficiency measures in the revised structure plan will ultimately ensure that, while they may be cheaper to build, houses will be more expensive to run. The structure plan for this development barely resembles what was initially put forward by the council. The people of the Sunshine Coast accept that development is good in the circumstances. They do, however, want this development to be effectively planned and, more importantly, sustainably planned to ensure that the natural environment we all enjoy is conserved for generations to come as the population squeeze continues.

For goodness sake, how many times do I have to reinforce the message to the minister that the Sippy Downs community has major issues with the proposed green link and there being no western highway access? Council and the state keep saying, 'We're listening.' Well, clearly you are not. The Palmview plan is merely a shell of its former self. It is an attempt by this government to cram as many people into a development with scant regard for the sustainability of the Sunshine Coast region. On paper it all looks nice—green links, eastern access to the hospital site. My question to the minister is: who is going to pay for all of this? Main Roads has told me that it is not paying for the eastern link. Who is going to pay? Is the state going to pay for all of these great things on paper?

What we have here is a fancy set of lines that appeals to planet utopia, but we know what is going to happen. We know that these links and roads are not funded, so the outcome will be that 14,000 people will converge on the existing Sippy Downs community. That is not acceptable. Minister, can you guarantee that you will actually listen and respect the views and wishes of the residents of the Sippy Downs and Sunshine Coast community?

(Time expired)

International Women's Day

Mrs ATTWOOD (Mount Ommaney—ALP) (9.09 pm): Every year on 8 March women around the world celebrate International Women's Day to delight in their achievements and emphasise the needs and concerns of women at the regional, national and global levels. On Friday last week, I had the pleasure of attending Milpera State School's International Women's Day event. The event showcased the young women at the school who have come through difficult situations before arriving in Australia. There were some extraordinary cultural performances and inspiring speakers on that day. I congratulate Principal Adele Rice for always ensuring International Women's Day is celebrated in a very special way at her school.

Present also at that event was hardworking local councillor Nicole Johnston, well known for fighting for her community. Also present was Agnes Whiten, Chair of the Ethnic Communities Council of Queensland, who gave an inspiring speech drawing from her experiences as a migrant and as a woman of great personal strength. Every day we hear of circumstances where women have achieved incredible things through their persistence, their tenacity and their passion for making things right in the world. There are also many wonderful women working for the community in the electorate of Mount Ommaney—at schools, in aged-care facilities, in sporting and community organisations, in seniors groups and in health and care establishments.

Some interesting statistics are that 14.3 per cent of Queenslanders provide ongoing care and support to another person due to ageing or disability. Women make up 74 per cent of primary carers for people with a disability in Queensland. Another interesting statistic is that only 10 per cent of Queensland's apprentices are female, mostly in hairdressing.

A number of weeks ago I was at a function where I was able to hear about Australia's first Women into Building Housing Showcase where a small lot home is designed, constructed and supplied predominantly by women. The objective of the showcase is to elevate awareness and acceptance of women who choose the building industry as a career and to allow women to build links in the industry through this mentoring program. Mastermind of the project is Samantha Sheppard, who established a cabinet-making business at the age of 17 while also purchasing her first house to renovate. Sam, as she is known, is a licensed builder and established her own company in 2002 on the Sunshine Coast. She is passionate about creating opportunities for women to start a career in the construction industry.

International Women's Day is a celebration of everyday women—of women who are mothers, sisters, daughters, grandmothers, aunts, nieces and cousins—who influence each other's lives and the lives of their loved ones enormously every day. It is a day when we can reflect on the achievements of women who lived before us and it is a day when we should consider where we want women to be in the future. Women who have excelled in their chosen fields have sent us the message that the road to success starts when you take control and surge forward.

