



# RECORD OF PROCEEDINGS

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## FIRST SESSION OF THE FIFTY-SIXTH PARLIAMENT

### Wednesday, 3 April 2019

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## WEDNESDAY, 3 APRIL 2019

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The Legislative Assembly met at 9.30 am.

Mr Speaker (Hon. Curtis Pitt, Mulgrave) read prayers and took the chair.

**Mr SPEAKER:** Honourable members, I respectfully acknowledge that we are sitting today on the land of Aboriginal people and pay my respects to elders past and present. I thank them, as First Australians, for their careful custodianship of the land over countless generations. We are very fortunate in this country to have two of the world's oldest continuing living cultures in Aboriginal and Torres Strait Islander peoples whose lands, winds and waters we all now share.

### PRIVILEGE

#### *Correction to Record of Proceedings*



**Mr BLEIJIE** (Kawana—LNP) (9.31 am): It has come to my attention that, in the debate on the Business Committee motion yesterday, when I was speaking of the government's gagging of debate, I may have inadvertently misled the House. I said in the debate—

The Leader of the House talks about managing, but she did not manage the Minister for State Development very well last week because he was gagged on his feet when speaking to his own bill.

I then went on to say—

He was summing up the entire debate and then like a deer in the headlights when he was called to order to sit down ... The Minister for State Development was guillotined under his own Leader of the House's motion.

When I spoke of a deer in the headlights I was referring to the Minister for Natural Resources and Mines who was sat down and who used to be the minister for state development—

**Mr SPEAKER:** Order! Member for Kawana, I do not need the full explanation here. That is what you will write to me about. I ask that you put this in writing because we do not need the full explanation given to the House with repetition about what you meant to say.

**Mr BLEIJIE:** I am correcting the record, Mr Speaker.

**Ms Jones** interjected.

**Mr SPEAKER:** Member for Cooper, I do not need any assistance to deal with this matter. Will you be writing to me on a matter of privilege or are you correcting the record?

**Mr BLEIJIE:** I am correcting the record. I am rising on a matter of privilege correcting the record. When I referenced the Minister for State Development I meant the Minister for Natural Resources.

**Mr Dick:** Sit down, you dope.

**Mr SPEAKER:** Minister, was that unparliamentary language that I heard?

**Mr DICK:** I apologise to the honourable member, Mr Speaker.

### SPEAKER'S RULINGS

#### **Same Question Rule**



**Mr SPEAKER:** Honourable members, I have circulated a statement to members about the application of the same question rule to the National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018 passed by the House on 19 September 2018, the Civil Liability (Institutional Child Abuse) Amendment Bill introduced by the member for Maiwar on 31 October 2018 and the Civil Liability and Other Legislation Amendment Bill introduced by the Attorney-General and Minister for Justice on 15 November 2018.

All three bills deal with the issue of redress and damages for persons who have experienced institutional child abuse. The government bill and the member for Maiwar's bill are compatible with the act as they deal with a different aspect of the same redress and civil damages scheme for institutional child abuse. I note that the government bill and the member for Maiwar's bill both seek to place a duty

of care and associated civil liability on institutions to prevent the abuse of children in their care. However, the government bill is focused on child sexual abuse whereas the member for Maiwar's bill is focused on a broader definition of child abuse which includes serious physical abuse and therefore proposes a genuinely alternative proposition. Accordingly, I rule that the same question rule is not enlivened in relation to the second reading of the bills. I seek leave to have my ruling incorporated in the *Record of Proceedings*.

Leave granted.

Honourable members, on 12 June 2018, the Minister for Child Safety, Youth and Women and Minister for the Prevention of Domestic and Family Violence, Hon. Farmer, introduced the National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018.

The Bill was passed on 19 September 2018. The National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Act 2018 (the Act) received Royal Assent on 28 September 2018.

On 31 October 2018, the Member for Maiwar introduced the Civil Liability (Institutional Child Abuse) Amendment Bill 2018 (the Private Member's Bill).

On 15 November 2018, the Attorney-General and Minister for Justice introduced the Civil Liability and Other Legislation Amendment Bill (the Government Bill).

Standing Order 87(1) provides that, unless the Standing Orders otherwise provide, a question or amendment shall not be proposed which is the same as any question which, during the same session, has been resolved in the affirmative or negative.

The issue arises as to whether the same question rule is enlivened in respect of the Act, Government Bill and the Private Member's Bill, as they all deal with the issue of redress or damages for persons who have experienced institutional child abuse.

As previous Speakers and I have noted, in order to be out of order under Standing Order 87, a Bill does not have to be identical to another Bill, merely the same in substance as the previous Bill. In other words, it is a question of substance, not form.

A detailed (provision by provision) analysis of the Act, the Government Bill and the Private Member's Bill has been undertaken to identify whether the same question rule is enlivened.

The Act, Government Bill and Private Member's Bill deal with the issue of redress and damages for victims of child abuse and seek to implement recommendations contained in the Royal Commission into Institutional Responses to Child Sexual Abuse's Redress and Civil Litigation Report (Royal Commission Report).

The Act implements a key recommendation of the Royal Commission Report by enabling the Commonwealth's National Redress Scheme for Institutional Child Sexual Abuse (the National Scheme) to operate in Queensland.

Under the National Redress Scheme, redress may consist of three components: a monetary payment (up to \$150,000); a counselling and psychological component; and a direct response from the responsible institution.

The Government Bill seeks to implement the Royal Commission Report's recommendations by amending the Civil Liability Act 2003 to:

- place a duty of care, and associated civil liability, on institutions to take all reasonable steps to prevent the sexual abuse of a child by a person associated with the institution while the child is under the care, supervision, control or authority of the institution
- introduce a reverse onus (applied prospectively) under which an institution must prove it took reasonable steps to prevent the sexual abuse of a child to avoid legal liability for the abuse, and
- establish a statutory framework for the nomination of a proper defendant by an unincorporated institution to meet any liability incurred by the institution.

The Government Bill also amends the Civil Proceedings Act 2011 to ensure a person under a legal incapacity may recover the cost of trustee management fees in the award of damages for wrongful death of a member of the person's family.

The Private Member's Bill, similar to the Government Bill, seeks to amend the Civil Liability Act 2003 to implement the Royal Commission Report's recommendations to place a duty of care, and associated civil liability, on institutions to protect children from child abuse.

The Bill also amends the Limitations of Actions Act 1974 and Personal Injuries Proceedings Act 2002 to broaden the exemption on time limits for civil action for damages from sexual abuse to child abuse.

The term 'child abuse' is defined as sexual abuse, serious physical abuse and other any other abuse perpetrated in connection with sexual abuse or serious physical abuse.

I note there is some overlap between the Act, Government Bill and Private Member's Bill in relation to the options available to a person when seeking redress or damages for alleged institutional child abuse.

I consider, however, that the Private Member's Bill or Government Bill would, if passed, be compatible with the Act, as the Act deals with different aspects of the same wider redress/damages scheme to the Private Member's Bill and Government Bill.

Accordingly, I considered that the second reading, and subsequent passing, of the Act does not prevent the second reading of either the Private Member's Bill or the Government Bill, in accordance with the same question rule.


Whilst the Bills deal with substantially the same subject matter, I consider that they are genuine alternative propositions, seeking to obtain similar outcomes by difference mechanisms. There are also provisions in each Bill not dealt with in the other. Accordingly, I rule that the same question rule in relation to the second reading questions does not apply.

In the event that the Government Bill passes its second reading and the Private Member's Bill fails its second reading, consideration in detail can occur on the Government Bill. However, amendments may not be moved that substantially replicate the provisions in the failed Private Member's Bill.

In the event that the Government Bill and Private Member's Bill both pass their second reading, a conundrum arises. Whilst both Bills contain amendments that seek to achieve largely the same objectives by altering different provisions, if both Bills were to be passed in their current form the end result may lead to confusion in the amendment legislation.


The same question ruling may be enlivened with respect to particular clauses which deal with the same subject matter. I will make a ruling in relation to the application of the same question rule for particular clauses during consideration in detail should both Bills be read a second time.

### Same Question Rule

 **Mr SPEAKER:** Honourable members, on 17 October 2018 the member for Traeger introduced the Working with Children Legislation (Indigenous Communities) Amendment Bill. Subsequently, on 13 November 2018 the Attorney-General and Minister for Justice introduced the Working with Children (Risk Management and Screening) and Other Legislation Amendment Bill. Both bills propose amendments to the issuing of blue cards for the protection of children and young people. However, the member for Traeger's bill relates only to blue cards in discrete Aboriginal and Torres Strait Islander communities, an issue not dealt with directly by the government bill. Accordingly, I rule that the same question rule is not enlivened.

## SPEAKER'S STATEMENT

### School Group Tour

 **Mr SPEAKER:** Honourable members, I wish to advise that we will be visited in the House this morning by students and teachers from St Mary's College in the electorate of Maryborough.

## TABLED PAPER

TABLING OF DOCUMENT (SO 32)

MEMBER'S PAPER


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

Member for Hill (Mr Knuth)—

[517](#) Nonconforming petition regarding the proposed Atherton Regional Botanic Park.

## MINISTERIAL PAPER


### Revocation of State Forest and Dedication of Protected Area

 **Hon. LM ENOCH** (Algerst—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (9.35 am): I lay upon the table of the House a proposal under section 30 of the Nature Conservation Act 1992 and a brief explanation of the proposal.

*Tabled paper:* Proposal under section 30 of the Nature Conservation Act 1992 and a brief explanation of the proposal [\[518\]](#).

## NOTICE OF MOTION

### Revocation of State Forest and Dedication of Protected Area

 **Hon. LM ENOCH** (Algerst—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (9.36 am): I give notice that, after the expiration of at least 28 days as provided in the Nature Conservation Act 1992, I shall move—

- (1) That this House requests the Governor in Council to:
  - (a) revoke by regulation the setting apart and declaration of parts of two State forests; and
  - (b) dedicate by regulation the revoked areas of the aforementioned State forests as national park; under section 30 of the Nature Conservation Act 1992 as set out in the Proposal tabled by me in the House today, viz—

**Description of areas to be revoked**

Yurolo State Forest                      An area of about 284.4 hectares, as illustrated on the attached "Yurolo State Forest revocation: sketch A".

Ringtail State Forest                      An area of about 72.99 hectares, as illustrated on the attached "Ringtail State Forest revocation: sketch B".


**Description of area to be dedicated**

Tewantin National Park                      An area of about 357.39 hectares, as illustrated on the attached "Tewantin National Park addition: sketch C".

- (2) That Mr Speaker and the Clerk of the Parliament forward a copy of this resolution to the Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts for submission to the Governor in Council.

These revocations are the first stage of the state forest upgrades to protected area as part of the partnership between the state of Queensland, HQPlantations Pty Ltd, Noosa Shire Council and Noosa Parks Association Inc. to progressively convert the whole of Yurolo State Forest and Ringtail State Forest to protected area.

**MINISTERIAL STATEMENTS****Federal Budget, Funding Priorities**

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for Trade) (9.37 am): There were 4,077 words in last night's budget speech. The word 'Queensland' was used only once and then only in relation to the floods—that is what is wrong with the federal budget—but we heard plenty about Sydney and Melbourne and the vast sums of money lavished on those cities instead of ours.

**Opposition members** interjected.

**Mr SPEAKER:** Order! The Premier has the call.

**Ms PALASZCZUK:** Two billion dollars for a fast—

**Opposition members** interjected.

**Mr SPEAKER:** Members to my left, I have given some guidance to the House before about members randomly yelling out words. There is a time and a place to put your views forward in this House. I now ask that the Premier's ministerial statement be heard in silence.

**Ms PALASZCZUK:** Two billion dollars for a fast rail link between Melbourne and Geelong, \$5 billion for an airport link for Melbourne, \$1.4 billion for the Snowy Hydro scheme and \$3.5 billion for a rail link for western Sydney. These are taxes that Queenslanders have paid and that Scott Morrison is spending somewhere else.

It gets worse. Under Scott Morrison, national economic growth, or GDP, has been revised down. That means \$1.8 billion less GST for Queensland. The budget shows the Liberal and National parties' priorities—everywhere else but Queensland. There is no funding for remote housing, nothing for Cross River Rail, no restoration of cuts to dental services, no \$300 million owed to us for health funding or \$245 million owed under the Skilling Australians Fund. We get less than our population share under the national partnerships on community health, hospitals and infrastructure projects.

I will give credit where it is due. The budget does recognise the need for better roads in our big decentralised state, but you need to read the fine print. Ninety per cent of that funding will not deliver a cent for another two years. The Prime Minister says he knows we want to get out of gridlock, we want tradies to get to their jobs and we want families to get where they need to go, but by the time the money reaches us the tradies' jobs will be finished and the kids will have grown up and left home.

Some \$600 million of the funding announced for the Bruce and Cunningham highways is existing—not new—funding. More money will be spent on one rail line in Sydney than all the new funding announced for Queensland's roads, and three-quarters of that money is more than four years away.

**Mr Crandon** interjected.



**Mr SPEAKER:** Member for Coomera, you are warned under the standing orders. I have asked that the statement be heard in silence, and that is the direct result of interjections which were both random and in poor taste earlier. The Premier will continue.

**Ms PALASZCZUK:** There is also a \$3.9 billion Emergency Response Fund to help in natural disasters for which we are grateful. Since 2015 Queensland has had 35 natural disasters. That is equivalent to \$111 million each. The cost of the North Queensland floods is \$1.5 billion and climbing. Like the rest of Canberra's funding for Queensland, it is too little too late.


Our state exports more than New South Wales and Victoria combined. Our electricity bills are cheaper and our energy policies work. We do not mind punching above our weight, but I do object to having a hand tied behind our back. My government wants to work with a federal government that wants to work with us. The numbers do not lie. This federal government does not back Queensland.

**Mr Hart** interjected.

**Mr SPEAKER:** Member for Burleigh, you are warned under the standing orders.

**Ms PALASZCZUK:** 'Back in black,' the federal government says, but Queensland is still left in the dark.

### Central Queensland Bushfires Recovery Plan

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for Trade) (9.41 am): I have spoken a lot about natural disasters in the House recently. That is because we have had more than our fair share. The Central Queensland bushfires might seem like a few disasters ago now, but my government has not forgotten the communities impacted. Never before has this state faced catastrophic bushfires like those in November and December last year. There were 1.4 million hectares of land burned statewide during our bushfire crisis, with 4,200 firefighters and 59 aircraft using 12 million litres of suppressants to battle the disaster.


This was a traumatic time for all those involved. One young man tragically lost his life, thousands of residents were evacuated, homes were lost and there was incredible damage to crops, pasture, water infrastructure, sheds and machinery. While our attention has recently turned to the devastation of the floods in North and North-West Queensland, our commitment to the eight most bushfire impacted communities of Central Queensland has never wavered.

Today I am releasing the Central Queensland Bushfires Recovery Plan 2018-21, mapping the road ahead for Queensland communities to ensure there is a coordinated approach to long-term recovery. State Recovery Coordinator, Major General Stuart Smith, has visited the regions devastated by bushfires, meeting with locals, councils, business owners and other key stakeholders to get a greater understanding of the challenges ahead to develop the long-term recovery plan. The plan recognises that each community is best placed to identify its own priorities and challenges, with support from the Queensland government, industry and community groups, to recover. I would like to thank the State Recovery Coordinator for his work assisting communities in their long-term recovery and his work putting the plan together.

It is important to note that, for these communities, their recovery will not simply be measured in dollars, or bridges or infrastructure rebuilt but rather how people reconnect, reunite and are able to move forward. That is why this plan focuses on the health and wellbeing of the people impacted as well as restoring local economies and the natural environment. Most importantly, we want to make these communities more resilient against future disaster events. There is no doubt that last year's bushfires were nothing short of devastating, but through this plan I hope that the eight impacted communities will recover and stand more resilient than ever before. I table the plan.

*Tabled paper:* Queensland Reconstruction Authority report, dated April 2019, titled 'Central Queensland Bushfires Recovery Plan 2018-2021' [[519](#)].

### Federal Budget, Infrastructure Funding

 **Hon. JA TRAD** (South Brisbane—ALP) (Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships) (9.43 am): Last night's budget failed the key test of fairness for Queenslanders. It locks in cuts to Queensland schools, hospitals, and apprenticeships and trainees. It confirms that we will not receive our fair share of infrastructure funding, and any money that we are promised will not materialise for years. It short-changes some of the most vulnerable in our community, like people with a disability and Aboriginal Australians, and at the same time gives huge windfall tax cuts to people on the highest incomes.

There are some measures in the budget that we welcome. We welcome the establishment of the Emergency Response Fund, but we need to see further details about how it will operate. We do welcome any increased infrastructure funding. However, the vast majority of the new infrastructure funding promised—

**Mrs Frecklington** interjected.

**Ms TRAD:** I will take that interjection from the member for Nanango. There is actually nothing to smile about out of last night's budget, and I am not smiling and Queenslanders are not smiling.

As I have said, the vast majority of the new infrastructure funding promised lies not just beyond the upcoming federal election but the one after that. For the promised new \$500 million commitment to the M1, there will be exactly zero dollars—zero dollars—delivered for this project in the forward estimates of the budget delivered last night. This means Queenslanders will be waiting more than four years for the federal government to cough up the said \$500 million. Every year we have to wait for the Commonwealth to make good on its promises, Queensland has to shoulder the burden of providing the infrastructure and services that we need.

This state generates an enormous amount of wealth for our country. Queenslanders work hard. We pay income taxes and our companies pay company tax and GST—all of which are collected by the federal government. We are one of the only states to develop our gas resources, and our resources sector creates jobs and export royalties from which we all benefit. All we expect is our fair share of the taxes we pay to the Commonwealth back in return for health, education and critical infrastructure.

When it comes to new infrastructure spending in this budget, Queensland received less than its population share. Only 17 per cent of the new commitments in this year's budget are being spent in Queensland. When it comes to health, we have not received any of the \$316 million in back pay that we are owed for Queensland hospitals. In education, the government has again failed to commit to long-term, secure funding for universal access to kindergarten in the year before school. Payments to the NDIS have been cut by \$1.6 billion to prop up the government's surplus, and there was no money provided for remote Indigenous housing.

At the same time, the Morrison government's budget hands back to people earning \$200,000 a year a tax cut that is 20 times greater than the tax cut to those earning \$40,000 a year. That is a tax cut of \$11,640 per annum for top earners—


**Honourable members** interjected.

**Mr SPEAKER:** The Deputy Premier has the call.

**Ms TRAD:** To put this in context, those earning \$200,000 a year get an \$11,640 tax cut each and every year, while those on \$40,000 annually get a tax cut of \$580 per year. This is a clear indication of whose side Scott Morrison, Josh Frydenberg and the federal LNP are on. They are on the side of the big end of town. They are not on the side of everyday Queenslanders.

If budgets are about choices, then the Morrison LNP government has demonstrated that all it cares about is the big end of town and its own survival. This is a government trying desperately to erase the memory of six years of cuts and chaos. The budget delivered a political plan for the re-election of Scott Morrison—not a plan or a vision for our nation's future.

### Federal Budget, Funding Priorities

 **Hon. CR DICK** (Woodridge—ALP) (Minister for State Development, Manufacturing, Infrastructure and Planning) (9.48 am): Twelve hours—12 hours is as long as federal Treasurer Josh Frydenberg's budget lasted until he had to get out the red pen and start changing it. This morning on radio, barely 12 hours after he delivered it, Josh Frydenberg was already changing the rules about who gets the energy assistance payment. It was a welcome change for jobseekers, Austudy and Abstudy recipients and it is something that any government that believed in fairness should have had in their budget from the very beginning. It shows that amid the chaos, confusion and culture wars of this federal LNP government it cannot get anything right. This chaos is emblematic of a budget of a government that has given up on itself and given up on Queensland. This is not a budget designed to win an election; it is a budget to win the seats they want for opposition: Higgins, Corangamite and, most importantly, Frydenberg's own seat of Kooyong. Forget Petrie, Lilley, Flynn, Forde, Dawson, Capricornia, Herbert and Leichhardt; they have written all of them off. Instead, Queensland gets \$2 billion for fast rail to Geelong. What does that tell honourable members about priorities? Victoria gets fast rail; Queensland gets slow roads. Fast rail to Geelong is the answer to the question—

**Opposition members** interjected.

**Mr SPEAKER:** Order! Members to my left.

**Mr DICK:**—that no-one was asking—a town that has half the population of the Gold Coast, a town that has two-thirds the population of the Sunshine Coast, a place that no-one wants to visit. Even people from Geelong do not want fast rail to Geelong, except perhaps one person, Sarah Henderson, Josh Frydenberg's factional ally who is sitting on a wafer-thin margin of three per cent. Of course, the federal coalition government is investing \$50 million into a new hospital in Geelong. There is money for Victorian hospitals, money to build Victorian hospitals, a capital investment in Victorian hospitals and nothing to build Queensland hospitals.

When it comes to economic management, while the federal Treasurer still has his training wheels on, he should have looked at Queensland where the Palaszczuk Labor government has delivered—

**Opposition members:** Ha, ha!

**Mr Minnikin** interjected.

**Mr SPEAKER:** Order! Members, I have already said previously how laughter is not an appropriate response to a member's contribution to the House unless it is funny. I am listening to the member's statement and the member is talking about policy matters. I do not want to have to interrupt every ministerial statement, but if the behaviour continues I will do so.

**Mr DICK:** I take the interjection from the member for Chatsworth. Let the record show the Palaszczuk Labor government has delivered four surpluses in a row in Queensland and, when the member for Chatsworth was an assistant minister, the Newman government did not deliver one. That is the record of Labor versus the LNP. The federal LNP have a projection, a promise, a wing and a prayer that they will hit a magic surplus next year when our government has delivered four in a row. Even if we could forget the LNP's chaos and dysfunction, which I know is a big call, what bothers me most is the total disregard for Queensland in this federal budget. What does Queensland get? When it comes to the so-called National Rail Program, we get less than half what New South Wales gets. The federal government invests money in wi-fi on trains between Hornsby and Wyong, but there is no new money for urban rail in Queensland. As everyone on this side of the House knows, this was a budget—

**Mr Watts** interjected.

**Mr SPEAKER:** Member for Toowoomba North.


**Mr DICK:**—for the New South Wales Blues and there is not one zack for the Queensland Maroons.

**Mr Watts** interjected.

**Mr SPEAKER:** Member for Toowoomba North.

**Mr DICK:** Roads funding? Queenslanders had better get used to waiting; most of the new money does not come to our state till 2022-23. Queenslanders would have to vote for Scott Morrison not only once but twice to get any money out of this budget. What a thought for Queenslanders! When it comes to the next election, I say this: I urge all Queenslanders to look at what the federal coalition has done. The LNP has written off our seats, it has written off our infrastructure and it has written Queenslanders out of the budget. I am calling on Queenslanders at the next federal election to write off this rotten federal LNP government.

### Federal Budget, Hospital Funding

 **Hon. SJ MILES** (Murrumba—ALP) (Minister for Health and Minister for Ambulance Services) (9.53 am): Last night was a chance for the federal government to prove that it can deliver for Queensland. Last night Josh Frydenberg could have reversed the savage cuts to hospital funding in his budget. He could have invested in the huge growth corridors in Brisbane's northern and southern suburbs. He could have further expedited the placement of aged care and NDIS patients who are currently languishing in a hospital bed waiting for a residential place, but he did not because the LNP do not invest in health care. The budget delivered last night locked in \$316 million in cuts to Queensland hospitals and it raided the NDIS to prop up a supposed budget surplus.

Here in Queensland the Palaszczuk government has had to do all the heavy lifting when it comes to building hospitals for our growing state. We have already opened 527 new beds in Queensland hospitals. That is 527 new beds that are open, available and treating patients now. The Palaszczuk government has a \$546 million plan to increase capacity by over 500 beds in SEQ hospitals, more than 150 of which will come online next year. Forty-seven new beds at Logan and Redlands will be open by

next year. In fact, the members for Woodridge, Waterford and Macalister opened the new maternity expansion at Logan just last week. All up, 208 hospital beds promised at the last election at Logan will be delivered on schedule.

In Caboolture we will deliver 130 new beds, also on schedule. The first 32 new beds are already open. The Palaszczuk government is investing in hospitals like Logan, Caboolture and Ipswich to help meet the increasing demand in the south-east corner and we are investing in rural and regional hospitals like Roma, Nambour, Kingaroy, Atherton, Cairns, Hervey Bay, Gladstone, Thursday Island and Blackall—the list goes on.


**Mr Millar** interjected.

**Mr Hunt** interjected.

**Mr SPEAKER:** Member for Gregory, member for Nicklin.

**Dr MILES:** Last night the federal government could have supported Queensland's hospitals, they could have reversed their cruel cuts, they could have supported people with a disability, they could have invested in health care like Labor does, but they did not and they will be judged very harshly for it come election day.

### Federal Budget, Education Funding


 **Hon. G GRACE** (McConnel—ALP) (Minister for Education and Minister for Industrial Relations) (9.56 am): Last night Treasurer Josh Frydenberg described education as the first defence of the nation and critical to our prosperity, harmony and advancement as a country. However, the budget papers reveal that these words are nothing but hollow rhetoric. The detail in the budget papers expose the Morrison government's failure in relation to providing fair, sector-blind education funding, including any increased funding for students with a disability—an absolute disgrace. Perhaps the greatest failure with regard to education funding is the lack of concrete, long-term funding commitment to universal access to kindergarten in the year before school. Instead, funding is only provided for yet another short-term, 12-month extension of the national partnership agreement. This will be the sixth short-term extension since 2013, when those opposite were in government.

Stakeholders across the early childhood sector, organisations such as Early Childhood Australia, the Australian Childcare Alliance and United Voice, have been united in their calls for the Morrison government to provide long-term funding certainty for early childhood. The Morrison government has again failed to respond on this important issue and after six years have failed to work with states on this vital issue. The budget also failed to provide Queensland's public schools with their fair share of additional funding similar to the \$1.2 billion slush fund being provided to non-government schools as a 'choice and affordability fund'. Scott Morrison and Josh Frydenberg have also failed to restore any of the \$2.1 billion that Queensland would have received had the federal government not terminated the national education reform agreement in 2017. This equates to a cut in funding of \$182 million for Queensland this year alone.

The devil is also in the detail when it comes to the new Local School Community Fund for upgrades to libraries, playgrounds and classrooms. The \$30 million fund—remember, they spent \$185 million opening and closing Christmas Island—equates to just \$200,000 per federal electorate. With some electorates home to up to dozens of schools, each school will be fighting over crumbs. It is a cruel insult. It is clear that the Abbott-Turnbull-Morrison government is incapable of ensuring Queensland gets its fair share of education funding. It is clear that only the election of a Labor government will do so.

Bill Shorten has already committed an extra \$650 million for Queensland state schools over three years from January 2020 and an additional \$300 million to ensure students with a disability get the support they need at school. Labor has also committed to a new five-year \$1.75 billion national partnership funding agreement for kindergartens and extending universal access to kindergarten for three-year-olds from 2021. Now that's a commitment! This is the long-term vision and funding commitment the sector has been crying out for and exactly what we need to give our kids a great start. The budget fails to reverse the LNP's cruel education cuts for our students, our teachers and our communities. Queensland deserves its fair share.

### Federal Budget, Infrastructure Funding

 **Hon. MC BAILEY** (Miller—ALP) (Minister for Transport and Main Roads) (10.01 am): Queenslanders are sick of not getting their fair share from Canberra. Investment in Queensland's infrastructure has gone backwards under Tony Abbott, Malcolm Turnbull and now Scott Morrison. Last

night's budget was a chance to make that right. Instead, we got the same sneaky accounting tricks from this divided and dysfunctional federal LNP government. Last night's federal budget could have delivered Queensland its fair share, but with an election only a month away instead we got a shameless last-minute vote-buying sales pitch.

New South Wales got \$7.3 billion in new infrastructure funding. Victoria got \$6.2 billion in new infrastructure funding. What does Queensland get? Nominally only \$4 billion, just over half of what New South Wales gets, but—and this is a big but—much worse, we will not see most of that new funding for at least four years, which is two elections away. This is the same trick that was played on Queensland last year under Malcolm Turnbull when Scott Morrison was the Treasurer. They trumpeted \$2.6 billion for new infrastructure funding, but \$600 million of that is old money from the Bruce and Cunningham highways redirected from their previous budgets. That leaves only \$2 billion now and falling. Meanwhile, Victoria got \$2.7 billion for rail to Geelong and New South Wales also got \$3.5 billion for one single Sydney rail line—just one.

It is the same tricks, the same devil in the detail and the same ripping off of Queensland. Scott Morrison continues to rip off Queensland with a 50 per cent federal funding M1 deal, and last night he announced a new M1 project. Wait for it! This one is 80 per cent funded, \$1.6 billion out of \$2 billion, and guess where it is?

**A government member:** New South Wales?

**Mr BAILEY:** It is in New South Wales. Just north of Newcastle in Hexham the federal government funds the M1 at 80 per cent, \$1.6 billion out of \$2 billion, and they come to Queensland and say, 'You take 50 per cent and be happy with that.' What a disgrace! At 80 per cent for the New South Wales M1 and 50 per cent for the Queensland M1, there is one rule that favours New South Wales and one rule that duds Queensland.

Scott Morrison talks up fast rail, but there is nothing additional in the budget for the standard practical rail projects that Queenslanders need now. There is zero for Cross River Rail, it is \$250 million short for the Sunshine Coast rail duplication and the lowest ever offer of only 16 per cent for the next stage of the Gold Coast Light Rail Stage 3A. When you look at the budget in detail on the spreadsheets you find that the majority of federal funds, which are already their lowest ever offer, are actually more than four years away on the never-never, again dudding Queensland.

Funding for the Bruce Highway Cairns southern access stage 5 project is a mirage. That is also at least four years away. They have cut the heart out of the Cape York Region Package, giving it a new name to cover up the cut, gutting it for the next three years and cutting funds that will cost Indigenous jobs and training in Cape York.

**Ms Jones:** Shame!


**Mr BAILEY:** Shame on them! The majority of the Rockhampton ring-road funding, \$720 million, will not be available until 2023-24, and all of the Mackay Ring Road stage 2 funding is more than four years and two elections away. Scott Morrison tried to suggest that yesterday's budget is ACDC's *Back in Black*, but *Highway to Hell* comes much more to mind.

**Honourable members** interjected.

**Mr SPEAKER:** Minister, I am sorry to interrupt. Member for Glass House and Minister for State Development, you are both warned under the standing orders. I will not tolerate quarrelling across the chamber.

**Mr BAILEY:** Clearly, based on last night's budget his favourite song for Queensland is *Walk All Over You*.

## Federal Budget, Housing

 **Hon. MC de BRENNI** (Springwood—ALP) (Minister for Housing and Public Works, Minister for Digital Technology and Minister for Sport) (10.05 am): It is clear that Prime Minister Scott Morrison does not recognise housing affordability as a priority for his government. It rated a 48-word mention in the 4,000-word budget speech last night. The only real mention of housing affordability was the National Housing Finance and Investment Corporation. The NHFIC is a thing the coalition announced years ago. This thing has now done a thing that is not really doing anything. At best it is a loan facility, not an investment.


The entirety of the housing supply measures in last night's budget will fund fewer than 1,000—in fact, just 909—new homes Australia wide. There were no measures for those who are locked out of the housing market. How about some national leadership to address long-term housing solutions? We have

seen leadership on this issue in Queensland. That is why we invested \$1.8 billion through the Queensland Housing Strategy to deliver more homes and services across the state. We have unlocked a further \$2 billion in equity to the community housing sector. The Palaszczuk government delivered 786 new affordable homes in the first year alone. The coalition's plan to address housing supply is to build 900 homes nationally over an indeterminate time frame. That is a farce!

This budget is not a plan for all Queenslanders: it is a plan that will wipe out remote communities. Last night the federal Treasurer told us they have money to invest with a surplus of \$7.1 billion next year, yet they remain determined to rip \$1.6 billion out of the heart of housing in remote Queensland. The Palaszczuk government is committed to providing housing pathways for all Indigenous Queenslanders—pathways to secure and better futures to help close the gap in Indigenous disadvantage. A wealth of evidence shows that housing is essential to closing the gap on that disadvantage.

Had Queenslanders been given their fair share from the Morrison LNP government last night, it would have helped build 400 more three-bedroom homes in remote communities. An investment of just \$200 million from the Commonwealth in the 2019-20 budget coupled with our existing spend is all that would have been needed to address ongoing overcrowding. It would have saved 600 jobs in remote communities and it could have changed and saved lives. Australians have endured too many years of cuts and chaos, division and dysfunction under the Abbott-Turnbull-Morrison government. The Morrison budget last night has manifestly failed Queenslanders.

### Federal Budget, Funding Priorities

 **Hon. AJ LYNHAM** (Stafford—ALP) (Minister for Natural Resources, Mines and Energy) (10.08 am): Like my cabinet colleagues and senior departmental officers, I looked to last night's federal budget for contributions within my portfolio responsibilities and it was slim pickings. On energy there is no infrastructure, just a task force and feasibility studies: \$13.5 million for the Underwriting New Generation Investments program that was announced last week. This is essentially a feasibility study in the north and the short-listing of two small projects on the downs for underwriting. Let us contrast this with the southern states. There is \$1.4 billion for Snowy 2.0 in New South Wales and \$56 million for a feasibility study for the interconnector between Tasmania and Victoria.

The federal government committed \$3.2 million to establish a task force to advance Integrated System Plan projects, which the energy security board is already well placed to advance. This is simply an unnecessary duplication of resources. I would have hoped to see some action to lower energy prices and address climate change through support for the transition to a renewable future and for real energy infrastructure.

Sadly, despite Queensland now twice seeking Commonwealth support for gas infrastructure, I saw no evidence of this in last night's budget papers. Simply, Australia needs new gas to meet demand, to provide feedstock to manufacturers, and to fuel industry and jobs. Queensland has the reserves but industry needs more infrastructure to encourage its investment in bringing that gas to market.