Warrego Highway

Mr RICKUSS (Lockyer—LNP) (9.11 pm): I rise to raise an important issue in my electorate and that is the safety of the Warrego Highway. Last Saturday I was travelling on the Warrego Highway up to Toowoomba between Helidon and Withcott. This road is virtually falling to bits. RoadTek workers were doing a great job in pouring rain on a road with a 100 km/h speed limit. That road has more B-doubles travelling on it than any other road in Australia. Those workers were out there trying to patch potholes in the rain. I congratulate the RoadTek workers on the great job they were doing. What I do not congratulate is this government on its organisation of a major thoroughfare through my electorate.

The federal member is a Labor member as well, Shayne Neumann. The state and federal Labor governments stand condemned because his road should have money spent on it. It needs to be improved. It needs to be maintained properly. It is atrocious that it has disintegrated to this standard.

Mr Shine: Twelve years of Howard.

Mr RICKUSS: I cannot believe that this mob has left this road in such a mess. It is just absolutely atrocious. I hear the member for Toowoomba North complaining about how bad it is as well. I agree with him. Why does he not contact his federal member and get him to supply the funds to improve the maintenance of this road? It is great to have that interjection and support from that side of the chamber.

Mr Wendt: Have you contacted him?

Mr RICKUSS: I have met with him.

Mr Wendt: What does he say?

Mr RICKUSS: He is saying that it is a federal road and there is money. He said, 'We've spent this money on this and on that'—

Mr DEPUTY SPEAKER (Mr Pitt): Order! Member for Lockyer, make your comments through the chair, please.

Mr SHINE: I rise to a point of order. The honourable member's remarks about me were offensive and untrue. I ask him to withdraw.

Mr DEPUTY SPEAKER: The member for Toowoomba North found the comments offensive. Will you withdraw them?

Mr RICKUSS: I withdraw unreservedly. It is great to have the support of the member for Toowoomba North. However, I cannot believe that this road—and the member for Toowoomba North travels on it regularly, I am sure—can be in such a state. I am ashamed as a member of parliament to have RoadTek employees working in such dangerous conditions on Saturday, 6 March through to Monday, 8 March in pouring rain and traffic chaos. I cannot believe that this government could let this situation arise. It is absolutely disgraceful that it has let this situation reach this point and that it has let the road deteriorate to this condition. It is a major thoroughfare and one of the major transport routes through the state; it leads to the Toowoomba Range, which needs money spent on it as well. I am sure the member for Toowoomba North and the member for Toowoomba South, who are both in the chamber, will support me when I say that the Toowoomba Range really needs to be upgraded and a new range alignment put in place. They will support me all the way through this; I am absolutely sure of that. All I can say is: shame, shame, shame.

Clean Up Australia Day; Girl Guides

Ms O'NEILL (Kallangur—ALP) (9.15 pm): Clean Up Australia Day was a busy day in the beautiful electorate of Kallangur, with several groups organised to clean up their part of Australia. In one particular instance the Narangba Guides were working hard to collect trash in the area around their guide hut in Kelly Street, Narangba. It is a regular activity for the guides and their leaders, come rain or shine.

I was fortunate to be able to join them for part of their clean-up, and I was very pleased to see so many guides and their families. It was very well attended, even in the uncertain weather, with approximately 35 eager participants. All the girls had very properly donned gloves and had rubbish and recycling bags. They collected many bags of rubbish and three shopping trolleys.

However, given the broad area covered by the group, it was not really a lot of rubbish that was collected. So the community is to be congratulated for minimising the rubbish left in the area. The district leader said that when the guides first began the clean-up, there was much more rubbish around. This is more evidence that the leadership provided by Narangba Guides is making a difference in their community.

Narangba Guides held its AGM immediately after the clean-up and it was my pleasure to attend. The AGM was also well attended and you can tell by the reports just how efficient, successful and thriving the Narangba Guides are. The report shows how well run the district is. The fact that so many of the girls received service stars of up to four years shows how good the activities are, keeping the young guides coming back year after year. They were complemented by their regional leader, Cheryl Harmer, who said that the efficient running of Narangba made her life much easier.

The reports all show just how much the guides do each year and what wonderful training the girls get to enrich their lives and those of the people in their community. The girls have participated not only in Clean Up Australia day but also Anzac Day, National Tree Day, the 40 Hour Famine, Operation Christmas Child, the Kmart Wishing Tree, RSPCA collection, the Festival of Guiding, the Gang Show, and the Australian Centenary Event in Melbourne in January, which was a wonderful camp judging by the presentations of the girls who attended.

The guides' centenary logo says '100 years of changing lives', and you can see it in action at Narangba. I congratulate the district leader, Wendy Currie, who incidentally this year received her 15 years award and is a recipient of a Longman Volunteer Award. What an amazing commitment and contribution by Wendy and her family. I believe the barbecue following the AGM was cooked very well by her husband. So it is indeed a family commitment.

The success of Narangba Guides is due in no small way to the committee. So I say well done to Tracie Youngman, Karen Kempin, Carey Passmore, Jan Harding, Nicole Warren and Nancy Taylor. Congratulations to leader Shannan Green, who was chosen again to represent Australia and attended an international event in Iceland, and to all the leaders: Renae Barlow, Grace McMillan, Lyn Buckley, Annalise Taylor, Kym Watkins, Melissa Hutchins, junior leader Chantelle Currie, unit helper Nicole Watson and parent helper Lori King.

Of course, none of it would be possible without the parents and families who deliver the girls, help out and encourage their girls to achieve and change lives. Congratulations again to Narangba and to the Australian Guides on achieving your centenary. The positive contribution that guiding training and principles has made to Australian women is immeasurable.

Millaa Millaa-Malanda Road

Mr KNUTH (Dalrymple—LNP) (9.18 pm): This morning I tabled a petition with 2,764 signatories on behalf of the residents of the Atherton Tableland calling on the government to acknowledge the notorious intersection of East Evelyn Road and Millaa Millaa-Malanda Road, where numerous motorists have lost their lives and there have been many near misses. The petitioners therefore request the House to seriously address the upgrading and implementation of a safe, working and effective intersection, the introduction of lighting at the intersection, an emergency safety ramp for vehicles travelling from East Evelyn Road, the urgent introduction of slip lanes for separate vehicle exit and entry, increased warning signage before the intersection, upgrading and widening of the existing roadway, the introduction of road barriers and reflectors, the implementation of a reduction in the speed limit and improved visibility in all lanes.

This horrific and dangerous intersection has been in the spotlight throughout 2009, with historic records of death and carnage. The driveability of this road is paramount, especially coming down from the lookout which comes down very quickly into the main road intersection. It is also to be acknowledged that this intersection is on the edge of one of the Tablelands's highest rainfall towns, Milla Milla, and on many occasions is saturated by heavy fog, meaning that visibility makes the road almost undriveable. This is why it is so important that this intersection is upgraded. Almost 2,800 signatories cannot be wrong. During the launch of this petition, several Tablelands regional councillors and members of the public, including local rural firefighters, were there to show their support for the petition.

I am led to believe that this intersection was budgeted for years ago. The question has to be asked: what happened to the funding? Why has the government allowed these roads and intersections to get to this state in the first place? The Tablelands produces over $1 billion in gross revenue and it is paramount that these roads receive sufficient funding from the review of Tablelands roads coming up in the next few months. On behalf of road users, petitioners and residents of the Tablelands, I call on the minister to provide sufficient funds to upgrade this intersection, once and for all.

Bulimba Electorate, Schools

Ms FARMER (Bulimba—ALP) (9.20 pm): There is not a much more rewarding experience for a member of parliament than to attend a school leadership ceremony at a local primary school and see the year 7 students brimming with enthusiasm, excited to be at the top of the school and on the brink of a whole new part of their lives. This time of the year is clearly the pinnacle, with so many school ceremonies recognising their leadership—whether it is the school that does not have any particular leaders as such but recognises all year 7s as the ones who will be role models for all, or whether it is the school that has specific roles for any number of its students and recognises each of those students especially.