As for the management of natural resources, there is \$9.6 million over five years from this year for a North Queensland water infrastructure agency. The federal government is still trying to work out whether it should be located in Townsville, Rockhampton or Cairns. That is less than five per cent of the potential cost of the water infrastructure it is meant to progress—less than five per cent. I emphasise potential cost, as neither of these projects—the Hughenden irrigation project or Hells Gate Dam—has actually been fully costed. Queensland has established its own Rural Water Management Program, delivering a strict compliance framework.


Yet again this state is leading the way on Murray-Darling Basin protection. We have sought Commonwealth assistance for this vital work. That is on the back of the federal government previously providing \$250 million to New South Wales. Last night I saw no real support to the reforms Queensland is undertaking to improve water management outcomes.

I would like to thank my departmental senior officers who have trawled through the budget documentation seeking portfolio investment, with very little reward for their efforts.

**Mr Lister** interjected.

**Mr SPEAKER:** Member for Southern Downs, you will direct your comments through the chair. You are warned under the standing orders. This is a repeating behaviour, member.

## Federal Budget, Apprentices and Trainees

 **Hon. SM FENTIMAN** (Waterford—ALP) (Minister for Employment and Small Business and Minister for Training and Skills Development) (10.11 am): Queensland apprentices and trainees who were looking for their fair share of support from Canberra were bitterly disappointed in last night's budget. After Abbott and Turnbull racked up more than \$3 billion in cuts to TAFE and training, Scott Morrison followed through with his own cuts in the budget last night.

Last night's budget saw the Skilling Australians Fund decrease by \$649 million. That is a reduction of more than 50 per cent. That fund is now officially a failed experiment. While the budget delivered a \$649 million cut with one hand, it only provided an additional \$525 million with the other. Scott Morrison's so-called skills package was actually a cuts package of more than \$120 million for the nation's training budget.


With Scott Morrison as treasurer and now Prime Minister, Australia's training budget has been cut and then cut again. Queensland refused to sign up to the federal LNP's funding deal—not only because of the onerous conditions it would have placed on Queensland but also because it provided no funding certainty. Last night's budget proved Queensland and Victoria right. The other states that signed up to this agreement received a pretty rude shock last night to see not only more cuts coming down the line but also their agreements devalued by a combined total of \$83.9 million. Apprentices need funding certainty—not just for this year but for the duration of their apprenticeship. Scott Morrison's aptly named cuts to skills is 'delivering skills for today and tomorrow'—but obviously not the day after.

Last night we saw the federal government finally realise that we have a demand problem for apprentices and trainees, so it announced a modest increase to its own employer incentive of \$8,000. This is a weak imitation of Queensland's Back to Work program, which provides up to \$20,000 for a business to put on an apprentice or trainee. The federal government has a long way to go to catch up to Queensland on this issue. This is after we have seen a decline of 140,000 apprentices under its watch and its heartless cutting of the tools for trade program.

With no help from Canberra, the Palaszczuk Labor government continues to invest in a range of programs that support access to training and skills through our \$777 million VET Investment Plan. We are getting the results here in Queensland, with no help from the federal government. In the last year Queensland had the second highest result of all jurisdictions, with 21,600 apprenticeship and traineeship completions, representing a quarter of all completions in the country. Imagine the results we would get for young Queenslanders—young apprentices and trainees—if we had a federal government willing to invest in training and skills.

## TRANSPORT AND PUBLIC WORKS COMMITTEE

### Report


 **Mr KING** (Kurwongbah—ALP) (10.15 am): I lay upon the table of the House report No. 18 of the Transport and Public Works Committee.

*Tabled paper:* Transport and Public Works Committee: Report No. 18, 56th Parliament, April 2019—Subordinate Legislation tabled between 31 October and 13 November 2018 [[520](#)].

This report covers portfolio subordinate legislation tabled between 31 October and 13 November 2018 considered by the committee. I commend the report to the House.

## NOTICE OF MOTION

### Palaszczuk Labor Government, Waste

 **Mr MANDER** (Everton—LNP) (Deputy Leader of the Opposition) (10.15 am): I give notice that I shall move—

1. This House condemns the Palaszczuk Labor government for wasting taxpayers' money and wrong priorities; and
2. This House notes the following examples of waste:
  - (a) eHealth project blowout: \$256,800,000;
  - (b) ICT dashboard project blowout: \$211,897,547;
  - (c) uncollectable SPER debt write-off: \$191,000,000;
  - (d) fixing Labor's rail fail: \$170,660,000;
  - (e) closing privately operated prisons for the unions: \$111,000,000—

**Mr Ryan** interjected.

**Mr SPEAKER:** Order! Minister for Corrective Services, I have repeatedly asked for these motions to be heard in silence. You are warned under the standing orders. Members to my right will hear the member for Everton.

**Mr MANDER:** I continue—

- (f) ministers' personal staff cost blowouts: \$1,860,184;
- (g) TAFE IT blowout: \$1,400,000;
- (h) taxis for train drivers: \$493,033;
- (i) functions and hospitality costs: \$289,000;
- (j) ministers' overseas travel: \$267,821;
- (k) QR CCTV screen duplications: \$50,000,000;
- (l) government advertising in breach of election commitment: \$3,480,840;
- (m) Goldoc golden handshakes: \$650,000;
- (n) Lady Cilento name change: \$302,082;
- (o) study into Whitsunday shark attacks to see if three shark attacks are a problem: \$250,000;
- (p) Commonwealth Games Labor's giveaway tickets: \$230,000;
- (q) Labor's charter flights for young crims: \$180,000;
- (r) consultant to recommend name change from DIQ to DJQ: \$136,000;
- (s) brand research about TAFE Queensland: \$102,300;
- (t) phone app to help fat dogs lose weight—

**Opposition members** interjected.

**Mr SPEAKER:** Members to my left, the same rule applies to all sides of the House. The motion will be heard in silence.

**Mr MANDER:** I continue—

- (t) phone app to help fat dogs lose weight: \$100,000;
- (u) WorkCover Queensland executives' overseas junket: \$47,600;
- (v) Premier's captain's call on Terry Mackenroth stadium: \$13,600;
- (w) Jobs Queensland logo: \$37,086.50;
- (x) extra ministers in breach of election promise: \$10,600,000;
- (y) Premier's personal office budget blowout: \$290,585;
- (z) ASF Spit project compensation: \$13,000,000; and
- (aa) accommodation bill for Premier and entourage at the Commonwealth Games: \$81,313.69.


**Mr SPEAKER:** Member for Everton, I assume that you have had your motion looked at in terms of its word length and that it complies with the standing orders?

**Mr MANDER:** Yes, Mr Speaker.

## QUESTIONS WITHOUT NOTICE

**Mr SPEAKER:** Members, question time will conclude today at 11.19 am.

### Palaszczuk Labor Government, Hospital Bed Numbers

 **Mrs FRECKLINGTON** (10.20 am): My first question without notice is to the Premier. Yesterday the health minister revealed that Labor's 2017 election promise of 370 new hospital beds will be delivered on a date to be determined. Does the Premier take responsibility for the Palaszczuk government's failure to deliver her election commitment in this term?

**Ms PALASZCZUK:** I thank the member for the question. Do I take full responsibility for delivering extra hospital beds in Queensland and redeveloping our hospitals? Absolutely! The Leader of the Opposition's question is somewhat misleading and I will be writing to you, Mr Speaker, because all we need to do is go back and for a start look at our election commitment document where it says very clearly in black and white that the redevelopment of the three hospitals—namely, Logan, Caboolture



and Ipswich—will be completed over the next five years. That is the fact because under my government we plan, we do a business case, we design, we construct and then we deliver. That is very clearly what we said we would do as well as the great refurbishments we are doing in regional Queensland.

I believe that the Leader of the Opposition's question was somewhat misleading because the fact is very clear in our document—tabled, Mr Speaker—that was given to the electorate at the last election. In contrast, what did the LNP's document say about building hospitals across Queensland?

**Mr Dick:** What did they promise?

**Ms PALASZCZUK:** What did it promise? Did the Leader of the Opposition and the former leader of the opposition visit one hospital during the last election campaign?

**Mr Dick:** Where'd you go?

**Ms PALASZCZUK:** Where did they go? Where did the Leader of the Opposition go? Where were the hospitals they visited? I am proud to visit our hospitals because we are delivering more nurses, more doctors—

**A government member:** More beds.

**Ms PALASZCZUK:**—more beds. Let me go back to the LNP commitment to the people of Queensland. Where were the extra refurbishments of hospitals in Queensland? I cannot find it, but there was the Queensland Hospitals Planning Commission where it was going to spend \$1.46 million over three years to deliver the Hospitals Planning Commission.

**Mr SPEAKER:** Are you going to table the document?

**Ms Trad:** Was Peter Costello going to head up that commission too?

**Ms PALASZCZUK:** Probably, and of course later tonight we will talk about the nearly \$70 million on Strong Choices it spent—the waste—and building 1 William Street with no business case. Let me talk about Caboolture, because I visited Caboolture recently with the local member. A new 32-bed ward has already been opened. It is a growing community and we know how important that Caboolture Hospital is.

*(Time expired)*

### **Palaszczuk Labor Government, Hospital Bed Numbers**

**Mrs FRECKLINGTON:** My second question is also to the Premier. In 2017 the Premier said that bringing additional hospital beds online was 'a very high priority', but now it has been revealed that the Premier will not deliver these beds for up to five years. Will the Premier apologise to Queenslanders—

**Government members** interjected.

**Mr SPEAKER:** Members to my right! Have you finished your question?

**Mrs FRECKLINGTON:** No, but I am happy to start again.

**Mr SPEAKER:** No, I do not need you to start again.

**Mrs FRECKLINGTON:** I have not finished.

**Mr SPEAKER:** Please continue your question.

**Mrs FRECKLINGTON:** Thank you. Now that it has been revealed that the Premier will not deliver these beds for five years, will the Premier apologise to Queenslanders for breaking this election promise and tell us the truth: when will these new beds be delivered?

**Ms PALASZCZUK:** I thank the Leader of the Opposition for the question. For clarification, this is nothing new because we went to the election with it. It was an election commitment over five years.

**Mrs Frecklington:** This is what you give the people?

**Ms PALASZCZUK:** There is your election commitment—two pages!

**Mr SPEAKER:** Premier, are you tabling that document?

**Ms PALASZCZUK:** That is its health document. That is the Leader of the Opposition's health document.

**Mr SPEAKER:** Premier, are you tabling that document? Will you be tabling that document? That is the second time you have held that document up.

**Ms PALASZCZUK:** I am more than happy to table it.

*Tabled paper:* Liberal National Party document, undated, titled 'Queensland Hospitals Planning Commission: Planning for the Future, Building a Better Health System' [521].

There is a nice picture of Deb and Tim there as well, the member for Clayfield and the member for Nanango—a nice picture. I am happy to talk about us building hospitals and the LNP closing hospitals. Between July 2016 and June 2018, 527 new beds have been opened and delivered—527 beds.

The LNP had a track record of closing beds, so where did they close? Let us start with the Barrett centre that was closed, shut down. Last night I heard the federal Treasurer, Josh Frydenberg, talk about how important mental health is—and I believe it is absolutely important—but obviously the Leader of the Opposition sat around that CBRC table when the decision was made to close the Barrett centre. When will the Barrett centre be opened? Next year, and it will be looking after some of our most vulnerable people. The opposition may forget, but there was a commission of inquiry into that closure. No-one will forget those young people who lost their lives, nor their families.

**Mr Dick:** And they've never apologised.

**Ms PALASZCZUK:** Not one person from the opposition has apologised for the closure of the Barrett Adolescent Centre. Shame on you! Shame on every single one of you for closing down much needed beds for young adolescents in this state! In contrast, we are planning for Queensland's future. A Labor government is delivering an expansion in Kingaroy. Who would have thought that?

*(Time expired)*

### Federal Budget, Infrastructure Funding

**Mr BROWN:** My question without notice is to the Premier. Can the Premier outline to the House details from the federal budget on infrastructure funding for Queensland compared to New South Wales?

**Ms PALASZCZUK:** We on this side of the House are proud Queenslanders, but we know that those on the other side of the House are backing their LNP colleagues down in Canberra and there is only one side they are on, and that is New South Wales.

**An honourable member:** Desperate!

**An honourable member:** Yes, they are!

**Ms PALASZCZUK:** They are desperate. Yes, you are absolutely right, member for Everton. You are absolutely right: they are desperate. I will be looking forward to seeing the state LNP sing the praises of the federal budget. I am looking forward to the shadow Treasurer doing the doorstop today in contrast to the Treasurer justifying why Queensland missed out. That is what I want to hear. I want to hear the member for Everton, the shadow Treasurer, talk about why he backs Scott Morrison, the Prime Minister, who made massive cuts to Queensland. We heard that there was going to be a focus on congestion busting. There is not one single dollar—zero—for Cross River Rail.

I know what is going to happen. When we finish building Cross River Rail they will all be travelling on it. They will all be taking their selfies on it.

**Ms Trad:** They'll be there at the opening.

**Ms PALASZCZUK:** That is right. They will come along. They will all be travelling on it. As the Minister for Transport told the House earlier, we also know that, across the border in New South Wales, there is \$1.6 billion for an M1 funded 80-20. That is okay for New South Wales, but not okay for Queensland.

**Government members:** Shame!

**Ms PALASZCZUK:** Shame! When it comes to money for the M1, the \$500 million that was promised, are we going to see it next year? Is there any for it money next year?

**Government members:** No!

**Ms PALASZCZUK:** Is there any money the year after?

**Government members:** No!

**Ms PALASZCZUK:** Is there any money the year after?

**Government members:** No!

**Ms PALASZCZUK:** No! Nothing! Zero! At the moment, if I were a member of the LNP I would be pretty sad as well. The federal budget is not delivering for Queensland. There is nothing for Queensland. Queensland did not get its fair share. It is about time every single LNP member of this House stood up

for Queensland. It is about time they backed Queensland, got on their phones and started talking to their federal colleagues about why Queensland missed out. We know that the member for Everton used to be a referee. Let us see him referee this one. Out there on level 5 the member for Everton can explain to the media why he backs Scott Morrison and how Scott Morrison has duded Queensland.

*(Time expired)*

### Transfer Duty

**Mr MANDER:** My question without notice is to the Treasurer. Last night, under the cover of the federal budget, the Treasurer leaked to the media that her transfer duties revenue forecast, made just four months ago, was wrong by more than \$1.3 billion, after Labor slammed the property industry with four tax hikes, ripping out more than \$600 million. How can Queenslanders trust this Treasurer and her forecast after this billion dollar blunder?

**Ms Palaszczuk:** Four surpluses on this side.

**Ms TRAD:** I thank the member for the question. Let me start by taking the interjection from the Premier: four surpluses in a row.

**Honourable members** interjected.

**Mr SPEAKER:** Order! I could not hear the Deputy Premier then. I would like to hear her statement.

**Ms TRAD:** I can report to the House that, in the same way that Victoria has written down its revenue forecasts from transfer duties, in the same way that the New South Wales government has downgraded its revenue forecasts from transfer duties—more than \$3 billion since its last financial statement—so will Queensland, because there is a downturn in the property sector. I know that this is a bit of a surprise for the members opposite, because the members opposite—

**Opposition members** interjected.

**Mr SPEAKER:** Pause the clock. Members to my left, I am listening to the Deputy Premier's statement. I believe that she is talking about policy matters and is not being provocative. I ask that you hear her response to the question asked.

**Ms TRAD:** For the past 12 months, every single economist in this nation has been talking about the downturn in the property sector, as has investors and home owners.

**Mr Mander:** Except the Treasurer.

**Ms TRAD:** I take that interjection. That is not true. We anticipated in MYFEO that there was a softening in the property market. We are being honest—

**Mr Mander** interjected.

**Mr SPEAKER:** Member for Everton, will you put your comments through the chair. You have asked the question. I expect you would like to hear the answer.

**Ms TRAD:** There is a mention from last night's federal budget that those opposite will not talk about and that is the \$8.3 billion GST writedown under this federal government because of the downgrade in economic growth and the downgrade in consumer growth. People are spending less because of stagnant wage growth. For the past few years the RBA, industry heads and heads of corporations have been talking about stagnant wage growth in this nation. They have called on the federal LNP government to address this critical issue and it has done exactly nothing. Meanwhile, Australians—Queenslanders—are getting less in their pay packets. The cost of living has gone up. The Morrison federal LNP government, like its mates at a local level, care nothing about workers and their wages.

**Mr SPEAKER:** Without interrupting the Deputy Premier further, the member for Nicklin, the member for Toowoomba North and the member for Broadwater are all warned under the standing orders.

### Regional Queensland, Support

**Mr MADDEN:** My question without notice is to the Premier. Will the Premier update the House on how the Palaszczuk government is backing the bush?

**Honourable members** interjected.

**Mr SPEAKER:** Order! Member for Ipswich West, even though the interjections occurred immediately before the Premier could even answer the question, I ask you to please repeat your question. I ask that members to my left hear the Premier's response before making any interjections.

**Mr MADDEN:** My question is: will the Premier update the House on how the Palaszczuk government is backing the bush?

**Ms Leahy:** Nothing.

**Mr SPEAKER:** Member for Warrego, you are warned under the standing orders.

**An honourable member** interjected.

**Mr SPEAKER:** Is that entertaining? I call the Premier.

**Ms PALASZCZUK:** I thank the member for Ipswich West for the question. I also take the interjection from the member for Warrego. We are building an expansion of the Roma Hospital out in her electorate. Labor is building—

**Ms Trad:** Was that in their election pamphlet?

**Ms PALASZCZUK:** No, it was not in their election document. This Labor government is building for the bush. We know how important our areas are. We know that in parts of our state people have been going through a drought. We also know how important it is—

**Ms Bates** interjected.

**Mr SPEAKER:** Member for Mudgeeraba, you are warned under the standing orders.

**Ms PALASZCZUK:** As a show of support for the bush, this year we are backing the Year of Outback Tourism. This is a great initiative where we put money into infrastructure. Every single mayor I have spoken to about this is very excited about how it is going to really change the composition of their towns in terms of people coming out and spending in their towns and in the local community.

We gave money to refurbish the Country Women's Association halls. Recently, I was out at Julia Creek and they said, 'Premier, please come in and look at the beautiful refurbished Country Women's Hall,' which was delivered by a Labor government—not by an LNP government; delivered by a Labor government.

Who can forget the amazing work we are doing when it comes to cluster fencing, which is another initiative of my government? Almost 9,000 kilometres of cluster fencing has happened. Last month, we announced an additional \$6 million to assist regional communities with cluster fencing, bringing the state government's contribution to \$20 million.

In relation to roads, we are investing \$800 million over four years on our local transport and road network in Western Queensland. Under Works for Queensland, we are seeing great things, such as \$1.34 million on local road improvements in Cloncurry. We have \$50,000 to revamp the children's swimming pool at Richmond and refurbish the library at Paroo. There is \$40,000 for the new kitchen shed and skillion for the Balonne showgrounds. This government delivers for the bush. Is it any wonder the National Party vote is collapsing. We only have to look—

*(Time expired)*

### **Road Infrastructure, Federal Funding**

**Mr POWELL:** My question is to the Premier. The federal LNP government has committed \$500 million to upgrade the M1 between Daisy Hill and the Logan Motorway, which is a vital piece of infrastructure that will get tens of thousands of Queenslanders home to their families sooner every day. Will the Premier stop putting up political roadblocks about funding splits, sign up to the offer and fix this road?

**Ms PALASZCZUK:** I thank the member for that question. I find that question absolutely incredible. First of all, point one, we have invested more than a billion dollars in the M1. Point two, across the border, in case the member was not listening previously, the federal government is funding \$1.6 billion 80-20. Across the border into Queensland it is not 80-20 it is 50-50.

Let us talk about the specific \$500 million that was announced as part of the M1 upgrade between Daisy Hill and the Logan Motorway. Members do not have to believe me, they can believe the budget paper. Let us have a look at 2018-19—blank! Let us have a look at the next one, 2019-20—blank!; 2020-21—blank!; 2021-22—blank!; 2022-23—blank! Finally, it says 'onwards'. Onwards, LNP, onwards! I think the member was set up in asking this question. I think the member for Kawana has set him up.

**Ms Jones:** I bet Crisafulli wouldn't have asked it.

**Ms PALASZCZUK:** I agree with that. This is a joke. The LNP Scott Morrison commitment for the M1 for the next four years is a blank. If I was the LNP I would be so embarrassed today. In all honesty, why would I even ask that question?

Let us talk about what we are doing. We are putting in \$374.5 million towards the upgrade between Eight Mile Plains and Daisy Hill; \$515 million towards six-laning from Varsity Lakes and Tugun, \$25 million to upgrade exit 57, the Oxenford interchange; and \$8 million towards the business case development for the Eight Mile Plains to Logan Motorway section. We are putting the money in. Those opposite do not even have a plan for the M1. It is embarrassing. If I was the *Gold Coast Bulletin* I would be ringing up Josh Frydenberg today and asking why there are zero dollars in the forward estimates for his big commitment.

**Mr Crandon** interjected.

**Mr SPEAKER:** Member for Coomera, please leave the chamber under standing order 253A for the remainder of question time. Members who are on warnings under the standing orders, there are to be no interjections. You have had a fair shake.

*Whereupon the honourable member for Coomera withdrew from the chamber at 10.43 am.*

### Federal Budget, Funding Priorities

**Mr KING:** My question is to the Deputy Premier. Can the Deputy Premier update the House on Queensland's share of funding in last night's federal budget and are there any alternative policies?

**Ms TRAD:** I thank the member for Kurwongbah for the question. When it comes to alternative policies, we will have a look at the alternative government deliver its alternative budget and alternative policies tomorrow night. We are looking forward to it, I know the business community is looking forward to it and so are Australians. Not so much about alternative policies, last night was a trip in alternative reality. I could not believe it when Josh Frydenberg said the budget was back in black. As someone who has delivered a surplus in this state, Josh Frydenberg is yet to deliver a surplus. A surplus has not been delivered. Like his predecessor Joe Hockey, like his predecessor 'ScoMo', Josh Frydenberg promised that he would deliver a surplus and he is yet to do that.

The federal budget is not back in the black. Is the federal budget on track? Let us test that proposition. Economic growth was revised downwards, consumer growth spending was revised downwards, wages have stagnated, the GST was revised downwards by \$8.3 billion over the forward estimates and debt-to-revenue is now sitting at 19.2 per cent, which is the highest it has been since the 1950s. So, is the federal budget back on track? By every single economic indicator, no.

When it comes to infrastructure funding this state is being given short shrift. We are being delivered the crumbs whilst Josh Frydenberg and Scott Morrison go on a little jaunt trying to secure seats for the upcoming federal election. They are not interested in nation building. They are not interested in the needs of Queenslanders. They do not care about tradies being stuck in congestion because if they did they would fund Cross River Rail. If they cared and listened to Queenslanders they would fund the M1 from this budget, not in 2022-23.

The announcement of the Linkfield Road overpass, which is, in fact, in the local member's electorate and something that he has championed and campaigned on, is basically there to shore up the seats of Dixon and Petrie. Queenslanders know that this is too little too late from a desperate government that has only provided chaotic government and cuts to the people of Queensland.

### Federal Budget, Mackay Ring Road

**Mr MINNIKIN:** My question is to the Premier. The federal LNP government has promised \$280 million for stage 2 of the important Mackay Ring Road project. Will the Premier put the people of the Mackay region ahead of her political games, sign up to the deal and get on with the job of building this important project?

**Ms PALASZCZUK:** I thank the member very much for the question. Of course we understand how important the Mackay Ring Road is for the people of Mackay. We have a commitment to Bruce Highway upgrades right up and down the coast. We want to see continued commitments from both levels of government when it comes to that. I am prepared to have a look at more details about that, but what I have been advised is that there is no money in the forward estimates.

**Mr Bailey:** That's right, more than four years away.

**Ms PALASZCZUK:** I will take that interjection from the Minister for Transport and Main Roads. It sounds like it is a bit like the M1. I am advised that there is no money in the forward estimates for the \$280 million. Perhaps the member can find out from the federal Treasurer why that is not in the forward estimates.

### Federal Budget, Health Services

**Mrs GILBERT:** My question is to the Minister for Health and Minister for Ambulance Services. Will the minister outline what impacts measures in the federal budget will have on health care in my electorate and across the state?

**Dr MILES:** Let me thank the member for Mackay for her question. It is indeed a very important question. She has been a very passionate advocate for health services in her region, the Mackay HHS. As she will have seen when she tuned in to the budget last night, the federal LNP has locked in a budget cut to the Mackay HHS of \$12.9 million—nearly \$13 million. To put that in perspective, that \$13 million could have paid for 355 hernia repairs, 87 hip replacements, 165 knee operations or 116 tonsillectomies. That is the real, personal, human cost of the cuts locked in by the LNP last night.

They locked in \$316 million of cuts to our hospitals right across the state which will affect 55,000 Queenslanders. What is worse than those cuts to our hospitals, as bad as they are, is that the federal Treasurer is out today touting a surplus off the back of an underspend on the National Disability Insurance Scheme. His surplus is stolen from people with a disability, including Queenslanders. He has taken from them their accommodation, wheelchairs and nursing care to prop up his budget bottom line. That is his windfall. It is not taxes and not coal royalties; his windfall is stolen from Queenslanders with a disability—funds we have paid to Canberra via our Medicare levies to fund that care.

By cruel design, they have withheld those funds from Queenslanders with a disability to make their budget look better. That includes the 400 Queenslanders with a disability currently languishing in our hospitals—ready to be discharged, ready to go to NDIS accommodation but unable to because the federal LNP want to steal that money and put it into their supposed surplus. It was a coordinated effort. It is a crying shame for all Queenslanders but especially for the 400 stuck in our hospitals waiting for the federal government to deliver their NDIS funds.

*(Time expired)*

### Rail Infrastructure, Federal Funding

**Mr McARDLE:** My question is to the Premier. The federal government has put \$390 million on the table to build a Sunshine Coast rail duplication from Beerburrum to Nambour. Given the Palaszczuk government has already promised to fully fund Cross River Rail in Brisbane, will the Premier stop playing political games and match the LNP's commitment of a 50-50 funding split to deliver this important Sunshine Coast public transport infrastructure?

**Ms PALASZCZUK:** I thank the member for Caloundra for the question. We believe that project is absolutely crucial, and that is why we funded the business case to do that. What we see is the federal government giving funding to New South Wales and Victoria with no business case—'There is the money; you have it'—but if you are in Queensland it is a completely different rule. The LNP government in Canberra is giving billions of dollars extra to New South Wales and Victoria, and Queensland is missing out. If we got our fair share—

**Opposition members** interjected.

**Mr SPEAKER:** Pause the clock. Members to my left, the Premier is being responsive to the question asked. You may not agree with the answer being provided. If you do not agree, I offer you the opportunity to ask a follow-up question.

**Ms PALASZCZUK:** What is absolutely critical when you plan for the future is undertaking a business case. Did the LNP undertake a business case for this project? No, it did not. It was a Labor government that undertook the business case, and we have put in place \$160 million. That is our commitment. Would I like to see more money come into that project from the federal government? Absolutely.

What we have demonstrated very clearly this morning is that Queensland is not getting its fair share. That is all we want from Canberra: our fair share. When we talk about Cross River Rail, as I said previously, there is zero from the federal government. Members opposite are more than happy for Queensland taxpayers' money to go to New South Wales and Victoria for their projects but not to Queensland.

**Opposition members** interjected.

**Mr SPEAKER:** Member for Everton and member for Caloundra, as I said earlier, you have asked the question. I would like to hear the response.

**Ms PALASZCZUK:** I do value the Sunshine Coast. That is why we are spending more than \$200 million on schools on the Sunshine Coast while we are contributing to upgrades of roads. We helped deliver the Sunshine Coast University Hospital. We will continue to invest on the Sunshine Coast. The government enjoyed governing from the Sunshine Coast and the announcements will just keep coming. The clear message from the people of the Sunshine Coast was that their local members were not delivering for them. They had a lot to say about the member for Kawana.

*(Time expired)*

### **Federal Budget, Education and Industrial Relations**

**Mr PEGG:** My question is of the Minister for Education and Minister for Industrial Relations. Can the minister update the House on the education and industrial relations budget measures delivered by the federal government and any alternative approaches?

**Ms GRACE:** I thank the member for Stretton for his question. There is not a week that goes by when the member for Stretton does not talk to me about education and how important it is in his electorate—from the early childhood days right through to high school. I address the students in the gallery today as well.

Education is the key, and education is one thing the federal LNP government failed to deliver on in last night's budget. What a monumental, spectacular, cruel hoax that was. They take with one hand and cut the budget by \$14 billion Australia-wide. Some \$2.1 billion of that money was Queensland's share—\$182 million just for this year. Then they give back with the other hand and say, 'Hey, look. We have increased the education budget.' What a cruel hoax. They have done it right across. The biggest, cruel hoax of all is the failure to ensure concrete, long-term funding for an early childhood kindy program in this state. Once again, six years in a row—they have had six years to work this out with the states—they have given us another 12-month extension. We in this House all know how important early childhood education and care is, how important our kindy program is. Thank God for the federal Labor opposition, who have guaranteed \$1.75 billion in long-term funding for early childhood education and care should they win government at the next election. Let us hope they do so.

Those opposite want to talk about waste and about money. I have two things to say. The federal government spent \$185 million on opening and closing Christmas Island. What a disgrace! Do members know what it gives us in funding? There is not a member in this House who does not come to me wanting something in relation to education. What does the federal government give? It gives little, measly crumbs of \$30 million across Australia. That equates to some \$200,000 per electorate to spend. Talk about fighting over crumbs! It is an absolute disgrace.

When it comes to workers in this country, what does the federal government do? It takes the wage increases that people deserve out of their pockets and fix up bracket creep. That is what it does. Already this year it has downgraded wage growth once again. It is flatlining, and they wonder why housing prices are going downwards. It is a disgrace.

This budget has delivered nothing for education. The federal government has given no more money to the Fair Work Ombudsman. I refer to \$33 million to the ABCC. What was the latest case in the Federal Court? It was about union officials having a cup of tea with their members. The Federal Court called it a minuscule event. It is a disgrace what is going on. The sooner this government is out, the better. For education funding, vote Labor!

*(Time expired)*

### **Road Infrastructure, Federal Funding**

**Mrs WILSON:** My question without notice is to the Premier. Every day thousands of commuters sit in traffic on Linkfield Road and the Gympie Road Arterial. Peter Dutton and the Morrison government have put \$800 million on the table to get this bottleneck improved. Does the Premier really believe that playing political games is more important than delivering road infrastructure for Queensland?

**Mr SPEAKER:** Member for Pumicestone, that comes close to seeking an opinion. I will allow the question, but I will also allow the Premier some latitude in terms of how she responds.

**Ms PALASZCZUK:** I thank the member for her question. I am advised that once again this funding is four years away. There is a bit of a pattern here.

**Government members** interjected.

**Mr SPEAKER:** Order! Members to my right, most of the interjections were coming from this side of the House.

**Ms PALASZCZUK:** It is a bit like a fairytale down in Canberra, isn't it?

**Ms Jones:** Once upon a time in a land far, far away.

**Ms PALASZCZUK:** In a land far, far away. This is a really serious question so thank you for the question. As I said with the M1, the funding is in the never-never. It is four years away. There is zero funding for each of those four years—onwards and upwards and outwards. Let me just update the House about the Mackay—

**Mr Mander** interjected.

**Mr SPEAKER:** Member for Everton, you have had a chance to ask a question today and you continue to ask questions of the Premier. You are warned under the standing orders.

**Ms PALASZCZUK:** In relation to the Mackay Ring Road, stage 1 is roughly two-thirds complete and in terms of stage 2, once again, there is no funding for that in the next four years.

I also recall the government in Canberra making a big announcement, a big splash, about extra funding for Cairns. Does everyone remember that? There was a big splash about funding for the Cairns southern access corridor stage 5. I am looking at the budget again—2018-19, zero funding; 2019-20, zero funding; 2020-21, zero funding; 2021-22, zero funding; 2022-23, zero funding; onwards, \$180 million. If Scott Morrison were hypothetically re-elected we would not even see the funding in the next term of government. It is two elections away. In terms of the Cairns ring-road, the only positive outlook there is that, of the \$200 million promised, we might get \$20 million in 2021-22 if we are lucky.

It is very clear that once again the LNP is treating Queensland like fools. All we have said from day one is that we just want our fair share. We do not want our hard-earned taxpayers' money going to New South Wales and Victoria. Someone said to me this morning, 'Why does Sydney get all the money? Why does Queensland miss out?' This is what ordinary people are saying to me. Why does Queensland miss out? They are not going to miss out under this Labor government.

### Federal Budget, Regional Queensland

**Mr SAUNDERS:** My question is to the Minister for State Development, Manufacturing, Infrastructure and Planning. Could the minister please update the House on measures in last night's budget that may affect regional Queensland?

**Mr DICK:** I thank the member for Maryborough for his question. He is someone who is a strong advocate for regional Queensland. We saw that at the last election where his absolute dedication to his electorate by the member for Maryborough was recognised by his community as his primary vote soared and the National Party's vote collapsed. He is someone who knows about regional Queensland.

Last night the federal budget was a complete hoax for Queensland. Queenslanders know before an LNP budget is presented to turn the dial to disappointment—and weren't we disappointed yet again by an LNP budget? We were robbed on roads. There was nothing for hospitals. Cross River Rail was crossed out again. They are writing off Queensland.

There were some chop outs for some people they want to save. Keith Pitt got the city deal for Hinkler. I got out the *Refidex*, I got out the Google maps—there is no city in Queensland called Hinkler. This is a chop out for someone they are trying to save. Sadly for the member for Maryborough and the people of Wide Bay there is absolutely nothing. Llew O'Brien, goodbye to you.

Another person they are saying goodbye to is Michelle Landry. Three weeks ago Michelle Landry, the LNP member for Capricornia, made a big song and dance about securing funding for the South Rockhampton flood levee. When it came to the budget, where was the funding for the South Rockhampton flood levee? Absolutely nowhere—not one dollar in the budget.



It is okay if you are getting on the train from Hornsby to Wyong because you will be able to put your earphones in and turn on the wi-fi to listen to Spotify, but if you are waiting to stop the floodwaters in Rockhampton you get nothing. We have been relentless thanks to people like the member of Rockhampton. We have not forgotten the people of Rockhampton.

There is Michelle Landry down at Depot Hill when the water starts coming up to people's knees and they are going to say, 'Michelle, when are you going to build the levee?' She is going to say, 'Citizens of Depot Hill, onwards.' That is what she is going to say. She is going to say 'onwards'. In fact, it is not even in the budget. She cannot even say onwards because it is not even there. My experience with floodwaters is that if you say onwards it does not stop the floodwaters coming. That is another example of the LNP in this state saying something but doing absolutely nothing when they have the opportunity. There is no funding.

We have been relentless for 18 months on the South Rockhampton flood levee thanks to the member for Rockhampton and thanks to the Premier. We have not stopped. We have put the money in our budget, but of course it is another cruel hoax for the people of Rockhampton who get absolutely nothing for this project. We will not stop supporting Rockhampton. We will not stop supporting Central Queensland. We will not stop supporting the regions because Labor backs the regions in Queensland.

### **Maiwar Electorate, Schools**

**Mr BERKMAN:** My question today is to the Minister for Education. Schools on Brisbane's west side are desperately overcrowded. There are now demountables on the oval at Toowong, bursting classrooms and waiting lists for afterschool care at Ironside, Indooroopilly and others. Will the government's option analysis for the inner west investigate urgently securing a site for a new school before the end of this school year?

**Ms GRACE:** I thank the member for the question. I know he does have a very keen interest in education, as we all do on this side of the House. I would have loved to have seen more money in the federal budget so we could do all the things we want to do. As I said earlier, there is not a member in this House who does not come to see me about some sort of education funding and spending in their electorate. Every single member has their hand out. Unfortunately, the federal government failed to hand out any additional money for Queensland.

I am taking on the member's issues in the inner west. The department is well aware that there is growth in the inner city. Through our Building Future Schools Fund we are investing \$800 million in schools. We have done master planning in around 30-odd schools in the inner city. This is all part of how we provide the classrooms and how we provide the educational facilities for those schools in the area. Everything is on the table, including new schools in the area. As we know, in the inner city it is very hard to acquire the necessary land to make sure that we have the space for new schools.

I can assure the member for Maiwar that those issues are all on the table. We are looking very closely at delivering a world-class education not only for students in the inner city but students right throughout Queensland. We cannot do it alone. Some \$200,000 for a federal electorate where the member for Maiwar is is not going to cut the mustard. It is not even going to deliver a playground. It is not going to deliver a refurbished library in a lot of these schools. It is a cruel hoax and a cruel joke.

We are investing over \$1 billion in infrastructure in this state this financial year. We are spending that money where it is needed the most—in the inner-city areas, in the regions and in all the electorates of those opposite.

**Mrs Frecklington** interjected.

**Ms GRACE:** I take the interjection from the Leader of the Opposition. Do not come in here complaining about school funding in the electorates of those opposite because there are tens of millions of dollars going to every one of the electorates of those opposite and those on this side of the House as well.

**Ms Jones:** A new hall.

**Ms GRACE:** Yes—a new hall in Kingaroy. They called it KPAC. That is how gorgeous it was. The Leader of the Opposition was there cutting the ribbon with me, loving every minute of Labor spending in her electorate, as we do in all the rest.

I can assure the member for Maiwar that the department is very keenly aware of the situation in the inner-city suburbs. I can assure the member for Maiwar that we are investing in the research needed to deliver a fantastic education not only to those students in the gallery but to every student throughout Queensland.

### Federal Budget, Tourism Industry

**Mr MELLISH:** My question is to the Minister for Innovation and Tourism Industry Development and Minister for the Commonwealth Games. Will the minister please update the House on the outcomes of the federal budget and the impact on Queensland's tourism industry?

**Ms JONES:** I thank the honourable member for the question. He knows, as all of us know, that tourism is one of the major employers of Queenslanders in our state. As we know, it supports more than 200,000 workers and injects around \$25 billion into the economy each and every year. That is why I was upset—distressed—that we missed out again in the federal budget when it comes to this very New South Wales and Victorian, southern state focused budget. It does not matter whether it is roads funding, hospital funding, school funding or tourism funding. What we are seeing is Queensland once again being taken for fools, as the Premier said.

There is \$150 million in new infrastructure for tourism. It is just that none of it is going to be here in Queensland. It is going to be in New South Wales, on the Great Ocean Road and on the Shipwreck Coast, where they will be spending a lot of time into the never-never, and there is up to \$216 million to upgrade visitor facilities in the Northern Territory. There is zero, zip, zilch for the Wangetti Trail in Far North Queensland that we know will create 150 jobs. There is zero for Great Keppel Island to match the funding from federal Labor and from us to create jobs in Central Queensland. There is no funding for the dive site on the Gold Coast. There is a lot of talk about a dive site for the Gold Coast from the LNP, but once again it will come down to the mayor and our government to deliver that. There is no funding for Browne Park in Rockhampton. Once again, the member for Capricornia was caught out talking, talking, talking but doing, doing nothing.

In fact, this is such a New South Wales budget that you would think it was written by Phil Gould! That is the team they are on. I will give some advice to the Leader of the Opposition: do not defend the indefensible. How can the honourable Leader of the Opposition defend 80 per cent funding for the M1 in New South Wales and 50 per cent funding for the M1 in Queensland?

**A government member:** You can't.

**Ms JONES:** You can't. I take that interjection: you can't. Can I give the honourable Leader of the Opposition, in an act of bipartisanship, a little bit of advice: get out there today and call on your colleagues in Canberra to fund the M1 in Queensland at the same rate as they are funding the M1 in New South Wales. The Leader of the Opposition will not say where she stands when it comes to One Nation preferences but she is happy to stand up and say that 50 per cent for Queensland and 80 per cent for New South Wales is okay. Oh, my gosh! Why are you here? Why do they even turn up?

**Ms Palaszczuk:** It's called the Queensland parliament.

**Ms JONES:** Correct. I will give you my blue suit if you want it.

**Mr BLEIJIE:** Mr Speaker, I rise to a point of order. You have continually reminded ministers about using the terminology 'you' this morning, and the minister is continually disregarding your previous rulings and commentary.

**Mr SPEAKER:** Thank you, member for Kawana. I am having some difficulty hearing the minister due to the level of interjection. There have also been other members of this House who have ignored rulings that I have provided today. I ask the minister under standing order 247 to make sure she is putting her comments through the chair. There is no standing order which allows for direct engagement with those opposite.

**Ms JONES:** Tourism and Transport Forum Australia have come out saying that tourism has been short-changed in this budget. Once again, no Queenslanders think it is okay to fund the M1 at 80 per cent in New South Wales and 50 per cent in Queensland.

*(Time expired)*

### North Queensland Stadium

**Mr LAST:** My question without notice is to the Premier. I table the front page of the *Townsville Bulletin* today with the headline—

**Mr SPEAKER:** Please table it, member, and do not hold it up.

**Mr LAST:** 'Flick de Brenni'.

*Tabled paper:* Article from the *Townsville Bulletin*, dated 3 April 2019, titled 'Flick de Brenni, Call for Minister to be dumped over stadium stoush' [522].

Will the Premier guarantee that the Townsville stadium will open in time for round 1 of the 2020 NRL season?

**Ms PALASZCZUK:** I thank the member for the question. My answer to the question is yes. It is yes, yes, yes. Let us have a history lesson. Who was the first person to come out backing the Townsville stadium with money? It was this Labor government. We had to drag the federal government kicking and screaming to invest in it. We had to give them a map of where Townsville was. We will complete the Townsville stadium on time for the first game of the NRL season in 2020. I know how excited the local Townsville members are and about the jobs that it is creating in Townsville. Every time I go there I see it coming further and further out of the ground. Of course the answer is yes, yes and yes.

Whilst I am on my feet, we have heard from Scott Morrison and Josh Frydenberg, and that is all bad news for Queensland. I have some more good news for Queensland.

**Mr SPEAKER:** Premier, I hope it relates to the question asked.

**Ms PALASZCZUK:** It does because Townsville is part of our great export story. Queensland's merchandise exports are now \$83.13 billion over the year to February 2019. Queensland's exports are larger than New South Wales and Victoria combined. We know how important that port is for exporting those goods and services.

**Ms Trad:** That's why we're expanding it.

**Ms PALASZCZUK:** Yes. We put in money for the Townsville port expansion. We had to get the federal government to match that. On this side of the House we will continue delivering for Townsville because Townsville is part of Queensland and a Labor government delivers for Queensland, as opposed to the LNP and the federal coalition who are not delivering for Queensland. They are delivering for New South Wales and Victoria. Every person on the opposite side should be ashamed of that.

### Renewable Energy

**Ms PUGH:** My question is to the Minister for Natural Resources, Mines and Energy. Can the minister please update the House on the outcomes of the Palaszczuk government's renewable energy policies and if there are any alternative approaches?

**Dr LYNHAM:** The member for Mount Ommaney knows that energy policy in the Morrison government is an unmitigated mess. What we saw last night was a tired government running out of ideas. Even when they had ideas, they barely lasted a month. Remember the Finkel report? Remember the National Energy Guarantee? Remember when Turnbull waved the white flag and abandoned ship? It is the only sinking ship where the rats have stayed!

Let us contrast that with federal Labor. After yesterday's budget it is now clear that only federal Labor supports strong, clear, consistent energy policy that addresses the serious issue of climate change: a 50 per cent renewable energy target by 2030, \$10 billion into the Clean Energy Finance Corporation, \$5 billion to support Australia's energy systems, a 50 per cent target for electric vehicles by 2030 and a \$1 billion plan for a hydrogen economy. A plan to deliver investment certainty, especially in renewable generation, brings on supply and lowers cost, making energy greener, cleaner and more affordable for all Australian families.

In comparison, the Morrison government provided a budget of feasibility studies. The only real money is going to New South Wales and Victoria. We now see the ridiculous scenario of Abbott and Dutton hand in hand on the road to Damascus—a joint vision of embracing, at last, the Paris accord and even renewable generation. They must have had a good dose of castor oil between them to agree to this. It is like Menzies embracing communism or the member for Nanango backing public ownership—you know it is never going to happen. The LNP policy on energy is like a wind sock in a cyclone—full blast in one direction, then an absolute flop and then full blast in the other direction. We have the NEG, the salvation for all, coming from the east and now we have the budget, the big flop. So hold on because, if the LNP ever get back in, it will be full throttle again on confusion, uncertainty, higher prices and privatisation.


Back in Queensland we have the lowest electricity costs on the market, downward pressure on electricity prices, reliability and a renewable economy. There is only one antidote for those over there and that is a Shorten Labor government.

**Mr SPEAKER:** Members will be pleased to know that question time is over.


**QUEENSLAND CIVIL AND ADMINISTRATIVE TRIBUNAL AND OTHER  
LEGISLATION AMENDMENT BILL****Second Reading**

Resumed from 2 April (see p. 983), on motion of Mrs D'Ath—

That the bill be now read a second time.

 **Mr MELLISH** (Aspley—ALP) (11.20 am), continuing: Trying to get your car fixed while holding down a job or going to TAFE or uni or raising a family, or all of the above, can be very stressful, very time consuming and very disheartening. This is often compounded by a person's ease of mobility being reduced throughout the process. The increasing technology of modern vehicles and their increasing specificity of service requirements makes it much less likely that someone can fix or even diagnose minor problems with their own car, so any efforts to level the playing field between consumers and unscrupulous manufacturers is a good thing. Therefore, this bill is a good thing. In closing, I would like to thank committee members who worked with us on this bill including the chair, the member for Kurwongbah, committee staff, the Attorney-General and her staff. I support the bill.

**Mr DEPUTY SPEAKER** (Mr Kelly): Before I call the next member, I want to remind the House of those members who are currently on a warning: Burleigh, Woodridge, Glass House, Southern Downs, Morayfield, Nicklin, Broadwater, Toowoomba North, Warrego, Mudgeeraba and Everton.

 **Mr BLEIJIE** (Kawana—LNP) (11.21 am): In rising to speak to the QCAT and Other Legislation Amendment Bill today, firstly I welcome to the public gallery three people—particularly one young fellow—with a keen interest in politics in Queensland. Jack, Tegan and Jamie Collins have joined us this morning and watched question time.

In speaking to this bill, can I say that nothing upsets me more than seeing a Jeep Grand Cherokee crushed. In debating the lemon laws today, I stand here and defend all Jeep owners in the state of Queensland. I also want to pay tribute to Mr Ashton Wood, who is the Deputy President of my local Kawana Chamber of Commerce. Mr Ashton Wood was the consumer advocate who crushed his Jeep Grand Cherokee and that has led over the years to the ensuing debate of lemon laws to get to the point we are at today in respect of increasing the QCAT jurisdiction from \$25,000 to \$100,000 to protect consumers like Mr Ashton Wood.

Last night I was looking at the speaking list to this bill before we debated the private member's bill, and I was messaging Ashton because he had something on his Facebook recently which concerned me. On his Facebook account he has said that he has settled his dispute with Fiat Chrysler and he had got a tattoo of none other than 'Jeep'. I table a picture of the tattoo.

*Tabled paper:* Extract, dated 1 April 2019, from Twitter in relation to Jeep [\[523\]](#).

However, when Ashton got back to me late last night thankfully I had not had the chance to speak because that post was on April 1st, which was April Fools' Day. I was about to out Ashton last night for having a Jeep tattoo but of course he did not; it was an April Fools' joke. Thank goodness for time—I had not risen to my feet.


This is an important matter. When you read news reports about Ashton and what he did with his Jeep, people at the time thought it was a bit silly in terms of crowd funding campaigns for crushing his Jeep, but it started a movement across the country which has led to better consumer protection laws. Not only has it led to better consumer protection laws like the one we are debating today; it has also changed companies' dealings with consumers. To use Ashton's case as an example, his problems started way back in 2010 when he bought his Jeep Grand Cherokee and his first dealings with Fiat. He advises me now that there have been numerous CEOs since then. The current CEO of Fiat Chrysler is making moves to better protect consumers and listen to consumers about complaints because of Ashton's involvement. He also advises me that Ford is providing better advocacy for consumers. I congratulate him for that.

I remember meeting Ashton at a chamber of commerce function and I could not help being moved by his story and his passion for getting better laws. That is why we are going to support it today. It has taken time because, as the Attorney knows, consumer protection laws across the country are not only complicated but trying to achieve national consistency under consumer laws—which of course is national now—is no simple, easy fix. We would rather companies do what is in the best interests of their customers, but sometimes that is not achievable and hence we have to legislate it.

I want to pay tribute to Ashton and his campaign. For the record, can I say that Jeeps are not the only cars that get recalled in Australia, again defending Jeeps. Can I disclose now I have no financial obligation to Fiat Chrysler. I am receiving no beneficial interest in this other than a great time at Fraser Island when I take my car over there. It is not just Jeep. Although Ashton had issues with Jeep, there are many cars which consumers have issues with for which they need to be afforded protection.

The bill makes changes specifically to warranties and so forth. I had a little bit to do with that in a previous life which I will not comment on today. Suffice to say that we will be supporting the amendments and supporting the bill. I again thank Ashton and his family for bringing about new laws, for bringing about changes to laws. I do hope—and I know that Ashton hopes—that these laws we are debating today once passed will ensure that no other person goes through the trauma and experience that he has gone through. Unfortunately, having gone through that trauma and experience that Ashton and his family did with a problematic car, we now see better laws being debated. We see better consumer protection laws across the country. We see companies like Chrysler and Ford, as I mentioned, doing better things.

I know that Ashton has been consulted by Ford and Chrysler to get his advice on how to deal with customers so that customers have better experiences when they have problems. I have to say that not every vehicle and car company is doing that, however. I am not going to name them today. Ashton knows who they are. He has tried to work with other car companies to ensure the same consumer protections are afforded and the same customer service is afforded, but unfortunately that has not been the case with other companies. It is great to have him on the Kawana Chamber of Commerce. I want to thank the Kawana Chamber of Commerce and the deputy president for the great work they do as small business owners and advocates and for all the work they do in the local community.

 **Mr MADDEN** (Ipswich West—ALP) (11.28 am): I rise to make a contribution in support of the Queensland Civil and Administrative Tribunal and Other Legislation Amendment Bill 2018. While I am on my feet, I would like to congratulate Queenslander Tayla Harris for winning the mark of the year in last night's AFLW awards ceremony. Tayla grew up and played all of her junior football on the north side of Brisbane. She is a great ambassador for our state. I will now return to the long title of the bill.

The Queensland Civil and Administrative Tribunal, QCAT, commenced operations in December 2009. It took over the work of 18 tribunals with 23 jurisdictions, including the minor debt jurisdiction of the Magistrates Court. QCAT makes, reviews and hears appeals relating to decisions across many different areas, with over 160 acts conferring jurisdiction on QCAT. The history of QCAT is that in December 2009 it commenced operations, undertaking work that was previously dealt with in the Magistrates Court, including minor debt claims.

QCAT's legislative scheme comprises the Queensland Civil and Administrative Tribunal Act 2009, the Queensland Civil and Administrative Tribunal Regulation 2009 and the Queensland Civil and Administrative Tribunal Rules 2009. There are also over 160 acts and regulations, known as enabling acts, that confer original, review or appellate jurisdiction on QCAT and provide specific powers and procedures for certain matters.

The establishment of QCAT addressed longstanding concerns about the proliferation of tribunals in Queensland and the need for one single recognisable gateway to increase the community's access to justice and increase the efficiency and quality of decision-making. As such, the objectives of the QCAT Act include ensuring that QCAT deals with matters in a way that is accessible, fair, just, economical, informal and quick. This bill contributes to those objectives.


On 15 November 2018, the Attorney-General and Minister for Justice tabled the bill and it was referred to the Transport and Public Works Committee. The committee tabled its report in February 2019 and made only one recommendation, and that recommendation was that the bill be passed. This bill amends various acts where QCAT has jurisdiction, including the Fair Trading Act 1989, the Motor Dealers and Chattel Auctioneers Act 2014, the Queensland Civil and Administrative Tribunal Act 2009 and the Residential Tenancies and Rooming Accommodation Act 2008. Most importantly, the bill delivers on the implementation of recommendations from the review of the QCAT Act.

Section 240 of the Queensland Civil and Administrative Tribunal Act, the QCAT Act, requires the QCAT Act to be reviewed to determine whether its objectives remain valid, whether the act is meeting its objectives and whether the provisions of the act are appropriate to meet these objectives. The review also investigated issues raised by the Attorney-General and by QCAT's president, Supreme Court judge Justice Martin Daubney.

After almost 10 years of operation, there was room for some minor updating of the act. On 21 September 2018, the Attorney-General and Minister for Justice and Leader of the House tabled the review report titled *Review of the Queensland Civil and Administrative Tribunal Act 2009*, which was published in July 2018. Overall, the report concluded that the QCAT Act was working well and that the stakeholders support the objectives of the act, but the report concluded that a number of legislative amendments to the QCAT Act should be made. This bill will make those amendments to the act.

As well as reviewing QCAT, the bill also delivers on the Palaszczuk government's commitment to introduce laws to help purchasers of what are known as lemon motor vehicles. Arguably, these provisions of the bill relate to QCAT's expanded motor vehicle jurisdiction and represent the most significant amendments in the bill. These amendments include amendments not only to the QCAT Act but also to the Fair Trading Act and the Motor Dealers and Chattel Auctioneers Act to implement the government's commitment to improve fairness and provide greater rights to Queenslanders buying a motor vehicle.

The bill will deliver on the recommendations in the report titled *'Lemon' laws—inquiry into consumer protections and remedies for buyers of new motor vehicles* that was prepared by the Legal Affairs and Community Safety Committee of the 56th Parliament and chaired by the member for Toohey, Mr Peter Russo. It would be remiss of me not to also thank His Honour Justice Martin Daubney and his hardworking staff of QCAT. I commend the bill to the House.

 **Mr BOYCE** (Callide—LNP) (11.34 am): I rise to make a contribution on the Queensland Civil and Administrative Tribunal and Other Legislation Amendment Bill 2018. I would like to acknowledge my fellow committee members: Mr Shane King, member for Kurwongbah; Mr Bart Mellish, member for Aspley; Mrs Jo-Ann Miller, member for Bundamba; Mr Rob Katter, member for Traeger; and Mr Ted Sorenson, member for Hervey Bay. I also take the opportunity once again to thank Mrs Deb Jeffrey and her secretariat staff for all of their hard work and efforts preparing our papers and meetings.

This bill is to amend the Queensland Civil and Administrative Tribunal Act 2009, the QCAT Act, to improve the operational efficiency of the QCAT Act and achieve better objectives and to improve fairness and provide greater rights for Queenslanders buying a vehicle and address the issues concerning lemon laws. The LNP supports the bill to ensure that consumers have the appropriate protections available to them.

One of the major concerns raised in the submissions was the fact that QCAT is at the moment severely underfunded and under-resourced. This was highlighted in the 2017-18 QCAT annual report. Justice Martin Daubney, President of QCAT, commented—

QCAT's members and registry staff have been stretched beyond all reasonable and proper levels of tolerance. Any further delay in appropriate resourcing for QCAT will inevitably result in the tribunal being unable to deliver anything like quick and accessible civil justice to Queenslanders.

Justice Daubney also asked that the government urgently address this issue because of the impact it was having on staff.

The Queensland Law Society supported the proposed reforms to facilitate increased engagement in alternative dispute resolutions where appropriate. However, it recommended that there needs to be more guidance about when a matter may or may not appropriately be referred for conciliation. It also advised that this may include consideration of matters where there is an obvious power imbalance between the parties.


The Townsville Community Legal Service were concerned that the onus to prove a motor vehicle is not of acceptable quality remains with the consumer and also at the consumer's expense. To add to this, Community Legal Centres Queensland recommended reversing the onus of proof requiring the manufacturer to prove that the vehicle in question does not have a defect alleged by the consumer. Surely in this day and age, it would be reasonable to expect that, if you were buying a motor vehicle, it would function properly the way it is supposed to. With the advent of computer technology which is engineered into modern cars and can be most complicated when trying to diagnose problems, why should it be the responsibility of the consumer to prove that faults exist? Community Legal Centres Queensland argued that an amendment reversing onus of proof would remove the need for consumers to obtain costly expert reports to substantiate their claims.

I do not know whether or not members have had any personal experience dealing with what would be called a lemon vehicle and the frustration that it can cause. I have and, whilst it was an agricultural tractor, the principle of the matter is exactly the same as a motor vehicle. I bought a tractor

several years ago and, whilst it is very good when it goes, it has suffered many problems that should not have happened. It has done approximately 3,500 hours work and that is not a great number in the big scheme of things. The machine has had to be returned to the workshop several times for major fault repairs, including a full hydraulic system rebuild, a full fuel injection rebuild and a full computer system rebuild. None of these system failures have been our fault. Whilst these problems have been dealt with, the causes and the failures have never been adequately explained. I understand this bill does not cover tractors, but perhaps it should. Perhaps it should cover lemon governments because we have certainly got one of those in Queensland.

With the advent of modern technology, electric cars, driverless cars and so forth, I wonder how rural and regional Queensland will cope with servicing these vehicles and dealing with the problems that no doubt will occur. Lemon vehicles will not go away just because technology has changed. In fact, I think the occurrence may become greater given the fact that we live in a throwaway society.

There were 13 submissions made to the committee and the majority of the stakeholders were welcoming of the objectives of the bill. I also support the objectives of the bill.

 **Mrs LAUGA** (Keppel—ALP) (11.39 am): I rise this morning to speak in favour of the Queensland Civil and Administrative Tribunal and Other Legislation Amendment Bill 2018. I am very pleased that through this bill we are delivering on the Palaszczuk government's promise to introduce laws to help purchasers of lemon vehicles. These amendments are being made to implement elements of this government's 2017 commitment to improve fairness and provide greater rights for Queenslanders buying a vehicle. This bill will extend QCAT's jurisdiction for motor vehicle related claims under the Fair Trading Act and Motor Dealers and Chattel Auctioneers Act from \$25,000 to \$100,000. The new limit of \$100,000 will increase access to justice as consumers who have problems with vehicles of a higher value will be able to have their matter heard by QCAT whereas consumers with issues involving vehicles in excess of \$25,000 currently need to initiate proceedings in the Magistrates Court or District Court.

These changes are great news for owners of lemons. I am sure there will be a lot of matters filed with QCAT upon the assent of this bill, including two of my friends, a couple with two young children who purchased a Subaru Outback in 2014 at a price of \$48,000. Under the current laws this couple was not eligible to have their matter heard by QCAT and would have had to initiate proceedings in the Magistrates Court or District Court. The 2014 Subaru Outback has been a huge headache for my friends since they bought it. When they invested in a brand-new car with a warranty they thought they were buying a safe vehicle that would last them for years. Little did they know of the years of safety issues, stress and inconvenience they were about to embark upon.

A car can be a significant expense, often purchased with finance. The purchase of a new car is usually the biggest purchase a person will make in their lifetime other than their home. My friend's car has had persistent and ongoing defects and they have spent a significant amount of time requesting repairs, refunds and replacements, visiting and negotiating with the dealer and their vehicle servicing department, writing to the manufacturer and seeking reports from independent mechanics and specialists.


Within the warranty period of the car it has had to be returned more than a dozen times for issues that render the car temporarily unusable each time. There have been numerous other smaller issues each time which were often never addressed, including the electric park brake. It would sometimes disengage itself and cause the vehicle to roll forward even when it was unattended. Subaru ordered a manufacturer's compulsory recall for the vehicle in relation to the EPB issues and the assembly was replaced. Months later the electronic park brake defected again, this time engaging itself when the vehicle was travelling at speed, causing the rear wheels to lock up and the car to grind to a halt. It is lucky that no-one was injured.

The car was towed to the dealer, who inspected it and replaced the part, assuring my friends that the issue was fixed. Within 10 minutes of driving, the EPB defected again, this time when the car was travelling at 100 kilometres an hour, causing the car to lurch into oncoming traffic screeching to a halt in a cloud of smoke and narrowly avoiding a serious collision. The couple's young children are still scared to get into a car after this ordeal. There are other significant issues with the car which the dealer refuses to acknowledge. The car has not been driven by my friend since that day. The dealer sent a letter offering to buy the vehicle back at market value, which they claim to be \$15,000, and offered \$2,000 extra for the hardship experienced with the car.

This bill is absolutely about providing access to justice, something that has been denied to purchasers of lemon vehicles for too long. This bill will also reinstate the statutory warranties that applied to older second-hand vehicles under the now repealed Property Agents and Motor Dealers Act 2000. This will mean there will be a statutory warranty for cars which are more than 10 years old or which have clocked up more than 160,000 kilometres.

People in Keppel have raised with me previously issues regarding statutory warranties on second-hand cars. In one case a young woman bought a second-hand car that was just outside the age required for the statutory warranty. She bought the vehicle on finance from a dealership in Brisbane and drove it back to her home in Rockhampton. Only a few months later the car broke down and the bill to fix the car was significantly more than what she had paid for the car and she had no recourse with the second-hand dealer she bought the car from because it did not come with a statutory warranty. The vehicle now sits in her front yard and she is continuing to pay off a car that does not work. Under these new changes the car would have been eligible for a statutory warranty and this young woman would have had the ability to take the matters up with the dealer.

I want to commend the Attorney-General and the department for their work over a number years to bring about this reform. This bill delivers on another Palaszczuk government commitment to improve consumer protections and remedies for buyers of motor vehicles in Queensland and create efficiencies and improvements to QCAT, which supports better access to justice for all Queenslanders. I commend the bill to the House.

 **Mr MOLHOEK** (Southport—LNP) (11.44 am): I rise today to speak on the Queensland Civil and Administrative Tribunal and Other Legislation Amendment Bill 2018. This bill seeks to amend the Queensland Civil and Administrative Tribunal Act 2009, or QCAT Act, to improve the operational efficiency of the Queensland Civil and Administrative Tribunal, QCAT, to better achieve the objects of the QCAT Act and to improve fairness and provide greater rights for Queenslanders buying a vehicle and address issues concerning lemon laws.

The bill uses a number of technical changes to the provisions of the QCAT Act to improve the operational efficiency of the tribunal. These include: a clarification that QCAT's tenancy jurisdiction is limited to claims of not more than \$25,000; broadening the scope of the principal registrar so that it can now issue notices to parties or compel a person or persons to produce particular documents; clarifying that an adjudicator sitting alone can constitute QCAT; and providing a legislative framework to enable QCAT to undertake conciliation in addition to other alternative dispute resolution processes currently available.

Further, the bill also implements committee recommendations from 2015 in relation to lemon laws. In 2015 the Legal Affairs and Community Safety Committee conducted a lemon laws inquiry. In its report the committee recommended that QCAT's jurisdiction relating to motor vehicle limits should be abolished. The committee argued that these limits should be abolished over time in order to give Queenslanders the same access to affordable justice as consumers in other jurisdictions like New South Wales and Victoria.

The bill attempts to achieve these recommendations by expanding QCAT's jurisdiction in relation to vehicles to deal with actions of an amount or value or other relief from \$25,000 to not more than \$100,000. This applies to disputes under the Fair Trading Act about consumer guarantees under the Australian Consumer Law for the supply of goods or services where the action relates to a motor vehicle including a caravan or motorhome. It also applies to the Motor Dealers and Chattel Auctioneers Act 2014 in relation to statutory warranties for used motor vehicles including motorhomes but not caravans. Specifically, the bill amends the Fair Trading Act to provide a definition for motor vehicles and implements the commitment to reinstate the statutory warranty for class B, older second-hand vehicles, that operated under the Property Agents and Motor Dealers Act 2000.

I note that the Transport and Public Works Committee was referred this bill by the Committee of the Legislative Assembly for detailed consideration. The committee recommended that the bill be passed. A total of 13 submissions were made about the bill to the committee and the majority of stakeholders were welcoming of the objectives of the bill. The Queensland Law Society and Community Legal Centres were broadly supportive of the changes. The Queensland Law Society also highlighted their concern with the inability of solicitors to appear in QCAT as a right. In addition, the Motor Trades Association of Queensland, Lemon Laws 4 Aus, Lemon Caravans and RVs in Aus, and Caravan Trade & Industry Association of Queensland were all supportive of the bill.




The LNP supports the policy intent of the bill to ensure that consumers have appropriate protections available to them. We support any initiative which aims to improve fairness and to provide increased protection to consumers, especially for consumers who purchase new and used vehicles. However, unfortunately, the bill raises a number of concerns for us on this side of the chamber. Perhaps the largest concern is the expansion of QCAT's already stretched jurisdiction.

The expansion of QCAT's jurisdiction to deal with lemon laws will likely cause inflexibility and lengthier time delays in tribunal proceedings. As QCAT's jurisdiction has continued to expand, this asleep-at-the-wheel Labor government has failed to resource or give it the attention it deserves. The 2017-18 QCAT annual report revealed that QCAT is severely underresourced and overworked. The report reveals that increases in complexity of the matters lodged coupled with QCAT's limited resources continue to put pressure on QCAT's ability to meet its benchmarks for annual clearance rates.

QCAT's President, Justice Martin Daubney, has also warned of the under-resourcing issues the tribunal faces and the impacts it is having on staff. He has asked that the government urgently address those resourcing issues. Justice Daubney commented—

QCAT's members and registry staff have been stretched beyond all reasonable and proper levels of tolerance. Any further delay in appropriate resourcing for QCAT will inevitably result in the tribunal being unable to deliver anything like quick and assessable civil justice to Queenslanders.

While I absolutely support any initiative that will result in increased protections for consumers, I call on the Attorney-General and the Palaszczuk Labor government to urgently review QCAT's funding so it has the capacity to deal with this increased jurisdiction and workload.

 **Ms RICHARDS** (Redlands—ALP) (11.50 am): I rise to make a brief contribution to the Queensland Civil and Administrative Tribunal and Other Legislation Amendment Bill 2018. This bill delivers on the implementation of recommendations from the review of the QCAT Act, and I am very pleased that through this bill we will be delivering on the Palaszczuk government's promise to introduce laws to help purchasers of lemon motor vehicles. Let's face it: there is never any joy in the purchase of a lemon motor vehicle. As a young girl I remember the pressure that a lemon vehicle put on my mum and dad and the household purse strings. I remember the car well: it was a cream station wagon. The member for Kurwongbah, a Ford lover, does not want me to tell you it was a Ford XD Falcon, but I cannot mislead the House. I remember how many times it broke down. It had a very, very dodgy engine. It was meant to be a car that brought joy to mum and dad. It was their first ever new car purchase.

The establishment of QCAT addressed longstanding concerns about the proliferation of tribunals in Queensland and the need for a single recognisable gateway to increase the community's access to justice and increase the efficiency and quality of decision-making. As such, the objectives of the QCAT Act include ensuring that QCAT deals with matters in a way that is accessible, fair, just, economical, informal and quick. This bill contributes to these objectives.

I will firstly highlight the amendments to increase QCAT's operational efficiency. These amendments, which implement the conclusions of the QCAT Act review, include: clarifying that QCAT's tenancy jurisdiction is limited to claims of not more than \$25,000; changing the scope, timing and operation of stay orders—for example, to allow QCAT to stay the operation of part of a decision; allowing the principal registrar to issue notices requiring a party to attend a hearing; allowing the Attorney-General to appoint members and others to a pool of persons who can act as senior members from time to time; and providing a framework to enable QCAT to undertake conciliation.

The second part of the legislation, and the part which attracted most interest, was the provision of greater rights for Queenslanders buying a vehicle. This was achieved by lifting QCAT's jurisdiction limit on motor vehicles from \$25,000 to \$100,000; redefining the term 'vehicle' to include motorhomes and caravans—and we know how popular caravanning is here in Queensland; reinstating the statutory warranty for class B older second-hand vehicles sold by motor dealers; and continuing to advocate for national laws to specifically protect new car buyers, including the purchase of lemon vehicles. As my family experienced with that dodgy Ford, the purchase of a lemon vehicle can impose a lot of unfair stress on an individual or family. The purchase of a car—new or used—caravan or motorhome is a big life purchase, something we look forward to which should bring us joy.