I have so enjoyed being part of so many of these ceremonies. If I had the allocated time for this speech, I would dearly love to acknowledge every single one of the students to whom in recent weeks I have given a certificate or on whom I have pinned a badge or whose hand I have shaken. Tonight I acknowledge the school captains and, knowing what I know of these excellent students, I know that they will in turn acknowledge the contributions of their fellow students and the wonderful team they are building amongst the year 7s at their schools.

I acknowledge from Morningside State School Brooke Sones and Trent Candy, from Norman Park State School Emily Porter and Zac Look, from Cannon Hill State School Matilda Khuu and Jason Dep, from Seven Hills State School Lucy Marrinan and Liam Ross, from Bulimba State School Elke Bowman and Matt Perejmibida and from Murarrie State School Eryn Smith and Harrison Metcalfe.

These students are from primary schools which are all part of the Gateway Learning Community, or the GLC. This is a cluster of schools which is already showing leadership to schools outside our local area for the collaboration they have in place. It is a sustainable learning community that connects school communities, business, parents, teachers and students to promote public education and provide enriched opportunities for improving learning for all. It is a wonderful role model for the students within its schools that leadership is not just about having a title or a badge but is about an ability to bring together a team and to make sure each member of that team is the best that he or she can be. The GLC model, the wonderful principals who are part of it and the dynamic P&Cs which support them are all excellent examples of leadership.

I also want to acknowledge the school captains of the three secondary schools within the Bulimba electorate: from Balmoral State High School Lotus Appel and Roshin De Alwin, from Lourdes Hill Margot Dillon and Georgina Morgan, and from Cannon Hill Anglican College Greta Gilmour and Sam Walpole. I have already had the opportunity to see these school captains in action—in their school communities, in their local community and amongst the business community. They are clearly leaders of the future, and I look forward to seeing them grow through this final year of their schooling. We are rich with young leaders in the electorate of Bulimba. I thank them in anticipation of the contribution they will make to our local community and hope to speak of them many more times in this House.

Health System

Mr WELLINGTON (Nicklin—Ind) (9.23 pm): Recently I looked at the state government quarterly public hospital performance report for the December quarter of 2009, which analysed the performance of a number of our state government hospitals. The statistics reflected in that report support my claim that there are some hospitals in Queensland working beyond their capacity, and my assertion is that this leads to a higher probability of mistakes occurring and that those mistakes may directly affect the care and life of patients in these very busy hospitals. I take this opportunity to formally call on the health minister to take this matter up with the director-general of Health to respond to the concerning statistics cited in this report.

I also take this opportunity to respond to the Minister for Health's answer to my question asked on Tuesday in parliament. He said in part that clinical decisions about how best to respond to particular matters are best left in the hands of those people who are clinically qualified to do that. I say to the minister that I do not believe that a minister for health can distance himself or herself and remain at arm's length from what is occurring in Queensland Health. I believe that a minister for health needs to be aware of problems family members and carers have with the current system that the clinically qualified Queensland Health staff work in, especially where staff refuse to admit people because they do not give proper weight to the pleadings of carers and family members of a person to be admitted.

I know of a number of cases where people have been turned away from mental health units in our regional hospitals because the clinically qualified staff have the view that the person does not meet the entry criteria, bearing in mind that that entry criteria is set by the state government and parliament has the capacity to vary or amend those entry criteria.

I take this opportunity to also formally call on the Minister for Health to speak with his director-general about reviewing the entry criteria for people seeking help to be admitted to our medical units in our regional hospitals. In saying this, I acknowledge that the Minister for Disability Services and Multicultural Affairs is in the chamber. I listened intently to her ministerial statement on Tuesday, when she spoke about significant funding to support people in need of medical assistance throughout Queensland. I support the minister's endeavours and look forward to her again visiting the Sunshine Coast in the future. Perhaps we may also at the appropriate time be able to receive funding to support the needs of many on the Sunshine Coast, especially those in need of mental health care.