I was very fortunate to join the motoring enthusiast chair and Ford lover, the member for Kurwongbah, on the Transport and Public Works Committee as a substitute on the hearing with the Office of Regulatory Policy, Liquor, Gaming and Fair Trading in the Department of Justice and Attorney-General. I was very interested to ask the department if they had ever considered increasing

the scope of the bill to include boats. Queenslanders love their boats, and we know these can be a significant purchase with similar lemon issues. Unfortunately, it is not in this bill but hopefully it may be considered in the future.

The QCAT limit was \$25,000, so increasing the limit to \$100,000 brings better access to justice for Queenslanders. This increase is in line with the current cost of new and used cars. During the public hearing one of the topics discussed was the \$100,000 limit, which would exclude vehicles which may be just over that limit. We discussed the idea with Chris McKenzie, the Director of the Office of Regulatory Policy, Liquor, Gaming and Fair Trading. We asked, 'If the vehicle had a combination of faults that added up to \$100,000, would that still be recognised?' Obviously the vehicle is a lemon if it keeps having those major faults. Mr McKenzie replied—

Each individual replacement on that situation could continue to be a new claim each time ... Ultimately it might be \$120,000 if three gearboxes were replaced, but it would be an individual asset each time. We would hope that we could intervene or try to conciliate and negotiate a successful outcome on that long before it got to that point.

The requesting of repairs, diagnosing of faults and gathering proof of sometimes intermittent faults—and if you are not very mechanically minded that can be really tricky—can be time consuming. It was great to see the long-term advocate for reform in this space, Connie Cicchini, who has strongly pushed for these changes. It was great to have her there at the hearings, and we thank her for her advocacy for the many Queensland vehicle owners who have been affected. As always, I would like to thank the members of the Transport and Public Works Committee and the hardworking secretariat. I commend the bill to the House.

 **Ms LEAHY** (Warrego—LNP) (11.54 am): I rise to contribute to the debate on the Queensland Civil and Administrative Tribunal and Other Legislation Amendment Bill. I would like to thank the committee members of the Transport and Public Works Committee for their consideration of this legislation. There were some 13 submissions made to the committee, and the majority of the stakeholders were welcoming of the objectives of the bill. I also note the comments of the shadow minister and the member for Toowoomba South that the LNP will not be opposing this bill.

The bill intends to amend the Queensland Civil and Administrative Tribunal Act to improve the operational efficiency of the Queensland Civil and Administrative Tribunal—better known as QCAT—to achieve the objectives of the QCAT Act. It also implements the government's commitment to improve fairness and provide greater rights for Queenslanders buying a vehicle and addresses issues surrounding lemon laws. The bill seeks to improve its operational efficiency by amending a number of provisions: firstly, clarifying that QCAT's tenancy jurisdiction is limited to claims of not more than \$25,000; broadening the scope of the principal registrar so it can now issue notices to parties or require a person to produce a document; and clarifying that an adjudicator sitting alone can constitute QCAT. That is particularly important in regional areas where you do not have many people with those qualifications. In addition, it will provide a legislative framework to enable QCAT to undertake conciliation in addition to other alternative dispute resolution processes currently available.

It is a particularly sensible reform to enable QCAT to offer conciliation. Often disputes can be resolved with the right facilitation, an understanding of the issues of both parties, and helping to facilitate an agreement. It may not necessarily be an agreement that each party is happy with, but if they can reach some sort of agreement that is better than nothing. It also deals with new and used vehicles, and these are commonly known as lemon laws.

In relation to vehicles, the bill expands QCAT's jurisdiction to deal with actions for an amount or a value of other relief if not more than \$100,000. It is currently set at \$25,000. This applies to disputes under the Fair Trading Act in relation to consumer guarantees under the Australian Consumer Law for the supply of goods or services where the action relates to a motor vehicle, including caravans and motorhomes. Motorhomes are becoming tourists' vehicle of choice in a lot of ways. If you come out to my region during the winter months you will see lots of motorhomes from interstate and throughout Queensland. I welcome them to my region in their caravans and motorhomes with open arms.

I have no doubt that this increase will dramatically increase the workload of QCAT. When I am dealing with constituents I do not hear about people chasing smaller sums of money. Unfortunately, I find that a lot of the issues concern larger amounts over \$25,000. What we are hearing from the community tells us that change is needed, but QCAT needs to be resourced correctly to be of benefit to those people who find themselves in a situation where they need to access their services. The increase to \$100,000 is reasonable; however, should the system in QCAT be choked up with cases, changing the limit will not make any difference. Increasing eligibility without the necessary resourcing to deal with additional cases will not produce a good outcome. Access to QCAT is as important as good outcomes for consumers, and I will deal with that issue later.

The bill also applies to the Motor Dealers and Chattel Auctioneers Act in relation to the statutory warranties for used motor vehicles including motorhomes but not caravans. Specifically, the bill amends the Fair Trading Act to provide a definition for 'motor vehicle' and implements the commitment to reinstate the statutory warranty for class B older second-hand vehicles operated under the Property Agents and Motor Dealers Act.

It has been argued that the limit should be abolished over time in order to give Queenslanders the same access to affordable justice as consumers in New South Wales and Victoria have. That is particularly important. People in my electorate of Warrego and in the electorates of Scenic Rim, Currumbin and Southern Downs, which border New South Wales, face a lot of cross-border issues. If Queensland had a cross-border commissioner, that body would be able to facilitate to ensure reciprocal arrangements in the meantime. It is particularly important, because some people traverse the border all the time. It is very complicated to deal with two different jurisdictions and two different sets of legislative requirements on either side of the border, be it New South Wales or Queensland.

Unfortunately, the bill raises a number of key concerns. As I said earlier, one concern is the expansion of QCAT's already stretched jurisdiction. The expansion of that jurisdiction to deal with lemon laws is likely to cause some inflexibility and cause lengthier time delays in tribunal proceedings. As QCAT's jurisdiction has continued to expand, unfortunately the government has failed to resource it or give it the attention it deserves. In some cases QCAT is the only source of redress for consumers.

The 2017-18 QCAT annual report reveals that QCAT is severely under-resourced and overworked. The report reveals that increases in the complexity of matters lodged coupled with QCAT's limited resources continues to put pressure on QCAT's ability to meet its benchmarks for clearance rates. Those annual clearance rates are particularly important. There is no point going into QCAT unless you can get an outcome.

I note that QCAT's President, Justice Martin Daubney, warned of the under-resourcing issues and the impacts these are having on staff. He has asked the government to urgently address the resourcing issues. Justice Daubney commented—


QCAT's members and registry staff have been stretched beyond all reasonable and proper levels of tolerance.

It is quite extraordinary that he should make those comments. He also said—

Any further delay in appropriate resourcing for QCAT will inevitably result in the tribunal being unable to deliver anything like quick and accessible civil justice to Queenslanders.

I have constituents who travel long distances to access QCAT. If they cannot get quick access to that process, it will become cost prohibitive for them to even consider using QCAT. It is highly important that QCAT is appropriately resourced and there are not compromises or delays in the process. Already I hear of constituents who have to travel four to six hours or more to Toowoomba to access QCAT. Not all QCAT cases are dealt with locally. People cannot afford the time and expense involved with those additional trips. It is a bit hard for people to go to their employer and say, 'I need a couple of days off to go to QCAT.' If they have to keep doing that, it makes it difficult for people to access civil justice in Queensland. It is not right that QCAT should be accessible only by those who can afford to travel or who live close by.

I echo Justice Daubney's concerns and remarks. I am hopeful that the executive government will recognise and urgently address these resourcing issues. I call on the Palaszczuk Labor government to appropriately resource QCAT so that particularly regional people can get access. People need to get through the process quickly, because it is the travel time that kills them when they have to take days off work to access those services.

 **Ms HOWARD** (Ipswich—ALP) (12.03 pm): I rise to express my support for the Queensland Civil and Administrative Tribunal and Other Legislation Amendment Bill 2018. I thank the Attorney-General, Yvette D'Ath, for advocating for the rights of Queenslanders who have been sold lemon vehicles and for pushing for more reforms at the national level.

With this bill the Palaszczuk government is delivering on its election commitment to provide greater consumer protections for buyers of lemon vehicles. For those who are unfortunate enough to buy a lemon vehicle, the stress can be enormous. Owners of lemon vehicles can suffer huge financial losses and can have a large amount of their time taken up with requesting repairs, replacements or refunds. Travel, work and business plans can be disrupted by vehicles that are forced off the road for significant periods of time due to repairs or safety concerns. The strain can have a detrimental impact on people's health and finances, especially if the vehicle is needed to earn a livelihood.

Usually if a remedy cannot be sought in negotiation with the dealer or manufacturer, remedy can be sought through QCAT; however, QCAT's current jurisdictional limit of \$25,000 prevents many vehicle owners accessing claims over that amount. Beyond the \$25,000 limit, owners can take the matter to the Magistrates Court or the District Court, but that is cost prohibitive for people who cannot afford to undertake that sort of legal action. For this reason, we do not know the true cost of this problem because many people simply give up.


People with vehicles valued higher than \$25,000, including owners of motorhomes and caravans who use these vehicles as homes, are prevented from seeking full justice for being sold a lemon. When people cannot seek remedy through QCAT, owners may onsell the lemon vehicle to another unsuspecting owner or trade in the car for considerably less than they paid for it.

This bill will improve fairness and provide greater rights for Queenslanders who buy a lemon vehicle by extending QCAT's limit from \$25,000 to \$100,000 for vehicle related claims under the Fair Trading Act and the Motor Dealers and Chattel Auctioneers Act. This change was one of the recommendations of the report on the lemon laws inquiry which was prepared by the Legal Affairs and Community Safety Committee in 2015. I thank them for their work. The inquiry report made interesting reading. The committee heard from at least 60 people who told harrowing stories of purchasing vehicles with numerous defects and faults and gave accounts of the financial and emotional strain they were put under while negotiating with dealers and manufacturers.

This bill also amends the Motor Dealers and Chattel Auctioneers Act to reinstate the class B statutory warranty that was included in the repealed Property Agents and Motor Dealers Act. This means that motor vehicles that have an odometer reading of 160,000 kilometres or more or that were manufactured more than 10 years before the day of the sale will now have their statutory warranty reinstated. Furthermore, the Palaszczuk government, led by the Attorney-General, will continue to advocate for lemon laws to be enacted nationwide to protect new car buyers, including buyers who purchase lemon vehicles.

I wholeheartedly support this bill. It protects consumers in Queensland, like constituents in my electorate of Ipswich. For many people in Ipswich who are struggling with the cost of living, purchasing a vehicle is a significant financial expense. When things keep going wrong, the repair bills can be financially crippling. There is also a definite power imbalance, with buyers of lemon vehicles having to prove to dealers and manufacturers that they are not at fault for the vehicle's defects. This puts an onerous burden on people who are forced to spend large amounts of time, money and effort seeking proof that the vehicle's defects are somehow not their fault.

The establishment of QCAT in 2009 was to increase access to justice for everyday Queenslanders who do not have the same level of resources that big companies have to pursue a matter through the courts. The objective of QCAT has been to give all Queenslanders, no matter their circumstances, a means to deal with matters in a way that is accessible, fair, just, economical, informal and quick. To that end, I am pleased to see that part of this bill will also move amendments in response to the QCAT Act's review, undertaken last year. The review concluded that the act is working well but recommended some amendments to improve QCAT's operational efficiency. Such amendments include changing the scope, timing and operation of stay orders; allowing the principal registrar to issue notices to a party to attend a QCAT hearing; and providing a framework for QCAT to undertake conciliation. I thank the Premier and the Attorney-General for taking up the fight for Queenslanders seeking justice for lemon vehicles. I commend the bill to the House.


 **Mr BOOTHMAN** (Theodore—LNP) (12.08 pm): I rise to speak to the Queensland Civil and Administrative Tribunal and Other Legislation Amendment Bill 2018. The objectives of the bill are to amend the Queensland Civil and Administrative Tribunal Act 2009, the QCAT Act, to improve the functionality of the Queensland Civil and Administrative Tribunal. There were 13 submissions made to the committee inquiry into the bill. I thank the committee members and the secretariat staff for the work they did on this piece of legislation.

QCAT is one of the cornerstones of our legal system, with many local residents using this service for legal rulings, whether it be a neighbourhood dispute or another matter that involves a legal ruling. Within local community groups the name QCAT is known. It is an institution and a function that is highly regarded in our local community groups. The bill improves the efficiency of QCAT. The bill amends a number of provisions that include clearer guidelines that clarify that QCAT's jurisdiction is limited to claims of not more than \$25,000. It provides a legislative framework to enable QCAT to undertake different methods of dispute resolution. The bill also clarifies that an adjudicator can sit alone and still be constituted as a tribunal.

The bill also expands QCAT's jurisdiction to deal with vehicles and claims of not more than \$100,000, including caravans and RVs. In terms of caravans and RVs and claims of not more than \$100,000, up from \$25,000, many of my constituents have retired and spent a massive amount of their own funds on buying fifth wheeler caravans and motorhomes, and you would be lucky to get anything of that size for less than \$100,000. As I said, these individuals put a lot of their retirement funds into it. Therefore, it would be very difficult for them to take legal action if they are sold a lemon because they have put most of their funds into the purchase. Constituents all over the state enjoy their retirement years and there should be some type of protection, and I welcome the increase in the threshold of \$100,000 for fifth wheelers, large caravans and RVs.

During the hearings there were comments that discussed the general culture of the new car retailing sector and the need for significant improvement. A resident of my electorate is an Uber driver and therefore his livelihood revolves around his vehicle. Unfortunately, his car was just outside of its warranty period when it was struck down with mechanical failure. It took an enormous amount of time for this individual to have it repaired. He fought with the manufacturer for quite some time. Unfortunately, this situation caused an enormous amount of stress to him and his family and to his income and livelihood. Therefore, this bill will certainly be welcomed in his eyes. As alluded to by other members, the family car can be the second most valuable possession or asset in a family. For people who do not own their own homes but rent, the family car is the pinnacle asset owned.

As highlighted by members of the opposition, the 2017-18 QCAT annual report revealed that QCAT is severely under-resourced and overworked. If we are going to allow more matters to potentially go before QCAT, this will cause a greater delay in hearings and therefore slow down the process and increase frustration for our constituents who are desperate to get their matter resolved quickly and efficiently. Therefore, the government needs to look at better resourcing the QCAT system to ensure that this additional work can be handled. As one of my constituents rightly said to me, if we do not resource QCAT the way it should be resourced, especially with additional responsibilities, it is like buying a new car with all the options but not putting fuel in the tank. He is quite right in saying that: it is like buying all of these options for a new car but not putting fuel in the tank. We need to ensure that the resourcing levels for QCAT are sufficient to handle this additional work.

 **Ms McMILLAN** (Mansfield—ALP) (12.14 pm): I rise to provide my contribution to debate on the Queensland Civil and Administrative Tribunal and Other Legislation Amendment Bill 2018. The bill contains significant reforms for Queensland consumers and I know that my constituents will absolutely benefit from these reforms. One of the most significant purchases a person will make in their life is the purchase of a car. When a person purchases a new car they do not expect there to be any issues, and certainly not any serious ongoing issues, with that vehicle. We can all understand the emotional and financial stress associated with owning a lemon motor vehicle. Often a car is purchased with finance, so a person is paying off a loan for years for a car that cannot even be used.

The objectives of the bill are to amend the Queensland Civil and Administrative Tribunal Act 2009 to implement conclusions from the report titled *Review of the Queensland Civil and Administrative Tribunal Act 2009* aimed at increasing the operational efficiency of QCAT to better achieve the objectives of the bill. The second aim is to amend the QCAT Act, the Fair Trading Act 1989 and the Motor Dealers and Chattel Auctioneers Act 2014 to implement the government's commitment to improve fairness and provide greater rights for Queenslanders buying a vehicle and address recommendation 7 of the report *'Lemon' laws—inquiry into consumer protections and remedies for buyers of new motor vehicles*, the lemon laws inquiry report prepared by the Legal Affairs and Community Safety Committee.

I know many families across Queensland have been the victims of purchasing lemon vehicles. Families who only have one vehicle can be crippled, especially where two parents are working. It can have a devastating impact on a business when a ute or van cannot be used for work, impacting on one's ability to make an income and provide for their families. As young people leave secondary school and begin their working life or tertiary studies, many have purchased second-hand vehicles, often more than 10 years old, that soon after taking ownership have experienced costly major mechanical repairs, rendering the vehicle not drivable. This results in a significant financial imposition for not only these young people but their families. These are the issues that this bill is aiming to address.

Returning to the review of the QCAT Act, the Attorney-General and Minister for Justice and Leader of the House tabled the report of the review of the QCAT Act on 21 September 2018. While the QCAT Act report concluded that overall the QCAT Act is working well, it also concluded that a number of legislative amendments to the QCAT Act should be made, generally to increase QCAT's efficiency. The bill will make these amendments.

QCAT's jurisdiction covers three broad operational areas—human rights, civil disputes and disciplinary matters. QCAT also has review and appellate jurisdictions conferred by enabling acts. There are over 160 acts and regulations which confer original review or appellate jurisdiction on QCAT. The amendments to the act following this review will improve the overall efficiency and operation of QCAT. Amendments such as allowing the principal registrar to issue notices to a party to attend a hearing or proceeding or to require a person to produce a stated document to QCAT and allowing the minister to appoint members and others to a pool of persons who can act as senior members of QCAT from time to time will improve the operational efficiency of this very busy organisation.

As I mentioned earlier, the bill delivers on the Palaszczuk government's commitment at the last election to improve fairness and provide greater rights for Queenslanders buying a vehicle by lifting QCAT's jurisdictional limit on motor vehicles from \$25,000 to \$100,000; redefining the term 'vehicle' to include motorhomes and caravans; reinstating the statutory warranty for class B older second-hand vehicles sold by motor dealers; and continuing to advocate for national laws to specifically protect new car buyers, including purchases of lemon vehicles. I applaud the Attorney-General for this. Currently, QCAT hears and decides disputes about consumer guarantees under the Australian Consumer Law for goods and services. These guarantees are applied in Queensland through the Fair Trading Act 1989. The ACL includes nine statutory consumer guarantees for the supply of goods, including that the goods are of acceptable quality and fit for any disclosed purpose. In general, the consumer guarantees apply to both new and used vehicles, including motorhomes and caravans.


These remedies are available to consumers right now but, unfortunately, it has become clear that the process for enforcing these rights is difficult for Queensland consumers. I would also like to refer to the submission that the Caxton Legal Centre made to the Legal Affairs and Community Safety Committee's inquiry into lemon laws. It states that, while there are remedies available under the ACL—  
... in practice, it is clear that purchasers often have difficulty enforcing their rights ... especially when there is an argument about whether or not a defect is a major defect under the ACL.

Currently, motor vehicle claims above \$25,000 must be heard in the Magistrates Court. QCAT, as a low-cost, informal jurisdiction, is the most appropriate place for these matters to be heard. The bill will amend the FTA and the MDCA Act to extend QCAT's jurisdiction to hear proceedings about motor vehicles. This will mean that claims may be made in relation to motor vehicles for up to \$100,000 rather than the current limit of \$25,000. To further ensure that costs are reduced for consumers, it is proposed to amend the QCAT regulation so that the fee provisions that currently apply to MCDs, which are scaled from \$26.35 to \$338.20 based on the claim amount, will continue to apply for motor vehicle proceedings with claims up to \$25,000.

QCAT also hears and decides disputes about the repair of defects under the Motor Dealers and Chattel Auctioneers Act 2014, which is the MDCA Act, and statutory warranty provisions that apply to the sale of certain used motor vehicles by motor dealers or chattel auctioneers. The statutory warranty does not apply to certain types of vehicles, such as caravans. The bill will also amend the MDCA Act to reinstate the class B statutory warranty that was contained in the now repealed Property Agents and Motor Dealers Act 2000.

The class B statutory warranty will apply to used motor vehicles that have an odometer reading of 160,000 kilometres or more or were manufactured more than 10 years before the day of sale. Currently, the MDCA Act includes a statutory warranty for vehicles with an odometer reading of less than 160,000 kilometres that were manufactured fewer than 10 years before the day of sale, previously called class A warranty vehicles under the PAMD Act. Under the MDCA Act, as well as the now repealed PAMD Act, a number of defects are not covered by statutory warranties, including defects in fitted airbags, tyres, batteries and spark plugs. In addition, the statutory warranty for a class B warranty vehicle under the PAMD Act did not cover the vehicle's air-conditioning system—a very costly mechanical device to repair.

The class B statutory used car warranty was scrapped by those opposite in 2014. As often happens with decisions made by the LNP, scrapping this warranty hurt the poorest in our community—those who are limited to buying an older used car. I know that many in my community have applauded the decision to bring back this warranty. The changes noted are welcome reforms for families in my electorate of Mansfield. I commend this bill to the House.

 **Dr ROWAN** (Moggill—LNP) (12.22 pm): I rise to make a contribution to the debate on the Queensland Civil and Administrative Tribunal and Other Legislation Amendment Bill. This December will mark 10 years since the Queensland Civil and Administrative Tribunal commenced operations. That

is 10 years in which, to paraphrase the words of His Honour Justice Martin Daubney AM, the current President of QCAT, civil justice has been brought to the lives of everyday Queenslanders. With its establishment a decade ago, QCAT streamlined the work of 18 tribunals, including 23 jurisdictions, as well as the minor debt claims jurisdiction of the Magistrates Court and almost all the administrative review jurisdiction functions of the courts. As has been made clear in this House, such a consolidation was necessary in order to address ongoing concerns regarding the proliferation of tribunals in Queensland and to provide a single recognisable body for Queenslanders to access justice in an efficient and timely manner.

Rather unfairly, the perception of QCAT is at times one that is seen as merely a small claims tribunal—a body that deals with the odd consumer dispute or issues pertaining to neighbours' trees or fences. As we in this House all know—or should know—that is by no means the case. As the explanatory notes to this legislation make clear—

There are three broad operational areas covered by QCAT's original jurisdiction: human rights (e.g. guardianship and anti-discrimination); civil disputes (e.g. consumer/trader disputes and disputes about retail shop leases); and disciplinary (e.g. decisions about registration to work as a health practitioner or decisions imposing conditions on an electrical contractor's licence)—

to name but a few. The explanatory notes state further—

QCAT's review jurisdiction is conferred by enabling Acts and provides for QCAT to review administrative decisions made by government agencies and disciplinary bodies under enabling Acts.

QCAT's appellate jurisdiction provides for QCAT, sitting as the appeal tribunal, to hear appeals against both its own decisions and decisions of other entities (e.g. the Information Commissioner) under enabling Acts.

Let there be no doubt that the role and function of QCAT is extraordinary and, as the last 10 years have shown, it has an extraordinary workload to match. With that in mind, the bill before us is seeking ultimately to deliver two key objectives: firstly, to amend the Queensland Civil and Administrative Tribunal Act 2009 to implement the conclusions of the report titled *Review of the Queensland Civil and Administrative Tribunal Act 2009*, which are aimed at improving the operational efficiency of QCAT to better achieve the objectives of the QCAT Act; and, secondly, to amend a number of acts to improve fairness and provide greater rights for Queenslanders buying a vehicle and address issues concerning what is colloquially known as lemon laws.

Being conscious of time and, obviously, the gag orders that are applied by the Labor Party in relation to this parliament, I will neither revisit in great detail the limited efficiency improvements that this legislation is seeking to implement, which have been well canvassed, nor explain the expansions of QCAT's jurisdictions, specifically in relation to motor vehicles, to deal with actions for an amount, or value of other relief, of not more than \$100,000—up from the current limit of \$25,000. Instead, I wish to use my time to place on record my ongoing concern about the expansion of QCAT's already significant jurisdiction and volume of work without additional resources.

Last week in this chamber, when addressing the Guardianship and Administration and Other Legislation Amendment Bill 2018, I noted—

Last year's QCAT annual report revealed that the tribunal was severely under-resourced and overworked, with increases in the complexity of the matters lodged coupled with QCAT's limited resources continuing to put pressure on QCAT's ability to meet its benchmarks for annual clearance rates.

I would like to go one step further and note that, with this bill, the Labor government is now seeking to confer expanded defective motor vehicle legislation and associated hearing matters onto QCAT to deal with these lemon laws, which will almost certainly lead to potential inflexibility and cause lengthier time delays in tribunal proceedings without appropriate resourcing. A stable, efficient and properly resourced judicial system is a hallmark of any civilised society. In a free and democratic state and nation as great as ours, citizens are entitled to seek justice and participate in our justice system in a fair and timely manner. As we all know, justice delayed is justice denied.

I note that the Queensland parliament's Transport and Public Works Committee in its examination into and report on this bill saw fit to seek advice from the Department of Justice and Attorney-General regarding the impact of the proposed amendments on QCAT's workload. The department advised, 'I think that is actually very difficult to judge, and there are a couple of reasons for that' before saying later—

At this stage, we simply do not know what the impact of that will be. Obviously, any impact that is a problem for QCAT would need to be taken account of in future budget processes.

For the benefit of the department and the Attorney-General, I would like to draw their attention again to the QCAT annual report 2017-18 at page 20 where the anticipation of the Labor government's lemon laws was canvassed. Specifically, the report advises—

Assessing vehicle defects is a specialised field and requires a specialised list. The President is seeking appropriate funding to staff this jurisdiction with dedicated registry staff and a tribunal member to enable QCAT to deal with these matters quickly and efficiently. If such funding is provided, a single time-to-hearing benchmark could be established for these disputes regardless of the quantum of defect.

Before this bill is passed, I believe it would be appropriate for the Attorney-General to respond to this assessment and ensure that QCAT can operate in the knowledge that it will be appropriately funded to deal with these matters and not wait until the Queensland budget in several months time to find out whether its already stretched resources will be pushed even further. We certainly know that Labor cannot deliver proper budgets. Alternatively, the Morrison LNP federal coalition government is a responsible government that knows how to invest in infrastructure and deliver tax cuts and resource front-line services. The federal coalition government will double tax cuts.

**Mrs D'ATH:** Madam Deputy Speaker, I rise to a point of order. There is not one cent of federal government funding going into helping our lemon laws so I do not think this is relevant to the bill.

**Madam DEPUTY SPEAKER** (Ms Pugh): I have the bill in front of me. I would ask the member to come back to the long title of the bill.

**Dr ROWAN:** The federal coalition government understands resourcing. Certainly what is required in relation to this legislation will be appropriate resourcing for QCAT. The federal coalition government has a strong track record of resourcing front-line services and delivering tax cuts. The federal coalition government understands how to resource entities.

**Mrs D'ATH:** Madam Deputy Speaker, I rise to a point of order. The federal government budget is not relevant to this bill and I ask that you bring the member back to the bill.

**Madam DEPUTY SPEAKER:** Member for Moggill, if you could please return to the long title of the bill.

**Dr ROWAN:** Thank you for your guidance. It is very important that this government appropriately resources QCAT, as has been indicated by the current president of QCAT. With the additional workload that this legislation will bring to that entity it is important that it has appropriate resourcing. I call upon the Attorney-General and the Labor government here in Queensland to listen to that advice and consider that when it comes to its upcoming state budget. Without those additional resources there will be lengthier delays when it comes to some of the matters that QCAT will need to hear and that will certainly have an impact on consumers in Queensland. The state Labor government needs to listen to the advice from those experts who clearly understand the current workloads that are before QCAT and to resource it appropriately.


The Liberal National Party will always support initiatives that aim to provide fairness and provide increased protection to consumers, particularly those who purchase new and used vehicles. However, such initiatives are undermined if there is a failure to adequately resource those who we charge with assessing the ideal of fairness and adjudicating such protections. I would like to finish my contribution by echoing, for the benefit of this House, the closing remarks of the honourable Justice Martin Daubney AM in his president's message in the recent QCAT annual report—

QCAT has grown and must continue to mature in order to meet the demands of its ever-increasing workloads and the legitimate expectations of access to civil justice by the citizens of Queensland's burgeoning population.

Those expectations are not met by underestimating the importance of the role played by QCAT in the civil justice system of our state.

Nor can they be met unless and until QCAT's resourcing issues are adequately addressed.

In closing, I ask the government to hear those words from the president of QCAT. There will be implications with respect to this legislation and the timeliness of matters to be heard. It is very important that this government listens to those words and appropriately resources QCAT.

 **Mrs McMAHON** (Macalister—ALP) (12.32 pm): I rise to make a contribution in relation to the bill currently being debated before the House. The Queensland Civil and Administrative Tribunal and Other Legislation Amendment Bill 2018 contains 46 clauses which seek to amend the Fair Trading Act 1989,




the Motor Dealers and Chattel Auctioneers Act 2014, the Queensland Civil and Administrative Tribunal 2009 and the Residential Tenancies and Rooming Accommodation Act 2008. The Queensland Civil and Administrative Tribunal, or QCAT as it is more commonly known, commenced in December 2009 taking in the work of 18 tribunals with 23 jurisdictions. The objective in establishing QCAT was to make the justice system more accessible to Queenslanders and provide a more fair, just, economical, informal and quick resolution.

The jurisdiction of QCAT that my residents in the electorate of Macalister would be most familiar with are minor civil disputes and neighbour disputes, tenancy matters and complaints under the Australian consumer laws and repairs of defects under the Motor Dealers and Chattel Auctioneers Act 2014. In the time I have here in the House I would like to speak to a few components of the amendment bill that are relevant to the residents of my electorate. Currently for QCAT matters involving protections for buyers of motor vehicles, the monetary jurisdictional limit is \$25,000. The amendment bill will increase the monetary jurisdiction to \$100,000, meaning that those who purchase larger family sized vehicles will likely find the entire purchase cost of their vehicle under this limit and available for remedy. Previously these customers would have had to go to a Magistrates Court to seek their remedy. Not only were those consumers likely to be without a functioning vehicle for a protracted period of time, but also they would have had to navigate their way through a court system that would incur even more costs and potentially find themselves pitted against corporate lawyers. These amendments are about improving fairness and providing greater rights to vehicle buyers in Queensland.

In addition to the increase to \$100,000, the amendment bill seeks to include motorhomes in the class of vehicles eligible for these protections. My electorate houses many retirement and lifestyle villages and just about all of these feature an impressive parking lot full of motorhomes so the inclusion of the motorhomes as a class of motor vehicle not previously included is a win for Macalister residents. Many aspiring grey nomads may have sold their family home to downsize in order to undertake the travel that they have spent their adult life planning and working towards. The purchase of a lemon motorhome can find these consumers grounded and fighting to reclaim their money and lifestyle.

The other aspect I am extremely supportive of is the reinstatement of the class B warranties under the Motor Dealers and Chattel Auctioneers Act 2014. In my electorate most vehicles purchased are second-hand and those who are most financially vulnerable have found themselves previously not able to access justice through the QCAT system under the current provisions. Class B vehicles are those that are over 10 years old or those that have done over 160,000 kilometres. These class B vehicles represent a significant number of vehicles that people in my electorate purchase and drive. The inclusion of these vehicles to be covered under statutory warranties at the time of purchase will give residents the confidence in their purchase and peace of mind. Combined with the scaled fees for applications to QCAT for vehicles up to \$25,000, this will ensure that Queensland consumers, those who have little choice in the age and condition of vehicles that are within their financial means, will have access to the QCAT system and will have access to recourse when they have been sold a lemon. This amendment bill is a win for consumers in my electorate and I commend this bill to the House.


 **Ms BOLTON** (Noosa—Ind) (12.35 pm): I rise to speak on the Queensland Civil and Administrative Tribunal and Other Legislation Amendment Bill 2018. Supporting the continuous and effective maintenance of QCAT is key to ensuring the rights of our citizens are effectively safeguarded within Queensland's legal system. The policy objectives outlined in this bill are supported by the finding of the QCAT Act report and 'Lemon' laws inquiry report, both of which served to further promote and protect the civil and administrative rights of Queenslanders.

The recommendation of the 'Lemon' laws report to extend QCAT's jurisdictional limit on motor vehicles from \$25,000 to \$100,000 and redefining what constitutes a vehicle under the Motor Dealers and Chattel Auctioneers Act 2014, the MDCA Act, and the Fair Trading Act to include caravans and motorhomes has been widely welcomed by community and industry stakeholders. Reinstatement of class B statutory warranty provisions in the MDCA Act further expands consumer protections.

All of these amendments aim to reduce the need for consumers to take cases to higher courts thereby reducing expensive legal processes and keeping their legal proceedings in the more streamlined QCAT. While extensive consultation was undertaken, some additional policy considerations have been raised, including the Queensland Law Society's concerns regarding the inability of legal representation to appear before QCAT. Now that its jurisdiction on motor vehicles has been raised, an amendment to consider a person's right to representation could be introduced in the tribunal as it is in the Magistrates Court. This would be especially beneficial to various persons, including those who lack legal competence, are elderly, disabled or unwell. Additionally, and as raised by multiple

submitters, the possibility for the definition of 'vehicle' to be expanded beyond motorhome and caravan in the MDCA Act to include 'mobile dwellings' or 'campervan' or 'camper trailer' should be considered for inclusion to ensure greater protection for consumers who purchase these as these are also now homes to many Queenslanders.

Lastly, as I have spoken on previously and as clearly articulated by members in this chamber, there is the resourcing of QCAT. Whilst these amendments are needed, provision must be made to increase QCAT's financing to deal with the current overloads that have led to lengthy delays for our constituents before further increasing its workloads and responsibilities. Notwithstanding these concerns, the amendments to this bill are commendable and provide clear improvements to the process of providing protection for Queensland consumers. I commend the bill to the House.

 **Mr RUSSO** (Toohey—ALP) (12.40 pm): I rise in the House this afternoon to support the passing of the Queensland Civil and Administrative Tribunal and Other Legislation Amendment Bill. The bill may also be known as the lemon laws bill because of the amendments to make it easier for people who buy vehicles that are not up to standard or the representation made of the vehicle not being accurate—what is commonly known as 'buying a lemon'.

I will now deal with the objectives of the bill. The objectives of the bill are: to amend the Queensland Civil and Administrative Tribunal Act 2009 to implement conclusions from the *Review of the Queensland Civil and Administrative Tribunal Act 2009* aimed at improving the operational efficiency of the Queensland Civil and Administrative Tribunal to better achieve the objects of the QCAT Act; to amend the QCAT Act, the Fair Trading Act 1989 and the Motor Dealers and Chattel Auctioneers Act 2014 to implement the government's commitment to improve fairness; and to provide greater rights for Queenslanders buying a vehicle and address recommendation No. 7 of the report *'Lemon' laws— inquiry into consumer protections and remedies for buyers of new motor vehicles* prepared by the Legal Affairs and Community Safety Committee.


In December 2009 QCAT commenced operations to undertake the work of 18 tribunals with 23 jurisdictions, the minor debt claims jurisdiction of the Magistrates Court and almost all of the administrative review jurisdiction of the courts. Its legislative scheme comprises the QCAT Act, Queensland Civil and Administrative Tribunal Regulation 2009 and Queensland Civil and Administrative Tribunal Rules 2009. There are three broad operational areas covered by QCAT's original jurisdiction: human rights—that is, guardianship and anti-discrimination; civil disputes, for example consumer/trader disputes and disputes about retail shop leases; and disciplinary, for example decisions about registration to work as a health practitioner or decisions imposing conditions on an electrical contractor's licence.

QCAT's review jurisdiction is conferred by enabling acts and provides for QCAT to review administrative decisions made by government agencies and disciplinary bodies under enabling acts. QCAT's appellate jurisdiction provides for QCAT, sitting as the appeal tribunal, to hear appeals against both its own decisions and decisions of other entities, for example the Information Commissioner, under enabling acts. There are over 160 acts and regulations which, in addition to the QCAT Act, confer original, review or appellate jurisdiction on QCAT and provide specific powers and procedures for certain matters. A provision in an enabling act which modifies QCAT's procedures prevails over the provisions of the QCAT Act.

Under the QCAT Act, the president and deputy president must be a Supreme Court judge and a District Court judge respectively. QCAT members include senior members, ordinary members—appointed on a full-time or part-time sessional basis—and judicial members. Adjudicators, justices of the peace and magistrates also hear matters, as provided for in the QCAT Act.

I will now briefly deal with motor vehicle disputes. Currently QCAT has jurisdiction, among other things, to hear and decide disputes about consumer guarantees under the Australian Consumer Law for goods and services, including new and used motor vehicles and caravans, and repairs of defects under the Motor Vehicles and Chattel Auctioneers Act statutory warranty for used motor vehicles sold by motor dealers and chattel auctioneers. The Australian Consumer Law is a national application law scheme which commenced on 1 January 2011.

The Motor Dealers and Chattel Auctioneers Act provides a statutory warranty in relation to the sale of certain used motor vehicles by motor dealers or chattel auctioneers. The increased jurisdiction will allow people to bring applications to QCAT to enable them to recover in relation to vehicles. The increase in jurisdiction has been welcomed by most people. I commend the bill to the House.

 **Mr PURDIE** (Ninderry—LNP) (12.44 pm): I rise to make a short contribution to the debate of the Queensland Civil and Administrative Tribunal and Other Legislation Amendment Bill 2018. This bill makes amendments which are intended to improve internal operational efficiencies of QCAT and improve consumer fairness through the expansion of the vehicle purchase rights, specifically lemon motor vehicle purchases.

Buying a vehicle is a big financial decision for most individuals and families in Queensland. In my electorate, where public transport has not kept up with population growth, individuals need a vehicle to get to work and to pick up and drop off their kids at school, and families need access to transport and travel to the beach or park to enjoy time with their friends and family. If for some reason the vehicle purchase were a lemon, it would cause significant financial hardship not only in repair costs but also due to loss of use. To compound these financial costs, often people experience emotional distress when faced with uncertainty about how and when the situation with their lemon purchase will be resolved.

Many passenger and recreational vehicle purchases are in excess of \$25,000, not including potential lemon repair costs, which are often passed on to the consumer. It was an eventual necessity to modify this legislation to reflect the actual financial risk consumers take when they purchase a vehicle. It is also important that this legislation applies to other popular vehicle types such as caravans and motorhomes.

Overall, the Queensland Law Society and Community Legal Centres are supportive of this bill. More specifically, the Queensland Law Society indicated that it supports alternative dispute resolution where appropriate yet recommended that there needs to be more clarity around when a dispute over a vehicle purchase should be referred to conciliation. Other legal perspectives offered as part of the committee inquiry included express concerns about the onus to prove the vehicle is not of acceptable quality still remains at the consumer's expense. These concerns about alternative resolution process and initial consumer costs could be addressed by the government as this bill moves forward.

The Motor Traders Association of Queensland and lemon car and caravan advocacy groups also support this bill. Specifically, there are concerns that the \$100,000 cap would dissuade consumers from seeking dispute help outside the courts if their purchase were in excess of this cap and/or perhaps there should be consideration within the bill to adjust this maximum cap for inflation.

I support the intent of this bill to provide better protection of and increase fairness for consumers purchasing motor vehicles and recreational caravans. It is a significant household purchase, and implications of purchasing a lemon car can be both financially and emotionally draining. Both having confidence in our consumer protection system and fostering a fair sales culture within our motor vehicles sales industry are important.

The bill itself received overall support during the committee process from various stakeholders representing consumers, the legal community and industry associations. Some of the concerns raised were noteworthy and should be taken into consideration. My concern is not with the bill itself but with the resources currently within QCAT to adequately handle lemon vehicle disputes in a timely manner. Within the 2017-18 QCAT annual report it was expressed that the tribunal was severely under-resourced and overworked. In addition, the complexity of lodgements within its existing scope combined with limited resources is expected to apply continued pressure for QCAT to meet its benchmarks for annual clearance rates.

These statements are supported by QCAT's president who has commented in the past that its members and registry staff have been stretched beyond all reasonable and proper levels of tolerance. This was also supported by Queensland Law Society president Bill Potts. During his submission at the committee's public hearing he noted that QCAT was already 'in a very poor position financially' and that members and registry staff have been 'stretched beyond all reasonable and proper levels of tolerance'. Bill Potts has previously said that 'the government appeared to be deaf to the needs of resourcing QCAT'.


The appropriate resourcing of QCAT has long been an issue. In 2017-18 QCAT settled over 31,000 matters before it. Over the duration of its existence we have seen QCAT get across-the-board a one per cent funding increase despite there being a 14 per cent increase in cases lodged. How does the government intend to add more to QCAT's workload yet expect it to help people in their disputes over a lemon vehicle purchase? While this bill intends to create operational efficiencies through amendments to the Queensland Civil and Administrative Tribunal Act, it still requires people and resources to implement it.

We have already heard concerns raised about QCAT's resources and staff level challenges through its annual report. As well, there are individuals who have brought forward concerns about the handling of guardianship matters and the overall management of the Public Trustee, another operation under QCAT's current management. If QCAT is already struggling to meet its benchmarks now, does it make sense to create more work for it? How will this bill help people if there is limited capacity to enforce the fairness and protections? If more resources and staff need to be dedicated to QCAT now then where is the complementary action plan to ensure that what this government intends to do on paper will happen in real life? My concern is that we could have empty words with no actions.

While it is important to create fairness for vehicle consumers, what about fairness for all the other Queenslanders that QCAT currently serves? Is it fair to these people to have their tribunal processes delayed due to the expansion of rights within this bill? Will their existing rights and protections on paper also become empty words with no actions?

Given how important a vehicle is to get to work, drop off kids at school or pick up household necessities, I ask this government to take a hard look at providing adequate funding and/or resources to ensure these disputes are handled in a timely manner. A bill with no resources to support its implementation becomes empty words on paper. It will not sufficiently address the financial and emotional burdens placed upon my constituents by an unresolved lemon purchase from a motor vehicle dealer. People need certainty of protection and process which cannot only be achieved in words. It also has to happen through actions—that is, through the process of handling a lemon vehicle dispute itself.

In order for this bill to make a real difference in these situations we need adequate resources and staff to guide and settle the dispute process in a fair and timely manner. I do not think any of us would ever want to be in an unresolved lemon vehicle purchase dispute and if we were we certainly would not want to have to wait for months on end for a resolution. I urge this government to not just create empty words but take action to ensure Queenslanders are protected in application as they are on paper within this bill.

 **Hon. G GRACE** (McConnel—ALP) (Minister for Education and Minister for Industrial Relations) (12.52 pm): I rise to support the Queensland Civil and Administrative Tribunal and Other Legislation Amendment Bill. The purpose of this bill is twofold. It delivers the implementation of recommendations from the review of the QCAT Act. It is hard to believe that it was 10 years ago that Labor brought in this great initiative. It also delivers on the Palaszczuk government's promise to introduce laws to help purchasers of lemon motor vehicles.

QCAT commenced operation in December 2009. After 10 years it is always good practice to have a review. I commend the Attorney-General for having a look at how QCAT can do a little better. It has been a tremendous success story in spite of the moaning, groaning and whinging of those opposite about resources. It just keeps happening in here. It is the same story. One person writes the dot points for them and they just keep banging the same drum over and over again. They are the most monotonous, boring speeches you could ever hear. Somebody writes the dot points and they get up and parrot them. They do not even have the ability to write their own speeches with regard to this bill.

QCAT has been an incredible success. As I said, it was a Labor initiative. The Attorney-General more than adequately funds QCAT. After 10 years of being so successful you get a lot of people wanting to use it. They should be patting QCAT on the back rather than coming in here continually whinging and whining about people having to wait, which is something that may never eventuate. The review of the QCAT Act found that it was working well.

**Opposition members** interjected.

**Ms GRACE:** Those opposite may want to stop interjecting. They cannot handle it when they hear the truth. They wrote the speech for you, member for Ninderry. You got up and you parroted it out. That is fine. Go right ahead and do it. That is okay. You are a new member. I will give you at least that somebody had to write it for you.

**Madam DEPUTY SPEAKER** (Ms Pugh): Through the chair, Minister.

**Ms GRACE:** It is through the chair. Maybe if he listened rather than interjected—

**Government members** interjected.

**Ms GRACE:** You have to liven this place up a bit. It has been so boring. Honestly and truly, we have been sitting here hearing the same old whinging and whining from those opposite. It is lunch time in five minutes, let us just bring the debate up a bit and start making it a little objective.

The review found that QCAT was working well and that stakeholders support the act and its objectives. Enough of this. This is what the independent review found. The Attorney-General does a great job in making sure that it has support. The QCAT Act review report recommended a small number of legislative amendments to improve the operational efficiency of QCAT and to better achieve the objectives of the QCAT Act. The most significant of these amendments was the one relating to QCAT's expanded motor vehicle jurisdiction. That was one of the actual recommendations.

A lot of the car dealers in my electorate are obviously looking forward to this. There are many car dealers in the Newstead area, especially in that stretch of Newstead where the apartments are. These changes will be of great interest to them and their purchasers.

We are delivering on our promises here in Queensland, as we usually do. We are delivering on our promise to improve consumer rights when it comes to lemon vehicles. Once again, this is a pat on the back for one of the best attorneys-general we have seen in this state for a while—when compared to the member for Kawana. The amendments are to implement elements of the Palaszczuk government's 2017 election commitment to improve fairness and provide greater rights for Queenslanders when buying a car.

I know we have heard horror stories. I have had family members who have had lemon vehicles and caravans. They generally are a very big expense for a lot of families. This gives them the opportunity to get an adjudication. We are expanding the role of QCAT. It will be able to conciliate and arbitrate in this regard. What a great step forward. This will make sure that people are not stuck with a lemon.

One constituent came and saw me. I felt sorry for them. Everything you could possibly imagine could go wrong with a vehicle went wrong with theirs. This gives them the opportunity to take that into the QCAT jurisdiction. Upping the amount from \$25,000 to \$100,000 is a great step forward. It means that most things will be included. I think these changes are a real step forward.

I also believe that the bill will enable an adjudicator to hear and decide the proceedings. It will reduce costs for consumers who want to get their lemon vehicle problem sorted. There is nothing better than solving a lemon problem when it comes to motor vehicles. To ensure accessibility, the bill will provide QCAT with flexibility in the way that these proceedings are heard.

This legislation really ticks all the boxes. It expands the jurisdiction. It allows people with a problem to come forward. It makes sure QCAT is relevant after 10 years. It implements a recommendation. It ticks off on our commitments as a government. Commitments are pretty good when it comes to Labor governments. That is why we are on this side of the House and they are on the opposite side. It makes sure that QCAT remains relevant. It makes sure that it delivers for consumers. As a member who has a lot of motor vehicle retailers in my electorate, the electorate of McConnel, it is particularly relevant.

**Mr Powell** interjected.

**Ms GRACE:** I will take the interjection from the member for Glass House. That is in the area of Newstead—one of the most beautiful areas in the seat of McConnel. There are more apartments in that area. It is absolutely fantastic. It is beautiful.

**Opposition members** interjected.


**Madam DEPUTY SPEAKER:** Order! The minister is not being provocative, as best I can tell.

**Dr Lynham:** The 'limoncello laws'.

**Ms GRACE:** I am talking about the beautiful electorate of McConnel. I will take the interjection from Minister Lynham. We could almost call this limoncello legislation; it will be so sweet and so good.

This bill most certainly meets our election commitment. It certainly delivers for the people of Queensland. It certainly delivers for those families who find themselves in the terrible situation where they may purchase a large motor vehicle or a caravan and find that it is a lemon. Now they can make that lemon into limoncello. What could possibly be better than that? I commend the bill to the House.

Sitting suspended from 1.00 pm to 2.00 pm.

 **Mr McARDLE** (Caloundra—LNP) (2.00 pm): I rise to make a contribution to the debate on the bill before the House. I note that the prior speaker, the Minister for Education, made a comment about whingers and whiners. Many people on this side of the House have raised the issue of Justice Daubney. I hope that a minister of the Crown is not reflecting on a Supreme Court justice as a whinger and a whiner. That would be inappropriate entirely.

**Ms GRACE:** Mr Deputy Speaker, I rise to a point of order. I can confirm that there was no intention in that manner.

**Mr DEPUTY SPEAKER** (Mr Stevens): That is not a point of order. It is a frivolous interjection, Minister. Thank you very much. It is noted.

**Mr McARDLE:** It is good for the soul to cleanse. I want to deal with the bill only as it relates to QCAT itself. The explanatory notes make it quite clear that the amendments in relation to QCAT were aimed at 'improving the operational efficiency' of QCAT itself. It is the reason for that that I want to address, given the current status of the Office of the Health Ombudsman in relation to QCAT. Before I do that, it is very important to reflect on the annual report of the President of QCAT, the Hon. Justice Martin Daubney, a justice of the Supreme Court of Queensland. In his report he makes a couple of comments. He states—

QCAT is the disciplinary body for a wide range of professions, providing confidence for Queenslanders by ensuring that appropriate standards of professional conduct and expertise are maintained. These matters include lawyers, doctors, nurses, vets, engineers and teachers, and have profound career and reputational impacts on the individuals involved.

He then goes on to state—

This report does not reveal the substantial monetary value of many of the matters which come before QCAT. Nor does it reveal the increasing complexity of many of these matters, or that every single one of these proceedings has a direct and immediate impact on the people involved. It is not hyperbolic to say that many of these proceedings are literally life-changing.

They are the important words—that the decisions made by QCAT in relation to those people they deal with, either as complainants or as those complained against, can well be life-changing. He then states—

QCAT's members and registry staff have been stretched beyond all reasonable and proper levels of tolerance. Any further delay in appropriate resourcing for QCAT will inevitably result in the tribunal being unable to deliver anything like quick and accessible civil justice to Queenslanders.

I am hopeful that the Executive Government will recognize and urgently address these resourcing issues.

The Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee oversees the OHO. It is their obligation to ensure that OHO continues to provide for Queenslanders and is able to deal with the issues coming before it. At the public hearing on 12 November, the health committee was advised that as of that date there were 70 matters before QCAT and it was anticipated there would be a further 65 going to QCAT this year, giving a total of 135 matters. I recall that the committee was advised that in the year before only six or seven matters had been finalised. When the members of OHO came before the committee—this is a matter of public record—I asked one member how many members of QCAT deal with matters. I was advised by Mr McLean, who is the Executive Director of Legal Services—

It is one member, generally. If you take a look at the historical matters that have been heard, there have been several judges who have heard the matters. Lately there has generally been one particular judge. It does not mean that there has to be one judge. QCAT has the ability to have any judicial member hear matters filed by the director of proceedings.

I then asked Mr McLean—

If you have one tribunal member only dealing with it, the backlog must continue to grow before that tribunal member.

He replied—

Unless other judicial members become available; that is correct.

On 25 February 2019, OHO appeared again before the committee. At that hearing Ms Rose Kent, AHPRA's State Manager, was asked whether they had a problem in relation to resourcing of QCAT. She replied—

We currently have three matters that involve eight notifications that are more than two years old; we have been waiting for a judgement for over two years.

The resourcing in QCAT has led to these matters by way of judgement not being delivered for over two years. She then went on to make this comment—

It is definitely a resourcing issue in terms of the numbers. We have seen the increase in the numbers from the Health Ombudsman's office. When we met with the previous judge she was concerned and expressed those concerns about the ability of QCAT to handle larger numbers of matters, and so it becomes a resourcing issue I think for QCAT itself.

What we have here is the OHO and AHPRA making it quite clear that there is a backlog of their matters before QCAT and that there is also a backlog in the matters being resolved by QCAT. That goes very squarely back to the comments by the president that this is a tribunal that deals with serious matters—it deals with serious complaints by the public in relation to doctors, lawyers et cetera—and that those matters are not being dealt with. We would be remiss if we did not heed the words of Mr Justice Daubney. A Supreme Court justice is appointed because of their wisdom, their knowledge and their dedication. If he is saying to us that this is his concern, it is a warning for this chamber, and may I say to the Attorney, that these matters must be arrested.


In my opinion, OHO is simply one cohort of files before QCAT that are not being properly dealt with, and the problem will be that, if justice is in fact delayed, the concern and the angst of both the practitioner and the complainant will escalate. It is a matter of getting these issues resolved quickly and to a point that both can get on with their lives. You cannot have this sort of matter hanging over people's heads year in and year out.

We also posed a series of questions to OHO in relation to the number of matters that were before QCAT. The question was: what is the number of OHO matters awaiting judgement at QCAT and how long have those matters been waiting for judgement? The answer was—

A total of 30 OHO matters have been heard by QCAT, with an average of 314 days between the filing and hearing dates. Thirteen of these matters are awaiting a decision, and have been waiting for an average of 109 days. Of the 171 matters that have received a QCAT decision, there was an average of 80 days between the hearing date and the judgement date.

Thirty 30 matters have been before QCAT awaiting a decision and the average was 314 days, and 13 of those matters have been waiting 109 days for a determination to be delivered.

This is what Mr Justice Daubney is getting at, and this bill, which is said to alleviate and help the efficiency of QCAT, needs to do more than that. This is a body that needs resourcing because, as I said before, the matters before QCAT are not simple traffic offences; they contain serious allegations, serious implications and serious consequences for the public as a whole. Though we support the bill, the comments I make today are by myself and the issue here is funding QCAT to do the job it is paid to do.

 **Mr LISTER** (Southern Downs—LNP) (2.10 pm): I too rise to speak to the Queensland Civil and Administrative Tribunal and Other Legislation Amendment Bill 2018. I would like to acknowledge the work of the committee and its staff in bringing us to this point in the debate. The objectives of the bill are to amend the Queensland Civil and Administrative Tribunal Act 2009 to improve the operational efficiency of the Queensland Civil and Administrative Tribunal to better achieve the objects of QCAT; and to implement fairness and provide greater rights for Queenslanders buying vehicles and address issues concerning lemon laws.

In regard to the efficiency implications of the bill, the efficiency improvements which may flow from the bill are clarifying that QCAT's tenancy jurisdiction is limited to claims of not more than \$25,000; broadening the scope of the principal registrar so that it can now issue notices to parties or require that a person produce a document; clarifying that an adjudicator sitting alone can constitute QCAT; and providing a legislative framework to enable QCAT to undertake conciliation in addition to other alternative dispute resolution processes which are currently available.

One of the things that I think will be of most interest to the Queensland public is the application of lemon laws. As we have heard many speakers on both sides say, the purchase of a motor vehicle is a significant outlay for people. They are complex pieces of equipment, and the world of making warranty claims and seeking remedy for faulty vehicles has traditionally been a very difficult one.

For cases under the Fair Trading Act, this bill will raise the ceiling for claims from \$25,000 to \$100,000 at QCAT, which greatly expands access to civil justice for people who are having difficulties with faulty vehicles. It also applies to the Motor Dealers and Chattel Auctioneers Act in relation to statutory warranties for used motor vehicles. The bill amends the Fair Trading Act to provide a definition for motor vehicles and implements the commitment to reinstate the statutory warranty for class B older second-hand vehicles that operated under the Property Agents and Motor Dealers Act 2000.


I have heard a few stories in the chamber today about people who have had difficulties—who have had a really rough time—trying to seek redress for vehicles which were faulty—lemons and so forth. In case the House is not aware, I enjoy watching YouTube pieces by a gentleman called John Cadogan from Auto Expert TV. He often speaks about cases where particularly new car companies appear to fail in their obligations under warranty claims. If you are a consumer of a vehicle with a defect

you go to the dealership and you ask that it be fixed. The dealership invariably is paid less for their work by the parent company than they would be by an ordinary consumer, so immediately there is a disincentive to perform warranty work or be vigilant in searching for and finding the problem.

Then there is the question of the parent company or the vehicle importer and their reaction to warranty claims and whether or not they are prepared to stump up for a fix or provide parts and be genuine in their attempts to rectify the problem. My sense is that most companies and most dealerships are very good. I purchased a Subaru from the dealer in Warwick—Cassels—and I have had some warranty claims. They have been handled very professionally and I have been very happy with it, but I know that other people have had great difficulties. I think this will go some way towards correcting the relative imbalance of power between the car company, dealers and ordinary folk for whom a faulty or persistently faulty vehicle is a real problem. We have heard some personal stories today and I am sure we can all identify with that to some extent.

The stakeholders who were consulted in the course of the committee process were by and large supportive of the bill, and I think that is a good thing. One of the things which concern the LNP is that QCAT, we would imagine, is going to have further expansions in its workload as a result of these increases in cases which are eligible to go to QCAT. The President of QCAT, the Hon. Justice Daubney, has publicly mentioned that he feels his organisation is struggling with the workload. It follows, therefore, that we should be looking at that as a resourcing issue. I urge the government to take heed of that because organising for people to have access to civil justice on paper, which is what we are doing here today, does not achieve much if the resources are not there to provide them with access to hearings and remedies.

I think it is unfortunate that Justice Daubney had to be so explicit about his concerns over workload and how pressed his staff are. I speculate that he would have voiced his concerns privately to the government. The fact that it has come out into the open shows that there is real concern there. I ask the government and particularly the Attorney-General to take heed of his concerns and resource QCAT properly because that will be of benefit not just to QCAT but also to the thousands of Queenslanders who depend on QCAT for economical access to civil justice. Having said that, we do support the bill. I think it is a great step forward and many people will benefit from the work that we have done today in the House. I commend it to the House.

 **Mr MILLAR** (Gregory—LNP) (2.17 pm): I appreciate the opportunity to make a short contribution to this debate. This is a bill in two parts—firstly, amendments to the Queensland Civil and Administrative Tribunal Act 2009 and, secondly, the establishment of greater consumer protections for Queenslanders purchasing a motor vehicle.

To take the second part first, the LNP will always support any initiative which aims to improve fairness by providing better protection for consumers, especially for purchasers of new vehicles. The so-called lemon laws in this bill are very praiseworthy. Like many parents, I have children who are learning to drive and who will be looking to purchase a car. These laws are very reassuring to many parents across Queensland.

These amendments respond to a long expressed desire by members of the Queensland community for better consumer protection for new and used vehicles. The bill will expand QCAT's jurisdiction to deal with the actions for an amount of up to \$100,000 from the current \$25,000. This is a fair reform and will be warmly welcomed by Queenslanders who own campervans and motorhomes. I will say from the outset that some of these campervans and motorhomes especially are worth a lot more than \$100,000. They are getting very expensive.

Now to the first part: amendments to allow better operational efficiencies for QCAT. These include clarifying that QCAT's tenancy jurisdiction is limited to claims of not more than \$25,000, which should improve the workload. The proper functioning of the private rental market is vital in mining towns in Gregory and also in Burdekin. We are talking about towns like Moranbah, Dysart, Emerald, Blackwater and Tieri, and this clarification is welcome. These amendments will also allow the principal registrar to issue notices to parties and require a person to produce documents. This should improve QCAT's workflow.

The legislation also clarifies that an adjudicator sitting alone can constitute QCAT. Again, this is clearly about workflow and workload. Then the bill provides a legislative framework to enable QCAT to undertake conciliation. This is an important addition to QCAT's dispute resolution toolbox. While I support these initiatives, taken together they point to an elephant in the room, and I have expressed this before. QCAT's ever-expanding workload is not being matched by the money it needs or by expansion of its resources. It needs funds if it is going to take on further work.



I touched on this in my speech on the Guardianship and Administration and Other Legislation Amendment Bill last week. That bill had many clauses pertaining to QCAT, such as the new powers pertaining to the Public Guardian, to the administration of enduring powers of attorney and to the administration of the estates of missing persons. It also contained new obligations when dealing with matters relating to an impaired adult. QCAT must now take into account, as far as practically possible, the views, wishes and preferences of that person and the members of their support network when carrying out its functions. This is praiseworthy, as I said, but it is a predicament for QCAT and its staff. It is a most urgent predicament.

While this bill and the guardianship bill are praiseworthy, they both expand QCAT's jurisdiction and obligations. I cannot let these expansions of QCAT's jurisdiction continue to come before the House without raising the need for the funds it needs for the expansion of QCAT's resources. We only have to hear from QCAT's president, Justice Martin Daubney, who said—

QCAT's members and registry staff have been stretched beyond all reasonable and proper levels of tolerance.


I will say that again: they have been 'stretched beyond all reasonable and proper levels of tolerance'. This is very strong language that we hope the Attorney-General and the Treasurer will pay attention to. He went on to say—

Any further delay in appropriate resourcing for QCAT will inevitably result in the tribunal being unable to deliver anything like quick and accessible civil justice to Queenslanders.

They are very strong words coming from a very distinguished man. I put that on the record to make sure we do have the right resources around a very important function. This is a spot-on description of QCAT's purpose and reason for being—to deliver quick and accessible civil justice for Queenslanders—but it is getting harder to deliver as more and more matters are assigned to QCAT's jurisdiction and more and more complex matters are coming before it.

I note that the Queensland Law Society highlighted in their submission their continuing concern with the inability of a solicitor to appear 'as of right' before QCAT. I understand the argument that excluding solicitors means QCAT is more affordable for the average Queenslander. However, I know that many Queenslanders feel unable to represent themselves, and in that case they can apply for a solicitor to represent them. It is of key importance that there is equality in the resources that two sides to a dispute can bring to bear. Differences in education, status and power are a part of the human condition. We do not want to see unequal legal representation distorting the processes of QCAT.

This brings me to another concern of the Queensland Law Society. While it welcomed the amendments to allow increased engagement with alternative dispute resolution, it is concerned that the amendments do not provide the parameters about when this might be appropriate and when it might not be appropriate. I do not know that justice is actually served by making bills so prescriptive that they become rigid. I am sure Justice Daubney and his staff will be sensitive to issues, such as obvious power imbalances between parties. My concern is more that all of this will take time and resources that QCAT does not have. I want to stress this concern to the government. It must be urgently addressed because it has a real impact on the quality of justice available to Queenslanders. I ask the Attorney-General to work with the Treasurer to give this the urgent attention it requires. I commend this bill to the House.


 **Mr CRANDON** (Coomera—LNP) (2.23 pm): I rise to make a short contribution on the Queensland Civil and Administrative Tribunal and Other Legislation Amendment Bill debate in the House. I see that the committee recommended in its report that the bill be passed. I note that various members have indicated Justice Daubney's comments about funding being an issue. The numbers are not getting any smaller—they are getting greater—and once again there are backlogs occurring.

The objective of the bill, among other things, is to amend the Queensland Civil and Administrative Tribunal Act 2009, the QCAT Act, to improve the operational efficiency of the Queensland Civil and Administrative Tribunal to better achieve the objects of the QCAT Act. This is interesting. I note that the bill relates to new and used motor vehicle lemon laws. In relation to vehicles, the bill expands QCAT's jurisdiction up to \$100,000.

That might have had some benefit to my family. I have had experiences with the Ford Motor Company in recent times, and in fact the ACCC had to get involved in it. The ACCC finally forced the Ford Motor Company to in some cases replace vehicles—give people brand-new vehicles. In my particular case, it was my wife's car. We have bought about 10 Fords over the years, but no more; we will never buy another Ford. For four years, my wife complained about a shudder in the gearbox of her car. For four years, the dealer told us there was nothing wrong with it. Then the ACCC came out and

said that they had to replace gearboxes and replace cars. When I contacted Ford, all they said was, 'That's fine. Go into the Ford dealer and we'll fix it for you.' It was like, 'What do you mean you'll fix it now? Why didn't you tell us that you had a fix for it? We've been complaining about it for four years.'

Lo and behold, in recent times, I discovered that my car is a bit of a lemon as well. It is an October 2013 plated vehicle and I bought it in January 2014, but I cannot get the sat nav updated. You can get the sat nav updated for earlier vehicles and you can get it updated for later vehicles, but you cannot get the sat nav updated for my vehicle. Why? Because the organisation they were dealing with when those were installed has left the country. After building the car and less than four years after I purchased the car, the Ford Motor Company told me that I cannot update the sat nav in my vehicle. Yet in 2016, in the middle of all of this, Ford released a media statement which said, 'Ford announces free sat nav map upgrades.' Well, it was free for some but not for me—not for the vehicle that I purchased from them. That was the 10th vehicle that I purchased from them and, as I said, it was the very last vehicle that I ever intend to buy from the Ford Motor Company. The lemon laws are a welcome addition. It is certainly somewhere we would have gone had they been in place at that time. I commend the bill to the House.

 **Mr McDONALD** (Lockyer—LNP) (2.26 pm): Picture this. You have been saving for months and months, barely scratching your life together as you put your money away to be able to buy that dream. You never lose sight of that picture ahead. Then one day you have saved all of your hard-earned money and you walk into the dealership, you hand over the money, you get the key and you finally climb into that car you have been dreaming of. You feel elated. You are on top of the world but, suddenly, a week later, or as Murphy's Law says just after the warranty is up, the bubble bursts. That car you had saved for for months or even years begins to overheat, the oil leaks, the timing belt has gone, it might even have killer airbags and the list could go on and on. Sadly, you have bought a problem. You have bought a lemon, as the term now exists.

Now out of pocket and out of a ride, you are stuck feeling frustrated, ripped off and without hope. This scenario might be every teenager's worst nightmare, but the same plays out for many people seeking their dream holiday or retirement when they make the purchase of a caravan, a motorhome or a vehicle to tow it around our great country. When things go wrong, where do people turn?

Unfortunately, this is a scenario many Queenslanders will experience at some point in their life. Left feeling powerless and desperately in need of assistance, many just do not know what to do and some turn to the courts for help. The current restrictions on the Queensland Civil and Administrative Tribunal, QCAT, in dealing with these situations mean many just cannot make an application to this low-cost civil tribunal and they have to look at the Magistrates Court or the District Court. This option is often far too expensive and complicated and sometimes people just give up.

The Queensland Civil and Administrative Tribunal and Other Legislation Amendment Bill 2018, which I stand to speak on today, seeks to provide vulnerable Queenslanders that extra option—


**Mr DEPUTY SPEAKER** (Mr Stevens): Member for Lockyer, could you resume your seat please. Members, in accordance with the business program agreed to by the House, the question is that the bill be now read a second time.

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

Motion agreed to.

Bill read a second time.

### Consideration in Detail

 **Mrs D'ATH** (2.29 pm): I table the explanatory notes to my amendments.

*Tabled paper:* Queensland Civil and Administrative Tribunal and Other Legislation Amendment Bill 2018, explanatory notes to Hon. Yvette D'Ath's amendments [\[524\]](#).

**Mr DEPUTY SPEAKER** (Mr Stevens): The Attorney-General's amendments Nos 1 and 2 are outside the long title of the bill and, therefore, require leave of the House.

Leave granted.

Question put—That the minister's amendments Nos 1 and 2, as circulated, be agreed to and clauses 1 to 46, as amended, stand part of the bill.

## Amendments as circulated—

## 1 After clause 2

Page 6, after line 8—

*insert—***Part 1A Amendment of Civil Proceedings Act 2011****2A Act amended**This part amends the *Civil Proceedings Act 2011*.**2B Amendment of pt 12, hdg (Assessors)**

Part 12, heading, after 'Assessors'—

*insert—***and referees****2C Insertion of new pt 12, div 1, hdg**

Before section 76—

*insert—***Division 1 Assessors****2D Amendment of s 76 (Definitions for pt 12)**

(1) Section 76, heading, 'pt 12'—

*omit, insert—***division**

(2) Section 76, 'part'—

*omit, insert—*

division

**2E Insertion of new pt 12, div 2**

After section 79—

*insert—***Division 2 Referees****79A Protection and immunity**

(1) In performing the functions of referee, a referee has the same protection and immunity as a Supreme Court judge performing a judicial function.

(2) A party appearing in an inquiry before a referee has the same protection and immunity as the party would have if the inquiry were a proceeding being heard before the Supreme Court.

(3) A witness attending an inquiry before a referee has the same protection and immunity as a witness attending before the Supreme Court.

(4) A document produced at, or used for, an inquiry before a referee has the same protection during the inquiry as it would have if produced before the Supreme Court.