Albany Creek Police Station

Mr WATT (Everton—ALP) (9.26 pm): I rise to inform the House of a visit by the Minister for Police to the Albany Creek Police Station last week. For some time I have been keen to get the police minister out to meet the hardworking police officers in Albany Creek, and it was great that he was able to come. The visit was very useful as it enabled the officers to explain to the minister firsthand the major challenges they face in keeping our local suburbs safe.

Like many suburban police stations, some of the major issues the Albany Creek police deal with include traffic matters, break and enters, domestic violence incidents, and alcohol and drug offences. The officers were able to share some of the new approaches they had adopted to reduce crime. These include better using crime data to identify crime trends in the area. In addition, the officers were able to talk to the minister about the benefits in having the Strathpine watch-house just up the road. This allows them to transport offenders for overnight detention rather than keep them in their station. That would unnecessarily tie up resources given that there is a well-staffed watch-house just up the road.

We were also able to discuss something that a number of constituents have raised with me, and that is the level of staffing at the Albany Creek Police Station through the night. The officers were able to explain that, contrary to popular belief, the Albany Creek Police Station is actually staffed 24 hours a day and even in the middle of the night there will be at least one police car out on patrol somewhere in the Albany Creek area. I think the better thing to do is make sure that we do have the police that we have available out on patrol rather than sitting behind a desk in the middle of the night when they are very unlikely to receive any visits, and that does seem to be what is happening.

I mentioned earlier that traffic matters are one of the major things that the Albany Creek Police Station deals with. It is with some pride that I can advise the House that for the period 1 January 2009 to 31 December 2009 the Pine Rivers district had no traffic fatalities. It was the only police district in Queensland to record this achievement. This is an incredible achievement when one considers that the Pine Rivers district includes the police divisions of Albany Creek, Dayboro, Mango Hill-North Lakes and Petrie. I think this says something for the drivers of this district and also speaks volumes about the excellent policing of officers at all police stations in the district, including Albany Creek Police Station.

This is not the only area in which crime statistics in the Pine Rivers district are good. The 2008-09 Queensland Police Service annual statistical review shows that over that same period assaults in the Pine Rivers district fell by six per cent, there has been a 31 per cent decrease in robbery offences,

break-ins are down by 17 per cent and unlawful use of a motor vehicle offences are down by 23 per cent. There are some offences in which there has been an increase. For instance, drug offences are up by nine per cent. This demonstrates that there is some room for improvement, but I commend the local police on their efforts to reduce so many forms of crime. It gives the lie to those who claim that crime is out of control.

I thank the minister for taking the time to visit the hardworking Albany Creek police. Given how many police stations there are in Queensland, having a minister visit is a real privilege. I have had feedback from the officers who were present that they really appreciated the minister's visit. I also want to thank the officers of Albany Creek Police Station for taking time out from their busy day to inform the minister and me of the issues they encounter in keeping our suburbs safe.

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 9.29 pm.

ATTENDANCE

Attwood, Bates, Bleijie, Bligh, Boyle, Choi, Crandon, Cripps, Croft, Cunningham, Darling, Davis, Dempsey, Dick, Dickson, Douglas, Dowling, Elmes, Emerson, Farmer, Finn, Flegg, Foley, Fraser, Gibson, Grace, Hinchliffe, Hobbs, Hoolihan, Hopper, Horan, Jarratt, Johnson, Johnstone, Jones, Keech, Kiernan, Kilburn, Knuth, Langbroek, Lawlor, Lucas, McArdle, McLindon, Male, Malone, Menkens, Messenger, Moorhead, Mulherin, Nelson-Carr, Nicholls, Nolan, O'Brien, O'Neill, Palaszczuk, Pitt, Powell, Pratt, Reeves, Rickuss, Roberts, Robinson, Ryan, Schwarten, Scott, Seeney, Shine, Simpson, Smith, Sorensen, Spence, Springborg, Stevens, Stone, Struthers, Stuckey, Sullivan, van Litsenburg, Wallace, Watt, Wellington, Wells, Wendt, Wettenhall, Wilson