(5) In this section—

***inquiry***, before a referee, means an inquiry into a question in a proceeding that is referred under the rules to the referee.***party*** includes a party's lawyer or agent.***referee*** means a referee appointed under the rules.**2F Amendment of sch 1 (Dictionary)**(1) Schedule 1, definition *assessment*, after 'part 12,'—*insert—*

division 1,

(2) Schedule 1, definition *assessor*, after 'part 12,'—*insert—*

division 1,

(3) Schedule 1, definition *costs assessment*, after 'part 12,'—*insert—*

division 1,

**2 After clause 46**

Page 44, after line 13—

*insert—*

**Part 6 Amendment of Supreme Court of Queensland Act 1991****47 Act amended**

This part amends the *Supreme Court of Queensland Act 1991*.

**48 Amendment of sch 1 (Subject matter for rules)**

Schedule 1, section 14(f), 'special'—

*omit.*

Motion agreed to.

Amendments agreed to.

Clauses 1 to 46, as amended, agreed to.

**Third Reading**

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

Motion agreed to.

Bill, as amended, read a third time.

**Long Title**

Question put—That the minister's amendments Nos 3 and 4, as circulated, be agreed to.

Amendments as circulated—

**3 Long title**

Long title, after 'amend'—

*insert—*

the *Civil Proceedings Act 2011*,

**4 Long title**

Long title, from 'and the' to '2008'—

*omit, insert—*

, the *Residential Tenancies and Rooming Accommodation Act 2008* and the *Supreme Court of Queensland Act 1991*

Motion agreed to.

Amendments agreed to.


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

Motion agreed to.

**HEALTH AND OTHER LEGISLATION AMENDMENT BILL**

Resumed from 13 November 2018 (see p. 3394).

**Second Reading**

 **Hon. SJ MILES** (Murrumba—ALP) (Minister for Health and Minister for Ambulance Services) (2.31 pm): I move—

That the bill be now read a second time.

I would like to acknowledge the work of the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee in considering the Health and Other Legislation Amendment Bill 2018 and its report tabled on 14 February 2019. I note that the committee made a single recommendation—that the bill be passed—and that the committee supported all of the health related amendments in the bill. I would like to thank the stakeholders who made written submissions to the committee and attended the public hearing on 24 January 2019. Many stakeholders also engaged with the department during the development of the bill.

There are significant reforms in the bill to a range of Health portfolio legislation that protect and improve the health of Queenslanders. This bill is about ensuring that Queensland's health legislation keeps up with developments in clinical practice and is responsive to emerging issues. It also amends the Retirement Villages Act 1999 to ensure freehold properties in retirement villages are captured by recent reforms to ensure that residents are paid their exit entitlements in a timely manner.

With this bill, we are making sure that seriously ill Queenslanders will have faster access to medicinal cannabis under new laws that will make the prescription process easier. If cannabis is a suitable way to treat a patient's condition or associated pain, then we believe they should have the same access to it as any other medication. These changes mean medicinal cannabis will be treated exactly the same as other prescription medications.

This new legislation joins some of the most progressive laws in the country. It was the Palaszczuk government that led Australia in 2015 by enabling doctors to prescribe medicinal cannabis to patients, and that legislation was vital. Now that the Commonwealth has caught up, we can streamline that process even further. This law change will significantly streamline the prescription process by removing state level approval and will ensure patients have access to the treatment they need sooner. Now that the treatment has progressed, it makes sense for a nationally consistent approach and for the Therapeutic Goods Administration to take carriage of the prescription process.

Currently, only a limited group of specialist medical practitioners has the authority to prescribe medicinal cannabis to patients with select conditions without a Queensland approval. These amendments will allow all specialist medical practitioners to access the patient class prescriber pathway and will expand the types of patients they can prescribe to. We recognise that the prescription of medicinal cannabis is a decision for specialist medical practitioners. This is all about giving them the authority and trust to do their jobs.

The bill will repeal the Public Health (Medicinal Cannabis) Act 2016 and amend the Health Act 1937 so that medicinal cannabis products are treated in the same way as other scheduled medicines. Any medical practitioner will be able to prescribe schedule 4 medicinal cannabis products and any specialist medical practitioner, including specialist GPs, will be able to prescribe schedule 8 medicinal cannabis products without an approval from the state.

There was broad support for these amendments amongst stakeholders who engaged with the committee. Australia's domestic medicinal cannabis industry is in its infancy, but I believe it has great potential. There are several companies working towards having medicinal cannabis products produced locally here in Queensland. I look forward to following their progress in taking their products to market. This will help improve access for people and reduce costs for these increasingly important medicines.

An amendment in this bill that had strong support during the committee hearing is updating the Notifiable Dust Lung Disease Register to include silicosis. The register is being established in response to a recommendation of the Coal Workers' Pneumoconiosis Select Committee of the Queensland parliament in its *Black lung white lies* report. However, dust lung diseases are not limited to the coal and mining sector, and the register will not be either. The bill ensures that the register captures dust lung diseases such as silicosis and pneumoconiosis caused by any occupational exposure.

The health and safety of Queenslanders is our priority. That young Queenslanders can go to work every day in a job that could make them sick is unacceptable. Until very recently I had never heard of the disease silicosis, only to discover that it was affecting young Queenslanders in the engineered stone benchtop fabrication industry. I want to commend the industrial relations minister for her work leading the reforms that will protect stonemasons and people working with this material into the future. It is because of her swift action that Queensland is leading the nation in responding to and preventing these diseases, but we need a nationally coordinated response.

Our amendments to the Public Health Act 2005 today will create the Notifiable Dust Lung Disease Register to record cases of coal workers' pneumoconiosis, silicosis and other lung conditions caused by occupational exposure to inorganic dust. Once the register is established, occupational and respiratory specialists will be required to notify Queensland Health when they diagnose patients with specific dust lung diseases. It will capture incidences of lung diseases from all work environments in which employees are exposed to inorganic dust. This will enable health authorities to monitor emerging occupational lung diseases such as silicosis. It will improve data collection and enable diagnosis information to be collated by Queensland Health, which the Minister for Health will table each year here in parliament.

The bill includes new provisions in the Public Health Act to deal with polluters who refuse to inform the public of the health risks of a pollution event. I have seen repeated incidences of waterways being contaminated with PFAS, a compound found in firefighting foams. I share the same concerns as many other Queenslanders about the ongoing issue of PFAS contamination and its potential to affect public health. I have seen this as minister for environment and now as Minister for Health—situations where a company or a council pollutes the soil, water or fish and other seafood and the polluter does not want to tell the public.

Last year I made my concerns very clear to big business, councils and the Department of Defence in relation to not taking these contamination incidents seriously and failing to notify the public despite repeated requests from Queensland Health. This is not good enough. From now on, if you pollute our environment, if you put the health of Queenslanders at risk, if you contaminate our waterways and our soil, you will be held accountable and you will tell the public.

The Chief Health Officer will be empowered to issue a notice requiring the person responsible for the pollution to notify the public of any related health risks as well as the nature and extent of the pollution event. The Chief Health Officer will also have the power to approve the way the public is notified; for example, a media statement or letters to affected residents. This will help to ensure that the public is given sufficient notice and appropriate advice about how to avoid exposure to the pollution. If the person responsible for the pollution does not comply with the directions of the Chief Health Officer, they will be committing an offence.

We are also amending the Radiation Safety Act to ensure the safety of Queenslanders by requiring people who work with potentially dangerous radiation sources to be licensed. This will ensure that individuals who use or transport certain radiation sources are appropriately trained to handle these radiation sources without endangering people's health or causing adverse effects to the environment. The bill creates a new type of licensee under the Radiation Safety Act: a prescribed licensee. These licensees will have already undertaken training about working with the radiation source in order to meet other requirements such as professional registration requirements. These licensees will be deemed to hold a use or transport licence without the need to do the paperwork and pay the fees to apply to the department for a licence. The bill allows these prescribed licensees to be prescribed in the regulation.

The draft Health Legislation Amendment Regulation, which I tabled when introducing the bill, includes two prescribed licensees: dentists registered under the health practitioner regulation national law who use intraoral dental X-ray equipment to carry out intraoral dental plane radiography, which is the type of X-ray found next to most dental chairs; and transport workers who transport radioactive substances into Queensland to complete a delivery if the person holds an authority such as a licence under a corresponding transport law of another Australian jurisdiction. Prescribed licensees will still be subject to all of the act's safeguards as other licensees. If they do the wrong thing, they can still lose their licence or be subject to other sanctions.

We are updating the Transplantation and Anatomy Act 1979 to remove the need for pathology laboratories to obtain permits for materials they need for routine quality assurance work. This will ensure that the provisions about taking tissue for clinical research studies reflect current clinical practices, and it will also remove the requirement that a hospital's post-mortem examinations must be in the hospital's mortuary.

I would like to clarify the policy intent and application of the amendments that remove the need for pathology laboratories to obtain permits for routine quality assurance work. The Transplantation and Anatomy Act prohibits the trade in human tissue unless the trade falls within an exemption in the act or a person gets a ministerial permit under the act. Currently, pathology laboratories and quality assurance providers must apply for a ministerial permit before trading in types of tissue that they routinely use. There is no exemption. 'Trading' includes cost-recovery practices as well as the commercial sale of tissue.

Clause 55 of the bill will amend section 42AA of the Transplantation and Anatomy Act to include an exemption for laboratory reagents, quality assurance material and reference and control material that are derived wholly or in part from tissue from the prohibition on trading in tissue. Section 42AA requires the tissue to have been subjected to processing or treatment. These amendments mean that pathology laboratories and quality assurance providers will no longer need to get a ministerial permit for these types of tissues.

Stakeholders raised with the committee that the proposed exemption may not apply to some types of tissue they regularly use, such as tissue in its native state. The question raised was whether tissue in its native state has been derived from tissue that has been processed or treated. The ordinary

meaning of the words 'derived from', 'processing' and 'treatment' will apply. Processing or treating tissue could include taking the tissue from the patient, cutting or slicing the tissue, placing it on a slide, adding a preservative, storing it or simply packaging the tissue for transport. Similarly, any tissue sample that has been processed in such a way is considered to be derived from tissue. The purpose of this amendment is to reduce the administrative burden on pathology laboratories and quality assurance providers when trading in tissue they routinely use. They will no longer need to get a ministerial permit, and this will apply to tissue in its native state.

The bill amends the Retirement Villages Act to clarify recent reforms to that act to ensure that former residents receive their capital in a timely manner. This applies to freehold units as well as leasehold and licence tenured units. This will ensure that all retirement village residents, regardless of tenure type, are treated equally.

The committee heard from a diverse range of stakeholders on this issue. I note that opposition members of the committee included a statement of reservation in the committee report regarding these amendments. All matters raised in the statement of reservation have been carefully considered. The requirement to return a resident's capital 18 months after they permanently leave a retirement village delivers an important consumer protection. Residents often depend on their funds when they leave a village to pay for their next place of accommodation, such as aged care. This protection, delivered through the 2017 amendments to the Retirement Villages Act, already applies to around 93 per cent of units. These units have leasehold or licence tenure. The bill extends the existing legal protection to the remaining seven per cent of units, being those with freehold tenure.

Given the difference between freehold and other tenure types, the bill requires the village operator to purchase the unsold unit from the outgoing resident 18 months after the resident terminates their right to reside in the unit. Where possible, processes have been included to create parity between freehold residents and residents with other tenure types.

The bill also includes safeguards for retirement village operators such as: allowing them to apply to QCAT for an extension of time to purchase the freehold unit where they would suffer undue financial hardship; and protecting them from compliance action for matters that are outside their control, such as where a former resident fails to secure the release of a mortgage over the unit. The bill strikes a fair balance between industry viability and consumer protection. It clarifies the intent of the 2017 amendments and delivers financial certainty for all retirement village residents regardless of tenure. It sends the clear message that it is not acceptable to expect our most senior citizens and their families to have to wait and wait for their funds.

As circumstances change and medicine develops, it is critical that Queensland's legislation keeps up. This bill demonstrates that the Palaszczuk government is committed to ensuring this happens. I again thank the committee for its detailed consideration of the bill and those who participated in the committee's inquiry. I also acknowledge the contribution of the many stakeholders who participated in the consultation during the development of the bill. I commend the bill to the House.



**Mr BLEIJIE** (Kawana—LNP) (2.47 pm): I move—

That the words 'now read a second time' be deleted and the following words inserted:

'withdrawn and redrafted to remove the provisions in Part 9 concerning retirement villages and freehold title and which relate to the portfolio of the Minister for Housing and Public Works, Minister for Digital Technology and Minister for Sport and should therefore be contained in a separate Bill.'


The opposition is moving this particular reasoned amendment during the debate because the minister responsible for retirement villages did not appropriately deal with this issue when the parliament dealt with retirement villages and freehold title in the past, so we are coming to this chamber to correct his errors and his incompetence. It is therefore entirely relevant and appropriate that those particular provisions be contained in a separate bill with a separate committee procedure and a separate debate in the parliament. The member for Mudgeeraba, the shadow minister, will detail the opposition's support for many of the amendments to the health provisions of the bill. The honourable member for Burleigh will express our concerns with respect to part 9, which deals with the retirement village provisions.

It is a health bill, not a retirement village freehold bill. That is why it is important that we discuss and debate the health provisions of the bill—particularly because we had a health crisis last week—but going forward the retirement village provisions should be dealt with separately. This House should not accommodate the incompetence of the Minister for Digital Technology and Minister for Housing and Public Works.

We see the drama unfolding across the chamber now. They are wondering 'What on earth is going on?' What is going on is that the minister ought to do the right thing by the people of Queensland and have a proper debate about a very important matter.

There has been public commentary on the provisions of part 9 of the Retirement Villages Act which will not be dealt with satisfactorily in a 2½-hour debate when we should be debating the health provisions of the bill because that is what it is about.

The other point I make and the reason for moving the amendment, which will be voted on at the end of the second reading debate, is that I have no doubt that the time will be wound down in this 2½-hour debate and there will be no consideration in detail. There will be no opportunity to express a view and vote against the provisions amending the Retirement Villages Act. Opposition and crossbench members should be afforded the right to do that, but they will not be. That is why I move this very reasoned and important amendment. I encourage all honourable members to think about this over the next 2½ hours and, when it comes time to vote, finally agree that the provisions relating to retirement villages, important though they are, should be dealt with in a bill separate entirely from the important matters contained in the health bill we are debating now.

 **Hon. MC de BRENNI** (Springwood—ALP) (Minister for Housing and Public Works, Minister for Digital Technology and Minister for Sport) (2.50 pm): I rise to speak against the amendment moved by the Manager of Opposition Business. I will address some of the remarks he made. He talked about the issue of whether or not these amendments are appropriately brought to the debate on the Health and Other Legislation Amendment Bill. I point out for the benefit of the House that it is not unusual for amendments to bills that have already been considered by the House to be brought as part of a bill dealing with another topic. The member for Kawana should be quite familiar with that process, particularly in relation to his failed attempts to make significant changes to industrial relations legislation in this state.

**Ms Grace:** Exactly. Jeff Seeney had to move them for the member for Kawana.

**Mr de BRENNI:** That is right. I take the interjection of the Minister for Education and Minister for Industrial Relations that those matters were brought back into this House by Jeff Seeney because the member for Kawana failed to address them appropriately.

**Mr DEPUTY SPEAKER** (Mr Stevens): Member for Springwood, please pause for a moment. Members, because the motion seeks to make an amendment to the bill, we will debate both the amendment motion and the second reading at the same time, because this is a time limited debate. In other words, speakers to the amendment and speakers to the bill will have one opportunity to speak. The member for Springwood currently has the call. He will be followed by the shadow minister.

**Mr de BRENNI:** I rise, then, to speak in support of the Health and Other Legislation Amendment Bill 2018 and in opposition to the amendment moved by the member for Kawana.

As the Minister for Health indicated, this bill includes significant reforms to protect and improve the health of Queenslanders. Most importantly, I want to speak to the amendments to the Retirement Villages Act 1999 that will ensure certainty and security for retirees regardless of the type of tenure of their home. I thank my colleague the Minister for Health for his support in allowing the Health and Other Legislation Amendment Bill to amend the Retirement Villages Act.

Just under two years ago the Palaszczuk government launched the development of the Queensland Housing Strategy to deliver flexible housing support that improves access and enables real choice for Queenslanders in their housing circumstances and we laid the path for strengthened consumer protections for Queenslanders living in retirement villages. We then saw the distressing *Four Corners* expose titled 'Bleed Them Dry Until They Die'. That was about dodgy practices in retirement villages. The Housing Legislation (Building Better Futures) Amendment Act 2017 was this parliament's response. It was nation leading. It introduced new standards for operators and residents of retirement villages, residential parks and residential services to protect Queensland seniors and vulnerable Queenslanders. With the amendments being made to the Health and Other Legislation Amendment Bill 2018 we are ensuring retirees will not be penniless when they have to move into aged care.

**Mr DEPUTY SPEAKER:** Members, there is far too much audible conversation. It is hard to hear the minister's important contribution. Would those members carrying out conversations move their conversations outside the parliament, please?



**Mr de BRENNI:** The bill amends the Retirement Villages Act 1999 to leave no doubt that retirees and their families receive their funds in a timely manner, often at a time when they need it the most. The Association of Residents of Queensland Retirement Villages supports these amendments. The Caxton Legal Centre supports these amendments. National Seniors Australia supports these amendments. Tenants Queensland also supports these amendments.

It has always been our government's intent that seniors who have left retirement villages should not have to wait more than 18 months—sometimes years on end—to receive their funds, regardless of the tenure type of the place they have called their home in their retirement years. That is fair.

As we have heard, different tenure types such as freehold may have different payment mechanisms that do not involve the payment of an exit entitlement. There has been some uncertainty put forward by the Property Council of Australia about whether the protections afforded by the 2017 amendments passed by this House apply to freehold units. Let me be clear: any uncertainty is only held within an isolated portion of the industry and within the opposition. Only around 2,200 units, or seven per cent, of all retirement village units in Queensland have freehold tenure. This concern was not identified by resident, industry or legal stakeholders until after the 2017 building better futures bill had passed. The act as it stands is crystal clear. The Queensland Law Society submission to these amendments states—

... this intention was already fulfilled by virtue of the amendments made to the Retirement Villages Act upon the passing of the Housing Legislation (Building Better Futures) Amendment Act 2017 ...

To save residents of retirement villages from wasting money on lawyers who have the same level of capability and capacity as the member for Kawana, who seems to fail to understand how the law operates, we are making it even clearer. In my speeches and explanatory notes I was crystal clear that the provisions apply to all residents. In 2017 I said—

There is one issue which is the single most focus of the most passionately expressed complaint about retirement villages.

...

The bill before the House makes important progress on this ... issue. It requires operators to pay residents their exit entitlement within 18 months of the resident leaving ...

The retirement villages model is complicated, and there are variations to contract types and offerings to consider. However, the principle in question here is not complicated. I said in 2017—

It is about fairness and security for Queenslanders ...

It is important that government is clear and consistent and that we provide certainty and financial security for all retirees. Our government has done that well. I want to reinforce that these amendments are about ensuring fairness and equity for Queensland seniors.


These crucial consumer protections have been balanced with ongoing industry viability, as the minister said, by providing appropriate safeguards for operators. A resident in a freehold unit may list their property for sale without any obligation on the operator and without triggering the mandatory purchase provisions in the bill. The provisions requiring the operator to purchase an unsold unit after 18 months commence once a resident terminates their right to reside. Terminating a resident's right to reside usually occurs either through the resident's death or by written notice to the operator. Where the right to reside is terminated, the mandatory purchase of the unsold unit by the operator must occur after 18 months, except if the operator has a reasonable excuse such as the former resident failing to secure the release of a mortgage over the property. This ensures that operators, regardless of their type, will not be subjected to compliance action for matters that are beyond their control. This is where the absurdity of the claims of those opposite and those demanding that this loophole—in their words—be closed persists.

A specific safeguard was inserted for the express reason of facilitating the full coverage of all retirement village residents. Those provisions are specifically that, where an operator or a scheme would suffer undue financial hardship as a result of the purchase, they may seek an extension of time from QCAT. As with other tenure types, QCAT must take into consideration whether an extension would be unfair to the former resident. There are no limits on the number of extensions that may be granted by QCAT other than what is reasonable. The current legislation requires the operator and the former resident to agree on a resale price for the unit and, where they cannot agree, the operator must obtain an independent valuation. We are not changing the process. This makes sure the price is fair and

prevents the other party from unreasonably influencing the value. The main objects of the Retirement Villages Act are to promote consumer protection and fair trading practices in those villages. The 2017 reforms strengthened those protections.

We have identified 10 retirement villages where the residents own and manage the village as the scheme operator in some capacity and some of those villages have expressed some concerns about their ability to fund the mandatory purchase of an unsold unit. These residents in those villages in their capacity as the village operator will be protected by the same safeguards as other operators, and nothing changes there. Where the mandatory purchase would cause undue financial hardship, these villages will be able to apply to QCAT for an extension of time and during the period of any extensions the property remains on the market and its sale to an incoming resident would resolve the matter. I have asked that my department support the resident operated villages to help them understand these ongoing rights and obligations under the legislation.

The intent of the retirement village amendments in the bill are to reflect, as much as possible, the policy that already applies to other tenure types and put all retirees in Queensland on the same footing. We have decided to do this despite opposition for this important reason: these amendments show residents, the community and industry that we are serious when we talk about protecting our seniors in Queensland. It sends a very clear message. It sends this message: it is totally unacceptable to expect our most senior citizens and their families to wait and wait for their funds. I commend the bill to the House and reject the amendment proposed by the member for Kawana.

 **Ms BATES** (Mudgeeraba—LNP) (3.01 pm): I rise to address the Health and Other Legislation Amendment Bill introduced by the Minister for Health and Minister for Ambulance Services on 13 November 2018. According to the explanatory notes introduced at the time the bill was introduced, the bill will make amendments to repeal the Public Health (Medicinal Cannabis) Act 2016 and make consequential amendments to the Health Act 1937 to significantly streamline the regulatory framework for prescribing medicinal cannabis in Queensland; to amend the Public Health Act 2005 to establish the Notifiable Dust Lung Disease Register and require prescribed medical practitioners to notify the chief executive of Queensland Health about cases of notifiable dust lung disease, enable the chief executive to require a person responsible for causing a pollution event to publish a pollution notice to inform the public of potential risks to public health, and enable the standard that a person must comply with when manufacturing, selling, supplying or using paint to be prescribed by regulation rather than in the act; to amend the Radiation Safety Act 1999 to provide that certain persons are deemed to have a use or transport licence; to amend the Transplantation and Anatomy Act 1979 to clarify the provisions about research that involves removing tissue from adults and children, ensure pathology laboratories can access tissue based products that are necessary for diagnostic and quality control purposes, and remove the requirement that a post-mortem examination of a body conducted in a hospital only be held in the hospital mortuary; to amend the Births, Deaths and Marriages Registration Act 2003, the Coroners Act 2003 and the Cremations Act 2003 to enable human body parts used at a school of anatomy for the study and practice of anatomy to be lawfully cremated without a corresponding death certificate or the approval of an independent doctor; and to amend the Retirement Villages Act 1999 to clarify a recent amendment in relation to timely payment of exit entitlements at retirement villages and make associated amendments to the Duties Act 2001.

From the outset I want to make clear that the LNP will not be opposing this bill. However, we do oppose the changes in this bill that amend the Retirement Villages Act and have nothing to do with health. These amendments were needed to fix up a bungle by the Minister for Housing and Public Works and I will let the member for Burleigh speak further to those issues in greater detail.

The committee that considered this bill, the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee, recommended that the bill be passed and made no other recommendations. Non-government members of that committee did, however, provide a statement of reservations in relation to the amendments to the Retirement Villages Act. The committee heard from 43 submissions including a form submission from a further 82 individuals about silicosis.

In relation to the specific issues covered in the bill, the LNP supports the health benefits of medicinal cannabis overseen by medical practitioners to help patients where there is evidence that it will help treat certain conditions. This is when conventional methods of treatment have failed. Queensland Health provides that the scientific evidence base is limited but suggests that medicinal cannabis may be suitable to treat severe muscular spasms and other symptoms of multiple sclerosis, chemotherapy induced nausea and vomiting, some types of epilepsy with severe seizures, and palliative care for loss of appetite, nausea, vomiting and pain. The bill reduces duplication by repealing the state legislation, making the system easier and cheaper to administer, which we support.

We also strongly support the amendments recommended by the report titled *Black lung white lies: inquiry into the re-identification of coal workers' pneumoconiosis in Queensland*. The black lung inquiry found catastrophic failings in public administration in Queensland. The select committee that authored that report recommended that cases of coal workers' pneumoconiosis and other coalmine dust lung diseases identified or diagnosed by medical professionals should be compulsorily reported to the Chief Health Officer as a notifiable disease under the Public Health Act. Let us not forget that it was thanks to a parliamentary motion moved by the LNP in the last parliament calling for a royal commission into the re-emergence of coal workers' black lung disease that led to the establishment of the select committee in the first place.

The bill amends the Public Health Act to establish a separate framework for notifications of particular occupational dust lung diseases, including coalmine dust lung diseases and silicosis. These conditions are specified by regulation. The committee was provided a copy of the draft regulation along with the bill. The re-emergence of coal workers' pneumoconiosis is an absolute tragedy. My heart goes out to those families and specifically workers who have contracted this insidious disease. Sadly, there has recently been a sudden spike in the number of confirmed cases of silicosis for workers in the engineered stone benchtop manufacturing industry. There are high levels of silica in engineered stone which can be breathed in as dust when the stone is cut dry. The government has issued a safety warning for workers and employers to cease dry cutting of engineered stone benchtop manufacturing.

As part of the review of this bill, the department confirmed that this disease was covered under the new provisions in the draft regulations for the notifiable dust register, which is important. The industrial relations minister needs to work with doctors and ensure that we get on top of the silicosis outbreak as quickly as possible. In February this year Professor Dan Chambers, a respiratory physician, called on the state to allocate \$2 million for a clinical trial to be urgently set up to develop a treatment for the disease. We understand that a clinical reference group met in March this year after a six-month delay and we trust that this group will be integral in assisting the government to respond to this serious public health issue.

My heart goes out to the family of Anthony White, a Gold Coast stonemason who recently died from silicosis. We owe it to him and to his family to act quickly. He was the first person from the engineered stone industry in Queensland to die from the deadly disease, but his family have warned that he will not be the last. An audit of the state stone industry last year found that 98 workers had contracted silicosis, with 15 of those cases considered terminal. We strongly support the provisions in the bill that cover silicosis. Queensland workers deserve to go to work in a safe environment and to come home safely every day to their friends and family. I agree with the industrial relations minister when she said that we owe it to all victims and families who are impacted by work related deaths to do everything possible to prevent further tragedies.

In relation to the Health Act and the Public Health Act, which this bill makes amendments to, I want to talk about the state of our public health system under Labor. Queenslanders deserve a world-class public health system, but the Palaszczuk government is not delivering it. Our hardworking nurses, doctors and midwives need more help on the front line to improve patient care. Ambulance ramping is back again, with massive increases. Elective surgery waiting times are blowing out. Emergency departments are overcrowded. Almost a decade after Labor's Health payroll debacle, current and former nurses are still being harassed. Major hospital upgrades in key growth areas are years away, because Labor failed to plan for the future. We saw that in today's *Courier-Mail*. It is nothing more than a broken promise.

Only last week we saw an unprecedented crisis across South-East Queensland with code yellow alerts across most major hospitals. The system was in meltdown.

**Mr HARPER:** Madam Deputy Speaker, I rise to a point of order on relevance. None of this goes towards the amendments in the bill.

**Madam DEPUTY SPEAKER** (Ms McMillan): Thank you for your feedback. I remind the member to return to the long title of the bill.

**Ms BATES:** Madam Deputy Speaker, I am speaking in relation to the amendments to the Health Act and the Public Health Act. We have seen a sham survey to justify renaming the Lady Cilento children's hospital, where there is a reported chronic bed shortage for our sickest kids. Labor's \$20 million announcement of additional oncology beds at the Queensland Children's Hospital will not be delivered until late 2020. At the same time we have seen Labor double down on its failed digital

hospital program. Despite warnings from doctors, corruption probes and a damning Auditor-General's report late last year, which exposed a \$256 million blowout, the minister continues to have his head in the sand. Despite that, the minister labelled the report a big tick. You cannot get more arrogant and out of touch than that.

In regional Queensland, under Labor maternity services have been cut and concerns have been raised about do-it-yourself birthing kits. Regional Queensland women deserve access to proper maternity services. The LNP believes that Queenslanders deserve a world-class public health system no matter where they live and that is not happening under the Palaszczuk Labor government. As we see across most other portfolio areas, when it comes to health Labor's priorities are all wrong.


The minister has also been found wanting on the startling revelations about systemic failures by health authorities to adequately deal with and respond to concerns raised against a leading Queensland surgeon, Dr William Braun. Only yesterday I tabled letters of how a patient had written to both the former minister and the current minister about Dr Braun. Yet Labor continues to hide behind the Health Ombudsman. It is time for the minister to start listening to doctors and patients and put patient care as his priority. The Minister for Health is on borrowed time. If the Premier had any shred of leadership she would sack the incompetent health minister. It is time to stop playing politics and start prioritising patient care.

**Ms Fentiman** interjected.

**Madam DEPUTY SPEAKER:** Can we not have the cross-chamber banter.

**Mr BLEIJIE:** Madam Deputy Speaker, I rise to a point of order. The minister who interjected is not in her correct seat.

**Madam DEPUTY SPEAKER:** I remind members to return to their seats if they are going to interject.

 **Mr HARPER** (Thuringowa—ALP) (3.12 pm): I rise to speak in support of the Health and Other Legislation Amendment Bill 2018 in its entirety, which was introduced to the Legislative Assembly and referred to the health committee on 30 November 2018. The committee was required to report to the Assembly by 14 February 2019. On 14 November 2018, the committee issued a call for written submissions on the bill, which closed on 7 January 2019. The committee received 42 submissions and 82 copies of a form submission.

The bill proposes to amend the Health Act and other portfolio acts to implement a number of policy initiatives and improve the operation of legislation. Those amendments include repealing the Public Health (Medicinal Cannabis) Act 2016 and making consequential amendments to the Health Act 1937 to streamline the regulatory framework for prescribing medicinal cannabis in Queensland. Currently in Queensland, the prescription of medicinal cannabis is regulated under parallel state and Commonwealth approval processes. Although Queensland was the first state to legalise the use of restricted medicinal cannabis products on 11 December 2015, the shift in the Commonwealth regulatory landscape means that Queensland is now the only state that requires the following additional state based approvals for access, as stipulated under the act. As well as imposing an administrative burden, the explanatory notes state the following—

Having two approval processes assessing the same matters introduces the potential for Queensland and the TGA to reach different conclusions about applications, which may weaken confidence in the regulatory framework.

This bill repeals the medicinal cannabis act to remove the unnecessary duplication of Commonwealth regulatory requirements for access to medicinal cannabis, streamlining processes for patients, health professionals and researchers. Submitters such as the AMAQ were indeed supportive of the amendment, as were the Medical Cannabis Users Association of Australia. In summary, this amendment makes it easier to access medicinal cannabis in Queensland.

The bill also amends the Public Health Act 2005 to establish the Notifiable Dust Lung Disease Register and require prescribed medical practitioners to notify the chief executive of Queensland Health about cases of notifiable dust lung disease. We recall the work of the Coal Workers' Pneumoconiosis Select Committee of the 55th Parliament and that coal workers' pneumoconiosis—or CWP—is one of the most common respiratory diseases caused by long-term occupational exposure to high concentrations of respirable coal dust, which are known collectively as coalmine dust lung disease. Although CWP is the most commonly known form of lung disease, other types include silicosis and chronic obstructive pulmonary diseases such as chronic bronchitis and emphysema. This bill enables

the chief executive to require a person responsible for causing a pollution event to publish a pollution notice to inform the public of potential risks to public health and enable the standard that a person must comply with when manufacturing, selling, supplying or using paint to be prescribed by regulation rather than in the act.

The bill also amends the Radiation Safety Act 1999 to provide that certain persons are deemed to have a use or transport licence in relation to radioactive substances. The bill also amends the Transplantation and Anatomy Act 1979 to clarify provisions about research that involve removing tissue from adults and children. The bill also amends the Births, Deaths and Marriages Registration Act 2003, the Coroners Act 2003 and the Cremations Act 2003 to enable human body parts used at a school of anatomy for the study and practise of anatomy to be lawfully cremated without a corresponding death certificate or the approval of an independent doctor.

The committee was asked to consider amendments to the Retirement Villages Act 1999, which seek to clarify a recent amendment in relation to the timely payment of exit entitlements at retirement villages and make associated amendments to the Duties Act 2001. Those amendments created some discussion among committee members. I note that the deputy chair of the committee has included a statement of reservation in the report, to which the minister has made comment.

In essence, the sale of retirement village residences is distinct from the sale of a suburban home in that the market is significantly smaller—often restricted by age—and the sale process is often managed by the retirement village operator. Unlike the sale of a suburban home, a retirement village resident generally does not occupy their unit or rent out their unit while it is up for sale. In some cases, the sale process can take many months, or even years, and can result in significant hardship for residents. This is particularly the case given that most retirement village residents use the majority of their capital, such as the sale proceeds from a residential home, to buy into a retirement village. Therefore, the proceeds of sale from their retirement village unit may be required to fund their move to their next place of accommodation, particularly if that is a transition into a higher form of care.

In 2017, amendments were made to the Retirement Villages Act 1999 that ensured that, if a retirement village unit remains unsold, a resident would receive their exit entitlement—that is, the return of their capital less exit fees and costs—no later than 18 months after they terminate their right to reside in the retirement village. The explanatory notes state—

The policy intent of the 2017 amendment was to apply the new payout timeframe to all tenure types to improve consumer protections.

However, the amendments that were made to the act in 2017 applied specifically to exit entitlements. Under the Retirement Villages Act, no exit entitlement is payable by the scheme operator to residents with freehold tenure. Rather, owners of freehold units receive a payment directly from the incoming resident and, therefore, currently do not have access to the security of the 18-month maximum payment period established by those amendments. The Department of Housing and Public Works, which administers the Retirement Villages Act, has estimated that there are 2,201 freehold retirement village units in Queensland, representing 7.4 per cent of all units. The bill will amend the Retirement Villages Act to ensure that the protections are introduced. The Queensland Law Society in its submission noted the following—


... the proposed amendments to the Retirement Villages Act 1999 ... and the policy intention described in the explanatory notes to the Bill that the changes set out in Part 9 are to clarify a recent amendment to ensure timely payment of exit entitlements at retirement villages, and make associated amendments to the Duties Act 2001.

Whilst QLS considers that arguably, this intention was already fulfilled by virtue of the amendments made to the Retirement Villages Act upon the passing of the Housing Legislation (Building Better Futures) Amendment Act 2017, we agree that the proposed amendments set out in the Bill now puts these requirements beyond any doubt.

I table that letter from the Queensland Law Society.

*Tabled paper:* Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee: Report No. 18, 56th Parliament, February 2019—Health and Other Legislation Amendment Bill 2018, submission No. 19 [\[525\]](#).

As members can see, quite a bit of consideration has gone into this amendment that was before the committee. We have been through it extensively. It is not unusual for committees to look at other pieces of legislation. It has been thoroughly examined. Therefore, I do not support the motion put to the House by the Manager of Opposition Business. I support the bill in its entirety as given to the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee.

 **Mr HART** (Burleigh—LNP) (3.20 pm): I rise to add to this debate and to support the very sensible motion from the member for Kawana. I am not going to speak about the contents of the health bill. Instead, in the short time that I have I want to concentrate on the changes to the Retirement Villages Act because, after all, we are talking about a Retirement Villages Act in the middle of a health bill. It has no place in a health bill. It should be debated all by itself. Why should we have to be talking about a Retirement Villages Act here because of the incompetence of the minister for housing? In 2017, when the minister for housing put the original bill before the House, there were 50-odd amendments and he got it completely wrong. I accept that the minister may well have thought that he was including all sorts of tenure in that particular bill, but clearly the people in his department did not understand what his intention was or on some level they may be incompetent because that is not what happened here at all.

The bill revolves completely around the concept of exit entitlements. Those exit entitlements are paid to someone who has a leasehold facility available to them—they live in a retirement village and lease for a long period of time, mostly 99 years—but clearly it does not apply to freehold title. With freehold title you are entitled to sell something, you get paid for it, you hand it over and then somebody else owns it. That is the end of the story. There is no exit entitlement there at all. One would have thought that the minister would understand basic business principles, but apparently not.

There are a whole lot of problems with this. I am surprised at some of the statements of the member for Thuringowa. There are real problems with freehold title. We heard from the minister that there are about 10 facilities in Queensland that have now moved from the stage where they had an original developer put them together, they were bought by somebody, that developer has now gone and we have ended up with a group of people who reside in the retirement village who have put together a body corporate and they are the operators.

A specific example of this, and the member for Thuringowa should be aware of this because they put in a number of submissions, is Pebble Beach Freehold Retirement Community at Bribie Island. That village has 151 units that are freehold title and owned by individuals. Those people paid around \$400,000 to \$410,000 each. This is quite a big complex; there is a lot of money involved here. If this legislation goes through—and the LNP will not be supporting it—those people will be required to buy units off people who have passed away or have given a notice of termination to the operator. The people who are living in that retirement village are probably living there for a good reason. It is because they cannot afford to live anywhere else or they are in the twilight of their years and they have put all their money into this facility. Let us extrapolate it to the extreme and say that 50 of these people, for one reason or another, decide that they want to terminate their right to live in this facility. That would then mean that the other 100 people who are there have to come up with \$25 million to pay them out. How can we possibly expect the people who live in these villages to come up with that sort of money? It will be impossible.

It is all well and good for the minister to come in here and tell us that they can go off to QCAT and delay the requirement to buy these places, but how often are they going to be going back to QCAT if those dire circumstances occur? We have to understand that it very well could happen. We have now put a great deal of sovereign risk over the top of these places. We now have people second guessing whether they, in fact, should go into a retirement village that has freehold title because they may get caught out in this instance. We now have developers wondering whether they should develop these places because they may get caught out. There are a whole lot of hairs on this. We need to be looking through this with a fine toothcomb. This deserves to be debated by itself. That is why I support the motion moved by the member for Kawana.

We supported this bill when it went through in 2017. The bill we have before us today retrospectively goes to that date. If it passes today, in the middle of May anybody whose property had not been sold in one of these freehold title villages—I remind members there are 10 of them—could be up for paying for those units in another four or five weeks time. Where are they going to find the money? If they cannot find the money they are going to have to march off to QCAT, spend money on lawyers and try to get that deferred. There will be a conga line of people going through this process.

My understanding is that at the Pebble Beach Freehold Retirement Community there are four units for sale. This could escalate very rapidly. Back in 2017 we supported this bill. I fully support the concept of people in retirement villages not having to wait for their money. I do that because this happened in my family. I had an aunt in a retirement village. She passed away, unfortunately, and for two years my parents tried to sell her place. They were hampered by the operator in that they could not advertise it for sale and they were hampered in that there were a whole lot of other units there and the value was not in the place any more. It took three or four years for that process to come to completion.

I fully support the fact that our bigger corporates should be put in a position where, after 18 months, if people have not been able to sell their unit, then absolutely they should have to pay for it. I totally agree with that. We are not talking about this here. We are talking about instances of freehold property where these people have, in good faith, gone into a retirement village, having paid hundreds of thousands of dollars, and are now being faced with having to buy their neighbour out because their neighbour has passed away, has decided that they no longer want to live there or has had to go into a higher care situation. How are they going to find the money? I keep coming back to that question.

There are many other issues with this bill apart from the fact that we should not support any of it.

**Government members** interjected.

**Mr HART:** The members seem to find it funny.

**Madam DEPUTY SPEAKER** (Ms McMillan): Order! The Speaker warned of laughter in response to a member.

**Mr HART:** As I said, I am only speaking about the Retirement Villages Act. We support the health bill, but we will not support the Retirement Villages Act amendments.

There was something important that the department said during one of the discussions with the committee. I might just read this word for word because we need the context to be right. The department said—

The department is working with these resident-operated villages to support them to understand the proposed amendments and their obligations regarding the other legislative changes arising from the 2017 amendments to the Act which are commencing progressively throughout 2019.


This is the important part—

It may be relevant for resident-operated villages—

like the Pebble Beach type situation—

to consider whether operating as a registered retirement village continues to offer the most appropriate model for the village and residents.

Basically, the department is saying, 'If you don't like it, don't be a retirement village anymore.' This no longer works for you because the government, in its insanity, has come in here and tried to change the rules around freehold title. If the people that live in those villages do not like it, maybe they should not be living in a retirement village anymore. Where will they live? This part of the bill does not deserve any support. The LNP will not be supporting it and we will be voting in favour of the member for Kawana's sensible amendment.

 **Ms PEASE** (Lytton—ALP) (3.31 pm): It is always delightful to follow the member for Burleigh; perhaps he is due for another holiday! I rise today to speak in support of the Health and Other Legislation Amendment Bill 2018. I begin by thanking my colleagues on the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee for the work undertaken in consideration of this bill. I thank the committee secretariat for their assistance. I also thank the departments that provided briefings on the bill and all those who made submissions to the inquiry.

The Health and Other Legislation Amendment Bill 2018 follows the Palaszczuk government's agenda to make Queensland a healthier state as part of *Our Future State: Advancing Queensland's Priorities*. As members know, I am always happy to stand up in this place to talk about health, because I know how important health and access to good quality health services are to baysiders. I will always stand up for baysiders—unlike those opposite, who during their brief time in government wreaked havoc on Queensland and the bayside, including our precious health services. Let me remind everyone of the cruel closure of the Moreton Bay nursing care unit in my electorate. Some 85 residents lost their homes with the simple stroke of a pen by those who sat at the CBRC table, including the current Leader of the Opposition, the member for Nanango. The federal budget sees a reduction in health funding—and let us not forget the money owed to health by the federal government—yet those opposite continue to be silent on this disgraceful disregard of Queenslanders and we baysiders.

The Health and Other Legislation Amendment Bill repeals the Public Health (Medical Cannabis) Act 2016 and amends the Health Act 1937 to make the regulatory framework for prescribing medicinal cannabis in Queensland far more streamlined. These changes mean that medicinal cannabis will be

regulated under the Health (Drugs and Poisons) Regulation and will be treated the same as other schedule 8 or schedule 4 medicines, depending upon its composition. The bill also includes an amendment to the Radiation Safety Act 1999 to prohibit a person from using a radiation source or transporting a radioactive substance unless they hold a use licence or a transport licence respectively. As well, there are amendments to the 2005 Public Health Act that enables the chief executive to require a person responsible for causing a pollution event to publish a pollution notice to inform the public of potential public health risks. Furthermore, amendments to the Transplantation and Anatomy Act 1979 clarify the provisions about research involving removing tissue, and other amendments ensure pathology laboratories can access tissue based products that are necessary for diagnostic and quality control purposes.

Other acts amended include the Births, Deaths and Marriages Registration Act 2003, the Coroners Act 2003 and the Cremations Act 2003. These amendments permit human body parts used at a school of anatomy for the study and practice of anatomy to be cremated without a corresponding death certificate or the approval of an independent doctor. On top of this, the bill removes the requirement that a post-mortem examination of a body conducted in a hospital only be held in a hospital mortuary. These revisions to the act allow a more streamlined approach for the research and application of pathology studies and practices by removing some of the onerous and time-consuming tasks previously required when dealing with the pathology studies of human body parts.

The bill also amends the Retirement Villages Act 1999 and makes associated amendments to the Duties Act 2001. These changes ensure additional consumer protection measures, clarifying the timely payment of exit entitlements at retirement villages. The Queensland Law Society submission No. 19 outlined that these amendments set out in the Health and Other Legislation Amendment Bill 2018 put these requirements beyond any doubt.

These are sensible amendments which ensure that Queensland's health legislation keeps up with developments in clinical practice and is responsive to emerging issues. Delivering fabulous health outcomes is something that this side of the House does well—unlike those opposite, who cut 925 health staff from Metro South HHS, closed the Moreton Bay nursing care unit, reduced health services and removed 24-hour primary care. The current leader of the opposition not only allowed this to happen but also supported these choices. Again the LNP opposition has let down baysiders, with the federal government cutting \$52.7 million from the Metro South HHS.


**An opposition member:** How is this relevant?

**Madam DEPUTY SPEAKER** (Ms McMillan): Order! Member for Burleigh, if you have a point of order, rise to your feet.

**Mr HART:** Madam Deputy Speaker, I rise to a point of order on relevance. This is not relevant to the bill.

**Madam DEPUTY SPEAKER:** Order! Thank you, member for Burleigh. Under standing order 118, member, please ensure that you return to the long title of the bill.

**Ms PEASE:** The Palaszczuk government knows how important health services are to baysiders and has delivered outstanding community health services, including the delivery of the Health and Other Legislation Amendment Bill 2018. We have also delivered great community health services—Gundu Pa, a brand-new ambulance station, exceptional palliative care services and important health clinics, including BreastScreen Queensland, that are available to all baysiders. I give a big shout-out to the Metro South HHS staff. Thank you for your commitment to baysiders. I call on the LNP opposition to stand up for baysiders, to stand up for Queenslanders and to ensure that we get what we deserve from the federal government. I commend the bill to the House.

 **Mr McARDLE** (Caloundra—LNP) (3.37 pm): I rise to make a contribution to the bill before the House. Before so doing, I acknowledge the committee members, secretariat, submitters and witnesses and also the staff members of both ministers who attended to provide evidence to the committee. I thank secretary Rob Hansen for the great work he and his team have done and are doing in relation to the end-of-life issue.

I want to confine myself to two matters. One is the medicinal cannabis act; the second is the Retirement Villages Act amendments. The former in fact now removes from the statute books the Public Health (Medicinal Cannabis) Act 2016. This act derived from a desire by the first Palaszczuk government to put in place a process that allowed access to medicinal cannabis. Of course, it also duplicated the federal process that existed at the time and in fact meant that a person seeking access to the drug on behalf of themselves, or indeed a child, had to go through two parallel application processes, two series of tests and two series of requirements. If one failed—that is, a difference arose between the federal or the state determination—that person could not get a hold of the relevant drug.



It was a sham scenario. It was done for very cheap political points. It was pointed out at the time of the debate of that bill that that matter needed to be addressed, because it left families with a parallel process. If one said yes and one said no, it meant that the application could not proceed and the access could not be granted.

This bill rectifies that. I point out the absolute sham scenario that this state was put through by the government for cheap political points and to achieve a perceived benefit for the public of Queensland that did not exist. The new system derived as a consequence of action by the federal coalition government streamlines that to do away with the requirement for the state act to be put in place.

I turn now to the amendments to the Retirement Villages Act at part 9 of the bill. These amendments relate to the reforms to the act in 2017. The amendments at that time meant that a person's exit entitlement would be paid within 18 months of them placing their house or unit on the market if it had not been sold. That money was paid by scheme operators.

An exit entitlement under the terms of the act is deemed to be paid with regard to a leasehold or licence arrangement and does not and never applied to freehold property. An exit entitlement is quite clearly defined in section 16. It is the amount that a scheme operator may be liable to pay or credit the account of a former resident under a resident's contract. Freehold title is not a resident's contract. A leasehold or licence arrangement with a scheme operator is a resident's licence contract. That is what the act stated in 2016.

The minister has tried to pass the blame on to others. Indeed he has made it quite clear that it was the operators that deliberately did not inform him or his staff as to intent of the 2017 amendments as they saw them. That flies in the face of what a minister should do in relation to preparing a bill. The minister, I assume, would have had ongoing conversations with his staff—his senior ministerial staff and his departmental officers—and they would have explained to him very clearly the terms of the draft document. In addition, he would have explained to them, I assume, what he intended to achieve as a consequence of the draft document. Maybe that did not take place; I do not know.

The minister would then have signed the cabinet submission. He would have signed the document to put before cabinet to then put it in to the parliament. That is how it works. At that point in time the minister should have assured himself that his intention was coupled with the wording of the submission. Then it would have gone to cabinet. Cabinet would have addressed the issue upon an oral presentation by the minister as to what the actual bill meant.

To turn around now and try to blame the operators, given all the staff who would have been involved in the process, is an absolute nonsense. The minister failed. He failed to either understand what was put before him or he failed to direct his staff to put in place what he wanted to achieve at the end of the day. It is rubbish to say the operators are responsible. The blame lies with the person who drafted the terms of the bill. That blame sits squarely at the feet of the relevant minister, end of story.


We are here today to correct what is a perceived issue that arose because of those amendments. It seems to me that there has been a fundamental misunderstanding by the minister and his staff as to leasehold or licence and freehold tenure in these scenarios. Under a leasehold arrangement the operator owns the whole complex. They will give a lease or a licence and at the end of the lease or licence the operator who still owns the complex acquires back that residence in its entirety. The contract for the payment of the exit entitlement is between the scheme operator and the occupant.

Freehold title is completely different. Freehold title is as follows. An operator may own the complex as a whole to begin with but then sells freehold title to certain purchasers and then severs the legal relationship between the operator and the freehold title owner. The freehold title owner then has the right to sell to any other person. The operator has no control any further because he has sold his right. The freeholder title operator, that is, the vendor, can then sell to a purchaser. That is the very clear distinction between the two.

What this government is doing is imposing what is in essence a compulsory acquisition regime on freehold title owners. They can be scheme operators as well, but they own the freehold. As the member for Burleigh said, we could have a number of freehold title owners who bought their block in the last 17 months then being caught having to buy four or five other freehold titles, and that is not right. That flies in the face of what we believe is the appropriate method to deal with freehold title.

Governments have the right to compulsory acquisition, but that exists where there is a common good for the community which is shown and proven—roads, rail et cetera. This is not that situation. This is a minister who realised that what he had done did not cover what he wanted to achieve and then blamed somebody else. He is imposing upon freehold title owners a legal obligation that has never existed in this state and should never exist. It takes away fundamental rights that those freehold title owners have.

In relation to the bill before the House, there is no doubt that this particular issue is complicated, involved and has significant consequences for people who now own freehold title and can be burdened with this obligation. It should be excised from the bill and properly dealt with. The committee had no reason for this given to it—that is, a statement that outlined the implications of what we were doing or being asked to consider. This is a clear situation where a RIS should have been prepared and lodged with the committee. At the end of the day, this is a matter that touches many people and will touch many people in the future. Though we support the bill, we cannot support part 9.


 **Mr O'ROURKE** (Rockhampton—ALP) (3.47 pm): I rise to speak in support of the Health and Other Legislation Amendment Bill 2018. While this bill will amend several acts, I am only going to cover the amendments to the Retirement Villages Act. The amendments to the Retirement Villages Act will apply retrospectively from November 2017 when the original changes to the Retirement Villages Act took effect. We heard through our briefings that there were amendments made to the housing legislation to allow a change within the act. This will allow for a mandatory payment of a resident's exit entitlements from the point of 18 months after they move out of their unit, regardless of the tenure type.

When residents move into a village they pay an entry fee and other fees and charges. They live in the village and when they move out an exit entitlement is paid out of the proceeds of sale. The operator gets their exit fees, which is the money that the operator makes for running the village. There would be other fees and charges that are imposed at the point of sale, but they are the basic concepts that we are dealing with in the amendments to the Retirement Villages Act.

In the briefings we heard from some residents about their real pain and suffering given the lengthy delays in the sale of their retirement village home. Concerns were raised that, as some retirement villages are expanding with new units, the sale of second-hand units can be a low priority for the retirement village management. We heard stories of people who had exited the retirement village and moved into aged-care facilities and were under additional personal stress given the lengthy delays in the sale of their retirement unit. We heard of families also experiencing difficulties in finalising estates due to the lengthy delays in the sale of their units.

The department of housing confirmed that residents sometimes have to wait a long time for their retirement village unit to sell. Some have taken many months and sometimes even years. For as long as the unit remains unsold the resident does not get their exit entitlements, so they do not get the return on their capital until the unit is sold. The new amendments include those units that are freehold title.

I would like to thank the members of the committee. I would like to thank the secretariat for their assistance and also the various government departments for the work that they have done. I commend the bill to the House.

 **Mr HUNT** (Nicklin—LNP) (3.50 pm): I want to start by making a contribution on the amendment moved by the member for Kawana to split this bill. We are debating amendments to nine health acts, along with the Retirement Villages Act. It just does not make sense when we are already under a guillotine of 2½ hours. We have a long list of speakers, most of whom will not get to speak on this bill. The argument could be made in relation to the amendments to the nine health acts that we are debating that there is general support for them, but the amendments to the Retirement Villages Act, as articulated by the member for Caloundra, are quite contentious and involve a lot of worry for people in retirement villages, particularly the 10 villages that we spoke of. I support the amendment moved by the member for Kawana to have this bill split and to have the amendments properly considered and debated.

I thank the other members of the committee and the secretariat staff for their work on this bill. The Health and Other Legislation Amendment Bill is an omnibus bill that seeks to repeal the Public Health (Medicinal Cannabis) Act 2016 and to amend the Public Health Act 2005, the Radiation Safety Act 1999, the Transplantation and Anatomy Act 1979, the Births, Deaths and Marriages Registration Act 2003, the Coroners Act 2003 and the Cremations Act 2003. Then we see from left field that it seeks to amend the Retirement Villages Act 1999 and the Duties Act 2001 to force operators to buy back freehold properties in retirement villages. I will outline my reservations to these amendments shortly, in the short time I have.

The bill seeks to repeal the Public Health (Medicinal Cannabis) Act, which provided a state based regime for patients to gain access to cannabis products for medicinal purposes. It established a system of approvals at the time to ensure that cannabis was only prescribed by suitable medical practitioners for patients where there was evidence that it would provide health benefits to the patient. The intention at the time of this act was to provide a state based framework in the absence of a federal based regime to gain access to medicinal cannabis. However, by the time this act commenced in Queensland, the Therapeutic Goods Administration had included medicinal cannabis as a schedule 8 drug, which then allowed patients to access medicinal cannabis, as with other schedule 8 products, by prescription and with appropriate safeguards for health benefits.

Like any drugs in our society, there are benefits and dangers. I spent a good deal of my life as a police officer dealing with the misuse of all sorts of drugs, cannabis included. I saw the misery that the misuse of dangerous drugs and prescription drugs could bring to people. The dangers of these drugs mean that regulation, supervision and medical advice always needs to be strictly adhered to. I support the Therapeutic Goods Administration approving new drugs, including cannabis, where they are shown to be of benefit to people's health or where, under medical supervision, the benefits outweigh the dangers or potential harm.

It is fair to say that the inclusion of cannabis as a schedule 8 drug available for therapeutic use has had a rocky road to approval due to its long-term misuse by many and the harm that it causes. However, we now have a system in place to ensure that any medical benefits it can provide may be accessed through the appropriate channels. I welcome this development for the people it will assist.

In relation to amendments to the Public Health Act, the bill establishes a framework for the reporting and notification of particular occupational dust lung diseases, including coalmine dust lung diseases and silicosis, which have seen a recent sudden spike in the number of confirmed cases. These changes are a result of recommendations in the select committee's report *Black lung white lies*.

In relation to the amendments to the Transplantation and Anatomy Act, the bill seeks to clarify the provisions about research that involve removing tissue from adults and children; to ensure that pathology laboratories can access tissue based products that are necessary for diagnosis and quality control purposes; and to remove the requirement that a post-mortem examination of a body conducted in a hospital only be held in the hospital mortuary. A significant number of children undergoing treatment for cancer receive their treatment in a clinical trial. These kids receive either what is considered the best current treatment or an experimental treatment that is considered likely to be better than current practice. These clinical trials have been particularly successful for kids. As kids' involvement in clinical trials has increased and improved, it is noted that the survival rate for kids with cancer has increased from 15 per cent to over 80 per cent, which is a fantastic result.

However, there has been uncertainty among some clinical researchers about the application of the act regarding the removal of tissue other than blood from children for use in research, including these clinical trials, as the research provisions do not specifically apply to children. The act generally prohibits trading in relation to human tissue, but changes to the act allowing permits expressly provide certainty to families, doctors and researchers, allowing this important work to continue.

There are necessary safeguards in place to only allow removal of tissue under the following circumstances: where the research is for the benefit of the child; where the tissue is removed during a procedure that is for the benefit of the child and a medical practitioner is satisfied that the removal of the tissue is not likely to prejudice the health of the child; or where a medical practitioner is satisfied that removal of the tissue will involve a negligible or low risk of harm and minimal discomfort to the child. As a father of two girls, nothing is sadder than seeing kids suffering from life-threatening medical conditions. Our researchers are among the best in the world and to see these great results and survival rates increasing gives all parents and families hope for a good outcome. These new laws will support this end, and I support the laws as proposed.

Then we come to the changes to the Retirement Villages Act. The LNP opposes these clauses that require an operator to purchase back from an owner a unit if that unit is not sold within 18 months. Other speakers have outlined the 10 retirement villages that are owned essentially by the residents and that will have particular difficulty with this. I understand that as people get older their needs change and their lives can change quickly. Death of a spouse, increasing health needs and other events can mean that our older Queenslanders often need to change their living arrangements and readjust their finances to ensure their ongoing wellbeing.


However, to make retirement village operators, particularly those that are owned by the residents, responsible for buying back freehold property places an unreasonable burden on them. It is fine to say, 'Take it to QCAT and apply for extensions.' These people do not have the time or the money to do that. It will cause unnecessary stress in their lives. They should be exempt from that. It is ridiculous that they are being put in that position.

I can imagine that on the passing of this legislation the value of these freehold properties may artificially increase. If you are purchasing an asset that has a guaranteed buyer whenever you would like to dispose of that asset at a value determined as a fair market value, then that asset becomes more valuable—more valuable meaning more expensive. This only exacerbates the issue as those left with the burden of having to purchase the property under this bill will be paying artificially high prices for what should be a free market when it comes to freehold property.

We had submissions from retirement villages that are operated by groups of current owners who do not have the capacity to make these purchases. The answer or advice given to them was to back out of being a retirement village under the act. However, this move would remove many benefits that allow them to control the village in terms of the look and feel of the village—for example, to not have young families move in which would completely defeat the purpose of such a village.

It should be noted that there is currently no statutory requirement in any jurisdiction for the operator to buy back a unit from a resident under freehold tenure, and this will artificially inflate Queensland's market against those in other jurisdictions.

Pushing all these bills together to ensure we only get to speak for 10 minutes on changes to nine acts—a little over one minute per act—and then getting another act thrown in with it which has nothing to do with health related matters is another abuse of power we are getting used to. As the guillotine approaches, I will leave my contribution there.

 **Mr KELLY** (Greenslopes—ALP) (4.00 pm): I speak in support of the Health and Other Legislation Amendment Bill and oppose the amendment put by the Manager of Opposition Business. I will restrict myself to just a few clauses. I was a member of the select committee which looked into coal workers' pneumoconiosis. During that committee process we found evidence that some people had presented at both public and private hospitals with dust related diseases over a considerable period of time but this had not triggered any particular remedial action. I am pleased to see that the amendments and recommendations from the committee have been picked up and are being enacted.

In a normal notifiable disease situation—something like an infectious disease, for example—when a disease is notified to the health department a whole range of measures are taken to try to contain and control that disease. That is not necessarily the purpose in this case. If a person is identified with pneumoconiosis, they may well, as is very common in the industry, have worked over nine or 10 different mines over their career so there is no way for health professionals and the health department to identify which particular mine may have caused their pneumoconiosis, but what it does do is give us data and information on that. If we had been doing this 15 to 20 years ago, we might have started this entire process much quicker. I am pleased that many of the other recommendations which the minister has taken on board and is implementing are designed to make all coalmines safe and all workers who deal with the handling of coal safer.

I want to turn to the amendments that deal with the power to issue pollution notices. I think this is to be welcomed. We live in a world where there is a whole range of chemicals and other materials used that can have impacts on people, and these amendments put obligations on people that when something goes wrong we have to notify the community and public health providers so we can respond to that in an appropriate manner. Clearly this will result in much better outcomes for our entire community.

I support all of the amendments in the bill that improve research arrangements, particularly for children with cancer. Having been a nurse for just over 30 years, I have seen cancer rates for children plummet and survival rates increase, which is down to research. Anything we can do to make that better, we should.

I will now turn to the retirement villages portion of the act. It is certainly something that I am interested in. I spoke yesterday in the House about the benefits that retirement villages have brought to my local community. Both my mother-in-law and my mother reside in retirement villages. I also have a professional interest in retirement villages, and I utterly reject the notion that retirement villages have

no relevance to the health system. As a nurse, I spent my time encouraging people to move to appropriate accommodation. When we have people who come into a hospital, particularly in a rehabilitation unit, and they are from their own home, discharging them is more complicated than somebody who has moved into a retirement village where we have age appropriate accommodation. I think retirement villages are an incredibly important link in the health system. They help people to stay in their homes longer and to be healthier and live happier lives. To suggest that they have no relevance to health I think is completely and utterly false.

I know from dealing with my own mother and my mother-in-law that, if they leave their retirement villages, it is likely that they will be heading off to a nursing home or be deceased. Anyone going into a nursing home wants to be able to liquidate their asset quickly and get access to those funds. There have been several speakers who have suggested that these amendments would interfere with the market. I would contend that the market in this area is already interfered with, because you do not have the conditions of a perfect market in this situation.

Just yesterday I was talking to some constituents who have a parent who is living in a retirement village. The village operator has chosen to build at least five new buildings—and I will not say where that is; it is not in my electorate—but the village operator is choosing to sell the newer units before the older units which people are moving out of and they are seeing delays for their relative in terms of being able to sell their property. In that particular case—and I have seen many other examples—the market is far from perfect in that area.

This legislation was inspired by the ‘bleed them dry until they die’ *Four Corners* report. That is a report that should encourage anybody who cares about people who live in retirement villages to take action. I commend the minister for taking action with the Housing Legislation (Building Better Futures) Amendment Act, which was a great response to that. It creates new standards for operators and residents. Look at the list of people who support this legislation—the Association of Residents of Queensland Retirement Villages, the Caxton Legal Centre, National Seniors and Tenants Queensland. The only uncertainty that I can see is being created by the Property Council of Queensland and the LNP.

It was always the intent to cover the entire industry to provide fairness and security for Queenslanders who have put not just their money but also their faith in these forms of accommodation. As I have said, these forms of accommodation, in my opinion, assist people to live longer, happier and healthier lives. There are protections in place—the protection of being able to use a reasonable excuse and apply for extensions from QCAT. There are also provisions for dealing with disagreements over value.

I want to use a few more moments to oppose the amendment that was put forward. I note that the deputy chair understands the issues well enough to write a statement of reservation in relation to this bill. The notion that this bill has not been properly consulted on and that the issues are beyond the comprehension of the LNP should be put to the side. The deputy chair was well able to write a well-articulated statement of reservation. This is just another typical LNP game. If those opposite wonder why they are sitting on the opposition benches, have a look at this amendment. It should give a clue as to why they are sitting on the opposition benches. Those opposite come in here and whinge about the length of time they have for debate and then we listen to 30 of them at least on every debate stand up and read out verbatim the same speech. Those opposite talk about their voices not being heard—

**Honourable members** interjected.


**Mr DEPUTY SPEAKER** (Mr Weir): Order! Silence! The member has the call. I do not want to hear an outburst like that again.

**Mr KELLY:** They talk at length about not having the time for debate and then we hear 30 speeches which repeat the same thing over and over again. Those opposite demand the right to be heard and then they do not bother to use the right to be heard. Omnibus bills are standard fare. I wish I had time to go back through the Newman government’s legislative record and work out how many omnibus bills had been presented to this House.

Retirement villages are part of the health system. This has a part in this bill. This amendment should be rejected. It is nothing more than a tired LNP game. This is why the people of Queensland keep rejecting the LNP, why they continue to stay on that side of the House and why they waste their time saying the same things over and over again instead of coming up with new ideas—

**Mr DEPUTY SPEAKER:** Order! Member, I would ask you to come back to the long title of the bill to conclude your contribution.

**Mr KELLY:** I continue to debate the amendment to the long title of the bill. I have almost concluded my remarks. I would like to finish by saying that this amendment that has been put should be utterly rejected by this House. Part 9 of the bill is utterly relevant to the rest of the bill. I commend the bill to the House.

 **Mr BERKMAN** (Maiwar—Grn) (4.09 pm): I rise to speak in support of the Health and Other Legislation Amendment Bill 2018. Of all the issues dealt with in the bill, I will go to just two of them. The most important and contentious among the variety of issues traversed in the bill are the proposed changes to streamline the regulation around medicinal cannabis and the changes to the Retirement Villages Act in relation to compulsory buyback for freehold properties. In relation to medicinal cannabis, as set out in the explanatory notes, the bill will—

repeal the Public Health (Medicinal Cannabis) Act 2016 ... and make consequential amendments to the Health Act ... to significantly streamline the regulatory framework for prescribing medicinal cannabis in Queensland.

The 2016 act that this bill would repeal was, when introduced, an important step in that it created the first pathway for the prescription of medicinal cannabis by doctors in Queensland. This was welcomed at the time by advocacy groups and patients who need this medication, but they also voiced concerns that major barriers to access remained. Foremost among those are cost and shortage of supply.

The 2016 act created two pathways for prescription of medicinal cannabis—the single patient prescriber and the patient class prescriber. Experience in the last two years has shown that these pathways do not do enough to facilitate access to this medication, and repeal of the old regime is a very important step to end duplication and roadblocks presented by state and federal regulation. I absolutely support this amendment.

The bill would ensure that medicinal cannabis can be prescribed by doctors like any other schedule 8 medication, as it should be, because that is what we are talking about here. We are talking about medicine—medicine derived from a plant that we continue to criminalise in Queensland. The repeal of the old regime—barely two years after it came into effect—reflects the very general and unnecessary reluctance of governments to just deal with cannabis and other drugs, not exclusively through a criminal frame but based on evidence. It reflects government's broad unwillingness to deal with cannabis in a way that minimises harm, rather than putting people at risk of criminalisation.

This bill does not address the ongoing concerns of advocates about the cost of these medicines and the difficulty in accessing them. The bill does nothing to assist those who face criminal sanction because of steps they have taken to access these medicines. It appears there is no longer dispute in this parliament about the medicinal value of cannabis, yet we still criminalise and punish those who have been let down and denied access to these medicines and have gone about getting them by whatever means are available.

The consequences of not having access to medicinal cannabis and its ongoing criminalisation were laid bare for the committee in the public hearings. Deb Lynch, who I have met previously and who appeared as a representative of the Medical Cannabis Users Association of Australia, gave the following testimony to the committee at a hearing in January. She said—

There are a number of people with an array of medical conditions who ... chose to run the legal gauntlet to get access. This is the case currently with two Queensland members of our committee who are both facing criminal actions for producing cannabis unlawfully. I am one and I strongly believe that if I had had an unfettered supply of cannabis oil I may not have lost my leg just a few days before Christmas. On the two occasions when I was able to obtain activated CBD oil through illegal means, I saw inflammation and pain reduction and a marked improvement in the colour of the skin within hours of taking it. Unfortunately, through an inability to obtain supply, my condition went backwards and deteriorated very quickly, and the lower leg amputation was the end result.

Ms Lynch has lost her lower leg and believes access to medicinal cannabis might have prevented this. She is tied up in the criminal justice system for trying to access this medicine. Legislation like this should at the very least include an amnesty for people like Deb Lynch who have been criminalised for simply trying to access medicine.

While the Greens support safe and stress free access to medicinal cannabis for anyone who needs it, medicinal cannabis is just one option of the several for dealing with drug use in our society. Today I am reiterating the Greens' support for the legalisation and regulation of cannabis for adult use and calling on the Queensland government to join us. This is about reducing harm and treating drug use as a health issue.

**Mr DEPUTY SPEAKER** (Mr Weir): Member for Maiwar, you are sticking to the long title of the bill about the use of medicinal cannabis?

**Mr BERKMAN:** Indeed, I am.

**Mr DEPUTY SPEAKER:** I will listen closely.

**Mr BERKMAN:** Under the watch of a government regulator, we could allow people to grow cannabis for personal or medicinal use or purchase a quality controlled product from licensed retailers. As of December last year, there were nearly 300 people in prison in Queensland whose most serious offence was possession or use of illicit drugs. As the committee heard, people are facing criminal charges for using medicine which is improving their lives. These people are currently locked up, and thousands of others who get mixed up in our criminal justice system should be taken out of the cycle of criminalisation. It would keep them and the community safer, and it would cost us less in financial terms and reduce the suffering in our communities.

I will turn to the amendments to the Retirement Villages Act. These amendments are proposed to align freehold properties in retirement villages with the 18-month compulsory buyback provisions that were introduced into the Retirement Villages Act in 2017. The amendments are estimated to apply to about 2,200 freehold retirement village units in Queensland, which represents roughly 7.4 per cent of all units, and would mirror compulsory buyback arrangements that already exist for about 93 per cent of retirement village properties. As we have heard in this debate already, this proposed change is most contentious in relation to resident operated retirement villages—that is, those situations where the village is operated by the residents through a body corporate. The department has identified 10 retirement villages that fit this description.

A number of residents from one such retirement village—the Pebble Beach Retirement Village—made submissions and gave evidence to the committee. In summary, their concerns were that the resident operated retirement villages would be disproportionately and unacceptably disadvantaged by the amendments since unit holders in these villages would themselves be liable for the costs of purchase in the case of a mandatory buyback. In response to these concerns, the Department of Housing and Public Works gave the following advice. They said—


When a buyback provision is triggered, resident-operators can apply to QCAT for an extension of time to complete the purchase if the operator is likely to suffer financial hardship as a result of the purchase ... There is no limit on the number of times an operator can seek extensions from QCAT.

As we heard from the member for Burleigh, the department went on to note that it is working with these resident operated villages and that they might consider deregistering as a retirement village and whether that offers the most appropriate model. They went on to say, which we did not hear from the member for Burleigh, that—

It is anticipated that some of these villages may elect to deregister ... and continue to operate as a community title scheme.

As I understand it, there are options available to them if they do not see this as the most appropriate way to continue to operate. In light of this response and the other submissions and evidence from organisations supportive of the amendments, I am satisfied that the alignment of the buyback arrangements for freehold and non-freehold properties is sensible and I support these changes. Consequently, I will not be supporting the motion from the opposition.

I will close by very briefly thanking my fellow committee members for all the time that went into this and other bills. I also thank the secretariat who, as we saw last year, were carrying the load of the massive inquiry that we have on foot at the moment while also guiding us through this inquiry. My thanks go to them. I commend the bill to the House.

 **Mr KRAUSE** (Scenic Rim—LNP) (4.17 pm): I support the amendment moved by the Manager of Opposition Business to deal with the issue related to the Retirement Villages Act separately. I am going to confine my remarks in this debate to provisions that touch on the amendments to retirement villages in Queensland. In doing so, I would like to put on the record a story that was conveyed to me a couple of weeks ago by a family in the Scenic Rim electorate. They detailed difficulties they have faced in relation to the regime around retirement villages. I will refer to the couple involved as Amy and Rob because the family are not sure at this point whether they would like their names to be on the record.

I was informed that in July 2018 they signed a contract to build a home in a retirement village on the Sunshine Coast for a cost of \$549,000. I am not sure how the home looks, but that is certainly a significant contract for a retirement village. They sold their existing house in the Scenic Rim electorate

and moved into what was called a transition villa on the Sunshine Coast while their own villa at the complex was built. Unfortunately, Rob, who was 83, was taken to hospital a week after they moved into their transition villa. He passed away five weeks later prior to the completion of their new villa, which cost \$549,000.

At the time of Rob's passing, Rob's widow sought advice about the status of the building contract as the final payments had not yet been made. They wanted clarification about whether they were entitled to withdraw from that contract. Discussion centred around the contract as there is also a service contract in place, which is actually running at \$772 per month, between the residents and the operator of the retirement village. They took legal advice about whether they could withdraw from the contract. In the first instance, it was stated that they may be able to withdraw, but in the end the retirement village operator demanded that the widow complete the contract and make a final payment of \$346,000 under threat of being taken to court and legal action being commenced against her.

Amy informed the village manager that she did not want to take up residence in the villa as she wanted to move back to family and friends who could provide her with a support network after the passing of her husband. As her husband had been a significant carer for her since 2014 she needed ongoing daily assistance and familiar surroundings. When the villa in this retirement village was completed she was then asked to move out of the transition villa. She wanted to move back to the Scenic Rim to be closer to her daughter and friends, so after moving three times in six months with \$8,000 in removal and storage costs, Amy moved back to the Scenic Rim.

At this point Amy now owns a villa that she has never lived in. She is also paying \$772 a month under a contract for maintenance and service at a retirement village she has never actually lived at because the villa was not complete when her husband passed away. It has never been lived in. To make matters worse, I am informed that it has also never even been listed for sale by the retirement village operator. According to the site agreement they signed I am informed that no real estate sign or any other signage can be displayed to let the community know there is a villa for sale.

It is an understatement to say that Amy, the widow, feels completely entrapped by this arrangement that has come about through a tragic set of circumstances due to the death of her husband during the construction process. I think we need to highlight these situations where there are operators out there who do the wrong thing by people. We all know that people need to seek legal advice and take care of their own affairs but we also need to ensure that people—developers in particular—do not take advantage of people who are vulnerable and who through no fault of their own enter into very difficult circumstances. I fear that is exactly what has happened in this place: an elderly, frail woman has been entrapped by a developer of a retirement village on the Sunshine Coast. They have no ability to market the property and, furthermore, they have no ability to get out of the service agreement costing \$772 a month. Even worse there is no ability under that contract to sublet or rent out that retirement villa that has been built but never lived in.

I understand that retirement villages need to operate under their act and they need to be confined to people who are actually retirees because that is the way retirement villages are set up. However, it is unfair for there to be contractual arrangements that prevent people like Amy, a widow who lost her husband before the villa was even built, from offsetting the costs, through subletting, that are being imposed on them. It is completely unconscionable and outrageous that the operator would actually enforce that against an elderly woman in that way.

We well understand the human impact that this regime can have on people. The member for Rockhampton spoke about the issue of exit entitlements when it comes to leasehold lots. The member for Rockhampton was on the committee. I think he might be a little bit confused, and this goes to how complicated these issues are. He is talking about exit entitlements in terms of the amendments in this bill we are debating today—it is a completely different issue; that relates to leasehold, and what we are talking about here relates to freehold. The amendments that are coming forward today are difficult to agree with because, although the conduct of retirement village operators in the cases like the one I have just outlined are unconscionable and should never be encouraged, the imposition of costs on other owners in a body corporate situation like the member for Burleigh has spoken about and as was set out in the statement of reservation by the deputy chair is also not right.

These amendments simply do not deal with the delicacies of all situations. The way to fix one wrongdoing should not be to impose another wrongdoing on another party. I fear that that is exactly what the amendments being put forward today will do. Take, for example, the case of a developer in the situation I just outlined where the retirement village had been developed as a body corporate situation where each person who moved in bought a share of the body corporate and the developer




retained the balance of the body corporate lots while he was trying to sell them off. If in time the developer could not sell those lots, would the obligation fall to those people who had bought their retirement units to actually buy the balance of lots from the developer? I think that is a question that really needs to be answered because there will be a great deal of uncertainty hanging over a lot of people who live in freehold retirement villages if these amendments are passed today. It would be a perverse outcome if developers could be bought out of lots they cannot sell by people who have invested in a retirement unit under a body corporate status.

In closing, I think the government should seriously take on board the suggestion that clauses in retirement village service agreements that prevent holders of those freehold units from subletting or renting out their villas in circumstances where the unit cannot sold should be prohibited. If there is a possibility to sublet, to assign or to rent out to people who are genuine retirees and otherwise fit the category of those villages to offset some of the losses incurred by people who cannot sell their units, that would go some way to alleviating what is always a very difficult situation for people when they cannot find a buyer for their retirement village unit. We will be opposing these part 9 changes.

Debate, on motion of Mr Krause, adjourned.

## MINISTERIAL STATEMENT

### Shark Control Program

 **Hon. ML FURNER** (Ferny Grove—ALP) (Minister for Agricultural Industry Development and Fisheries) (4.27 pm): I rise to make a ministerial statement. I advise the House of the outcome of an Administrative Appeals Tribunal decision that has implications for the operation of the Shark Control Program within the boundaries of the Great Barrier Reef Marine Park. The Humane Society International, supported by the New South Wales Environmental Defenders Office, applied to the AAT to have the permit issued by the Great Barrier Reef Marine Park Authority which allows my department to conduct the Shark Control Program in the marine park area refused or varied.

The AAT handed down a decision yesterday which imposes new permit conditions, commencing immediately, which necessitate that significant changes be made to the Shark Control Program operations within the marine park. At this time our contractors do not have the appropriate capabilities to immediately comply with these new conditions. As a result, the decision has been taken to temporarily suspend the Shark Control Program within the boundaries of the Great Barrier Reef Marine Park.

I can advise the House that we are intending to appeal this decision. Shark control activities will continue as normal outside the marine park. This includes 37 drum lines and two nets at beaches at Townsville, Mackay, Yeppoon and Tannum Sands.

We will always put human life first. Our Shark Control Program has an outstanding record over almost six decades, with only one death in a Shark Control Program area since it was established in 1962. I have today written to the federal environment minister, who is responsible for the Great Barrier Reef Marine Park Authority. This decision imposes conditions on the Great Barrier Reef Marine Park Authority, which is a federally administered authority. My letter to the federal minister seeks her urgent support, and I table a copy of that correspondence. The community expects that their beaches are kept as safe as possible.

*Tabled paper:* Letter, dated 3 April 2019, from the Minister for Agricultural Industry Development and Fisheries, Hon. Mark Furner, to the federal Minister for the Environment, Hon. Melissa Price, regarding the operation of the Shark Control Program within the Great Barrier Reef Marine Park area [\[526\]](#).


## HEALTH AND OTHER LEGISLATION AMENDMENT BILL

### Second Reading

Resumed, on motion of Dr Miles—

That the bill be now read a second time.

to which Mr Bleijie had moved an amendment.

 **Mr CRANDON** (Coomera—LNP) (4.30 pm): I rise to make a contribution to the debate on the Health and Other Legislation Amendment Bill 2018. The LNP does not oppose the bill, but we oppose part 9 of the bill in relation to changes to the Retirement Villages Act for reasons outlined in the

statement of reservation in the committee report and by the member for Burleigh earlier today. I support the motion moved by the member for Kawana. As outlined in the explanatory notes, the objectives of the bill are to—

- repeal the *Public Health (Medicinal Cannabis) Act 2016* (Medicinal Cannabis Act), and make consequential amendments to the *Health Act 1937*, to significantly streamline the regulatory framework for prescribing medicinal cannabis in Queensland;
- amend the Public Health Act 2005 to:
  - establish the Notifiable Dust Lung Disease register and require prescribed medical practitioners to notify the chief executive of Queensland Health about cases of notifiable dust lung disease;
  - enable the chief executive to require a person responsible for causing a pollution event to publish a pollution notice to inform the public of potential risks to public health ...

In that regard, there is a recycling facility in the state seat of Coomera run by a company called BMI. Following a fire that occurred in November last year, it is only now that the issue of pollution and a potential public health risk appears to have resolved. It has been dogging the people who live in the area for all of these months up until just the other day. The final decision on whether the issue has been totally resolved is still out, but we are keeping the company on point as far as making sure that it is resolved. The explanatory notes continue—

- enable the standard that a person must comply with when manufacturing, selling, supplying or using paint to be prescribed by regulation rather than in the Act;
- amend the *Radiation Safety Act 1999* to provide that certain persons are deemed to have a use or transport licence;
- amend the Transplantation and Anatomy Act 1979 to:
  - clarify the provisions about research that involve removing tissue from adults and children;
  - ensure pathology laboratories can access tissue-based products that are necessary for diagnostic and quality control purposes;
  - remove the requirement that a post-mortem examination of a body conducted in a hospital only be held in the hospital mortuary;
- amend the *Births, Deaths and Marriages Registration Act 2003*, the *Coroners Act 2003* and the *Cremations Act 2003* to enable human body parts used at a school of anatomy for the study and practice of anatomy to be lawfully cremated without a corresponding death certificate or the approval of an independent doctor ...

Finally, in the area that we on this side disagree with, the explanatory notes continue—

- amend the *Retirement Villages Act 1999* to clarify a recent amendment in relation to timely payment of exit entitlements at retirement villages and make associated amendments to the *Duties Act 2001*.

With all of the other bills that are being amended in this omnibus bill, you would have to wonder how that one managed to sneak in.


The LNP supports the health benefits of medicinal cannabis that is overseen by medical practitioners to help patients where there is evidence that it will help treat certain conditions and when conventional methods of treatment have failed. Queensland Health provides that the scientific evidence base is limited but suggests that medicinal cannabis may be suitable to treat: severe muscular spasms and other symptoms of multiple sclerosis; chemotherapy induced nausea and vomiting; some types of epilepsy with severe seizures; and palliative care, including loss of appetite, nausea, vomiting and pain. The bill reduces duplication by repealing the state legislation, making the system easier and cheaper to administer.

If the bill is passed in its present form it will amend the Retirement Villages Act 1999 to require retirement village operators in Queensland to buy back a freehold unit from a resident if the unit has not sold within 18 months of the date they leave the retirement village. As has been outlined by the member for Burleigh, this is problematic. The bill does not distinguish between traditional corporate operators and those that are formed exclusively of residents. That is where one of the big issues is. It should be noted that there is currently no statutory requirement in any jurisdiction for the operator to buy back a unit from a resident under strata freehold tenure at any time.

Queenslanders deserve a world-class health system, but the Palaszczuk Labor government is simply not delivering. Unfortunately, Anastacia Palaszczuk and Labor are not delivering, and our public health system is lurching back to the dark old days under Anna Bligh. That was when the former premier wanted to abolish Queensland Health because the department was too big. Bligh labelled it a 'basket case' at the time. The LNP changed all that by creating, among other very positive changes, 16 local hospital and health boards to empower local communities.

Queenslanders deserve a world-class health system no matter where they live. Anastacia Palaszczuk, the Premier, is not supporting rural and regional health care in any way, shape or form. We have seen that with maternity bypass at Chinchilla for almost a year. It reopened in late 2018, only to go back on bypass again in January this year. We have also had no answers with regard to Theodore

maternity services. At the last state election Labor did not promise a single additional hospital bed outside South-East Queensland, and by all accounts they have not provided any additional beds inside South-East Queensland either.

 **Hon. MC BAILEY** (Miller—ALP) (Minister for Transport and Main Roads) (4.37 pm): I rise to speak on the Health and Other Legislation Amendment Bill 2018. The reforms in this bill will help to protect and improve the health of Queenslanders. They will remove barriers for patients and doctors seeking access to medicinal cannabis treatment and will ensure Queenslanders are notified of pollution events that pose a risk to public health. Importantly, the bill will also establish a register of occupational dust lung diseases such as pneumoconiosis—or black lung—and silicosis.

One of the key reforms of this bill is to repeal the medicinal cannabis act and amend the Health Act to streamline the framework for regulating medicinal cannabis in Queensland. By repealing the medicinal cannabis act the bill will reduce the complexity and duplication associated with doctors prescribing medicinal cannabis in Queensland. The reforms will not affect how medicinal cannabis products are dealt with by the Therapeutic Goods Administration, including the scheduling of medicinal cannabis products and the quality standards that are imposed. The TGA already has processes for separate medicinal cannabis approvals, clinical trial approvals and dispensing approvals, so the bill removes duplication of these by Queensland based requirements.

Specialists will be able to prescribe for any patient they believe medicinal cannabis will benefit from. Removing their Queensland based approval requirements will also mean that visitors to Queensland who have a valid prescription for medicinal cannabis from another jurisdiction will not require any Queensland approvals in addition to their TGA and home state approvals where required.

We have seen a recent increase in cases of silicosis, which is a matter of great concern, among workers who work with stone benchtops. We all know about the long history of cases of black lung in our state. That is why this bill will require medical practitioners to notify Queensland Health when they diagnose a patient with a particular occupational dust lung disease, like black lung or silicosis. These notifications will be recorded in the new Notifiable Dust Lung Disease Register. This will allow Queensland Health to better monitor and analyse these diseases and exchange information about them with other entities.

The bill gives new powers to Queensland Health to help deal with the public health risks caused by pollution events and to help keep Queenslanders safe. In the event of a pollution event, the chief executive will now be able to direct the person responsible for the pollution to publish a pollution notice. This removes the responsibility for issuing this notice from Queensland Health or the local council and places it on the person responsible for the pollution, as it should be.


The bill also includes important amendments in a number of other areas. The bill will remove duplication in the regulation of licensees under the Radiation Safety Act; amend the Transplantation and Anatomy Act to provide clarity around circumstances under which tissue can be removed for clinical research studies; enable the respectful disposal of donor body parts by schools of anatomy through amendments to the Coroners Act, the Cremations Act and the Births, Deaths and Marriages Registration Act; and amend the Retirement Villages Act to ensure that freehold units are treated in the same way as other tenured types of units.

In relation to the amendment, I have been advised that, given that retirement villages are regulated under the Retirement Villages Act 1999, in late 2012 the review of the act was referred to the Transport, Housing and Local Government Committee of the parliament. The committee subsequently published a report, titled *Review of the Retirement Villages Act 1999*, which recommended 37 reforms. Throughout 2013 a ministerial working party—of the previous government, clearly—of key industry representatives met to discuss the report before proposing a series of regulatory changes to best address the committee recommendations.

Four critical issues covered by proposals of the working group were discussed in their regulatory impact statement. Clearly, the RIS was commissioned by the previous government so those opposite should know all about it. It was canvassed extensively by the committee. There were 10 pages, I am advised, in relation to retirement villages—far in excess of all other issues. It is very clear that there was due consideration given. That is certainly the case.

Minister de Brenni has confirmed that the Department of Housing and Public Works can extend its services to resident operated retirement villages to help them understand their obligations, assist them to go to QCAT if required, provide advice regarding appropriate legal structures, and market and sell their units. This is an independent service funded by the department to provide independent advice and support to these resident operated villages.

The Palaszczuk government is absolutely committed to ensuring that Queensland's health legislation is serving the needs of Queenslanders as medicines advance, as knowledge grows and as science grows. We believe in science, knowledge and research. It is a shame that not everybody in this chamber does. We are working on that. We are looking to improve that as time goes by. We certainly improved it at the last election. We are looking to improve it again at the next election. It is the choice of any member in this chamber to join the government in our faith and belief in research, knowledge and science. I commend the bill to the House.

 **Mr LISTER** (Southern Downs—LNP) (4.43 pm): I rise to speak to the Health and Other Legislation Amendment Bill 2018. As has been said, we will not be opposing the bill but we have moved an amendment regarding part 9. We really feel that the Retirement Villages Act provisions have no place in this particular bill.

I thank the committee, its staff and those who provided submissions to help us better understand the implications of the bill. The bill will repeal the Public Health (Medicinal Cannabis) Act 2016 and make consequential amendments to the Health Act 1937 to significantly streamline the regulatory framework for prescribing medicinal cannabis in Queensland. It will amend the Public Health Act to establish the Notifiable Dust Lung Disease Register and require prescribed medical practitioners to notify the chief executive of Queensland Health about cases of notifiable dust lung disease; enable the chief executive to require a person responsible for causing a pollution event to publish a pollution notice to inform the public of potential risks to public health; and enable the standard that a person must comply with when manufacturing, selling, supplying or using paint to be prescribed by regulation rather than in the act.

The bill will also amend the Radiation Safety Act 1999 to provide that certain persons are deemed to have a use or transport licence. It will amend the Transplantation and Anatomy Act 1979 to clarify the provisions about research that involve removing tissue from adults and children; ensure pathology laboratories can access tissue based products that are necessary for diagnostic and quality control purposes; and remove the requirement that a post-mortem examination of a body conducted in a hospital only be held in the hospital mortuary.

The bill will also amend the Births, Deaths and Marriages Registration Act 2003, the Coroners Act 2003 and the Cremations Act 2003 to enable human body parts used at a school of anatomy for the study and practice of anatomy to be lawfully cremated without a corresponding death certificate or the approval of an independent doctor.

Lastly—this is the part with which I have the most concern—the bill proposes to amend the Retirement Villages Act 1999 to clarify a recent amendment in relation to timely payment of exit entitlements at retirement villages and make associated amendments to the Duties Act 2001. I will come back to the Retirement Villages Act. As this bill has such far-reaching implications, I will confine my comments to that and to the issue of medicinal cannabis. Constituents of mine come to see me about this matter from time to time and I am sure it would be of interest to them.

The medicinal cannabis act 2016 provides a state based regime for patients to access medicinal cannabis products. It establishes a robust system of approvals by Queensland Health and controls to ensure medicinal cannabis is only prescribed by suitable medical practitioners for patients with conditions where there is evidence of health benefits.

Queensland's medicinal cannabis framework was designed to operate in the absence of any other controls on access to medicinal cannabis at the Commonwealth level. By the time the Queensland act commenced in March 2017, the Therapeutic Goods Administration, TGA, had rescheduled medicinal cannabis to schedule 8, meaning that it joined a range of other medicines that can be accessed for therapeutic use with strict controls under existing frameworks.

The changes that have taken place at the Commonwealth level have meant that Queensland and the Commonwealth have a duplication of systems. This duplication encompasses the following lines of activity: checking doctors' registration with the Australian Health Practitioner Regulation Agency, ensuring that there are no conditions on the registration and that they are a suitable specialist in the relevant field to prescribe or support the prescribing by a general practitioner; considering if there is scientific evidence for the use of medicinal cannabis to treat the condition and whether the patient has already used conventional treatments for the condition; and whether the proposed product and dose comply with the guidance for the use of medicinal cannabis in Australia and the standard for medicinal cannabis published by the TGA.

Having two approval processes assessing the same matter introduces the potential for Queensland and the TGA to reach different conclusions about applications. This may weaken confidence in the system. I think it is appropriate that that duplication not be there.


The bill also reduces red tape for pharmacists. Currently each individual pharmacist who dispenses medicinal cannabis in Queensland must have a dispensing approval. Dispensing approvals are site-specific to an individual pharmacy, so pharmacists working at multiple pharmacies require an approval for each pharmacy at which they work.

I now turn to the proposed amendments to the Retirement Villages Act. There really is no place for these provisions in this bill. A number of speakers before me talked about some of the absurdities that will occur if this is allowed to go through.

I do have some experience of this through my parents. When my grandparents passed on they had a freehold title at a retirement village on the Gold Coast and my mother and my uncle were unable to sell the property. I think it took three or four years before they were able to do that. Part of the reason was that the contract surrounding the property said that only the agent—which was, in effect, the operator of the retirement village, a very large one—had the right to market the property. The problem there was that, if they were incompetent or if they were weighed down by extraneous considerations like whether or not they had new accommodation in the same precinct to sell, it meant that the sale process was ineffective and there was very little that they could do about it.

I do support a requirement that a buyback occur for large corporate retirement villages. However, we have heard already that this bill captures minnows—the small operators made up of a dozen or so residents who together are the operator. If we have the retrospectivity that is proposed and if there has been the vacation of a unit in the time since the last bill came through in 2017, there could be a number of small occupiers of a small retirement village up for the purchase costs of any vacant properties. I understand that the Pebble Beach situation could include four such properties. Where is the money going to come from for that? It is a drastic thing. It is very bad law. It does not help anyone.

The thing which is most telling here is the government's suggestion that all those retirement villages need to do is change their name; they need to no longer be a retirement village. That may not suit them. They may not wish to have young families moving into their precinct. That is why they were a retirement village in the first place. The fact that this is still before us after the comments we have made today in raising the obvious absurdities where individuals in small holdings are going to be disadvantaged beggars belief. I certainly will be supporting the amendment standing in the name of the Manager of Opposition Business, the member for Kawana. However, I do acknowledge that this bill has good points and I do not wish to reflect negatively on those, but the implications for retirement villages are iniquitous and something must be done to stop it.


 **Ms BOLTON** (Noosa—Ind) (4.52 pm): I rise to contribute to debate on the Health and Other Legislation Amendment Bill 2018. It is clear that the bill intends to align previous legislation with current definitions and practices across a number of acts. The repeal of the medicinal cannabis act 2016 is essential following the rescheduling of medicinal cannabis from a schedule 9 substance along with heroin and LSD to schedule 8, which incorporates other restricted substances with therapeutic use such as morphine and Fentanyl. This is a step in the right direction for those in our communities who seek legal access to this product. However, there are further improvements sought from Queenslanders as outlined by the member for Maiwar, but these are for another debate.

The amendment to the Public Health Act 2005 to establish the notifiable dust lung disease register is in response to the recent cases of black lung and silicosis from those working with engineered stone. This is a welcome protective measure to ensure Queenslanders are working in safe conditions. There are a number of other amendments including to the Transplantation and Anatomy Act 1979 and the Radiation Safety Act which are all commendable and previous speakers have spoken on the benefits of these and I do not need to replicate.

The final section of the bill proposes amendments to the Retirement Villages Act 1999 with regard to setting concrete time frames in which residents wishing to leave the facility can receive their exit entitlements. As outlined, there are two types of ownership afforded to residents of retirement villages—leasehold and freehold titles. Currently residents in freehold agreements are not eligible for exit entitlements and are solely responsible for the sale of their unit should they wish to leave. Due to the limited control able to be exercised by a resident of a freehold unit in a retirement village, it is considered that they are in a similar position to a resident holding licence or leasehold tenure.

The bill aims to address the current gap in protection for residents in freehold units and improve fairness by ensuring they have the same protection as residents with other tenure types and that is commendable. However, there have been concerns on a component of this that requires the operator to buy back the unit from the outgoing resident should it remain unsold after a period of 18 months. Though I support the intention of the legislation to ensure freehold owners receive exit payments in a timely manner, the concerns voiced that body corporate structures via residents would need to absorb these costs or may incur increased fees to mitigate the increased risk of financial loss needs to be addressed.

Whilst I acknowledge the avenues provided by QCAT, as we know, the stress that these processes take on our constituents, as well as the overloaded QCAT, needs to be considered. Therefore, whilst I support the vast majority of proposed amendments in this bill and appreciate the assurances regarding retirement villages provided by the minister, the concerns regarding the potential financial implications to retirement village residents needs to be mitigated and I therefore support the member for Kawana's amendment for part 9 of this bill to be dealt with separately.

 **Mr MOLHOEK** (Southport—LNP) (4.55 pm): I rise to speak on the Health and Other Legislation Amendment Bill 2018. As outlined in the explanatory notes, there are a number of objectives to this bill including streamlining the regulatory framework for prescribing medicinal cannabis in Queensland; establish the notifiable dust lung disease register which, given how passionate some contributions from members were when this was last brought before the House, is an important step towards further recognition, support and prevention of these diseases; amend the Radiation Safety Act; clarify the provisions about research that involve removing tissue from adults and children and other common-sense changes which will assist in diagnostic and quality control practices; make amendments to enable human body parts used for the study and practice of anatomy to be lawfully cremated without a corresponding death certificate or the approval of an independent doctor; and, finally, amend the Retirement Villages Act 1999 to clarify a recent amendment in relation to timely payment of exit entitlements at retirement villages and make associated amendments to the Duties Act 2001.

In particular, I want to take some time to speak on the changes to the Public Health (Medicinal Cannabis) Act 2016 and the changes to the Retirement Villages Act 1999. I welcome the changes to the Public Health (Medicinal Cannabis) Act 2016 which significantly streamline the regulatory framework for prescribing medicinal cannabis in Queensland. Following changes by the federal government resulting in the duplication of the TGA approval process for access to medicinal cannabis, the Public Health (Medicinal Cannabis) Act 2016 adds unnecessary red tape which Queenslanders just do not need. Having two approval processes assessing the same matters introduces the potential for Queensland and the TGA to reach different conclusions about applications which may weaken confidence in the regulatory framework and approval process.

I believe that having access to medicinal cannabis is an important option for Queenslanders. I have been contacted by a number of constituents who have expressed their wishes to try medicinal cannabis to assist in their complex health needs. Unfortunately, many of these constituents have also expressed that trying to obtain medicinal cannabis is difficult and I am hopeful that the removal of this duplication of process will make it easier for those who need this option to access the treatment that they need.

Finally, I want to speak about the amendments to the Retirement Villages Act 1999 and want to put on record my disappointment that we are debating this matter in the context of a health bill which is completely unrelated. If the bill is passed in its present form, it will amend the Retirement Villages Act 1999 to require retirement village operators in Queensland to buy back a freehold unit from a resident if the unit has not sold within 18 months of the date they leave the retirement village. I simply do not support these changes. They are attempting to correct a blunder by the minister, and quite frankly are doing a terrible job of doing so.

Retirement village operators in Queensland should not be forced to buy back a freehold unit from a resident. During the previous term of government we spent months reviewing what was then the new Retirement Villages Act. As a committee, together with Shane King, the member for Capalaba and others, we visited many home parks and retirement villages and it is not a simple and straightforward matter.

There are many different tenure arrangements. Often they are quite complex. To ram through these changes in a health bill is simply unacceptable. I support the amendment proposed by the member for Kawana that this matter be dealt with separately from this health legislation.

Debate, on motion of Mr Molhoek, adjourned.

## MOTION

### Palaszczuk Labor Government, Waste



**Mr MANDER** (Everton—LNP) (Deputy Leader of the Opposition) (5.00 pm): I move—

1. This House condemns the Palaszczuk Labor government for wasting taxpayers' money and wrong priorities; and
2. This House notes the following examples of waste:
  - (a) eHealth project blowout: \$256,800,000;
  - (b) ICT dashboard project blowout: \$211,897,547;
  - (c) uncollectable SPER debt write-off: \$191,000,000;
  - (d) fixing Labor's rail fail: \$170,660,000;
  - (e) closing privately operated prisons for the unions: \$111,000,000;
  - (f) ministers' personal staff cost blowouts: \$1,860,184;
  - (g) TAFE IT blowout: \$1,400,000;
  - (h) taxis for train drivers: \$493,033;
  - (i) functions and hospitality costs: \$289,000;
  - (j) ministers' overseas travel: \$267,821;
  - (k) QR CCTV screen duplications: \$50,000,000;
  - (l) government advertising in breach of election commitment: \$3,480,840;
  - (m) Goldoc golden handshakes: \$650,000;
  - (n) Lady Cilento name change: \$302,082;
  - (o) study into Whitsunday shark attacks to see if three shark attacks are a problem: \$250,000;
  - (p) Commonwealth Games Labor's giveaway tickets: \$230,000;
  - (q) Labor's charter flights for young crims: \$180,000;
  - (r) consultant to recommend name change from DIQ to DJQ: \$136,000;
  - (s) brand research about TAFE Queensland: \$102,300;
  - (t) phone app to help fat dogs lose weight: \$100,000;
  - (u) WorkCover Queensland executives' overseas junket: \$47,600;
  - (v) Premier's captain's call on Terry Mackenroth stadium: \$13,600;
  - (w) Jobs Queensland logo: \$37,086.50;
  - (x) extra ministers in breach of election promise: \$10,600,000;
  - (y) Premier's personal office budget blowout: \$290,585;
  - (z) ASF Spit project compensation: \$13,000,000; and
  - (aa) accommodation bill for Premier and entourage at the Commonwealth Games: \$81,313.69.

Before I came into this parliament I was the CEO of a not-for-profit organisation that ran off the smell of an oily rag, a not-for-profit organisation that respected every dollar that came through the front door, whether that be government money, kind donations from the public, or money that was generated through our own revenue streams. The thing that motivated me to come to parliament is when I used to watch the Beattie government wilfully waste taxpayers' money—a pattern followed by the Bligh government and which is now being followed by the Palaszczuk government. One would think that a government that is heading towards \$83 billion of debt would be careful with taxpayers' money, but no. Rather than do that, this Labor government introduced five new taxes to generate over \$2 billion rather than concentrate on how it can reduce the wasteful spending that it goes about day in, day out.


The list of wasteful examples of expenditure that I tabled earlier today—27 examples—totals over \$1 billion. That is money that this state desperately needs to be invested in the right areas. I am sure some of my colleagues will concentrate on some of the bigger examples of waste in their contributions to this debate. One of those is one that I mentioned yesterday, which is the \$111 million wasted on prisons coming back under public control for the unions.

Often what really gets up taxpayers' noses are the small things that are just a wilful waste of money. In the short time that I have left, I want to focus on some of those. Out of all the wasteful spending that this government has done—and there has been plenty—I think the one that has really infuriated Queenslanders the most is changing the name of the Lady Cilento Children's Hospital. The opposition leader and I have been out at shopping centres with a petition about this change. I have never seen an issue that has resonated so much with the public. People are literally lining up to sign the petition. Many of them do not know who Lady Cilento was—although many do. It really infuriates

them that, rather than helping those people who need this money—the patients—this government's priority is to waste it on changing the name of a hospital. We will constantly remind this government of that wasteful spending right through to the next election, because it is our responsibility to keep this government accountable.

Another example is the Premier making a captain's call to decide to name a stand at Lang Park after Terry Mackenroth. With all due respect to Mr Mackenroth's memory, that was another great example of this government being absolutely out of touch with what everyday Queenslanders want. Who can forget the phone app for fat dogs to lose weight—\$100,000 for an app to teach people how to get their dogs to lose weight? What about instead taking their dogs for a walk? How much does it cost to do that every week? These are examples of ridiculous expenditure.

When this government spends money on itself, that infuriates the public even more. Who could forget the accommodation bill for the Premier and her entourage at the Commonwealth Games—\$81,000 for 10 days of accommodation! What an absolute waste of money. There are greater examples of millions of dollars being wasted. In my opinion, if the government cannot be trusted with the small things, it definitely cannot be trusted with the larger things.

 **Hon. KJ JONES** (Cooper—ALP) (Minister for Innovation and Tourism Industry Development and Minister for the Commonwealth Games) (5.05 pm): I rise to speak against the motion. I can assure the House that no-one is going to put the member for Everton in charge of anything small or big. We know what that experience was. The people of Queensland know that the LNP went to the election saying that they were the waste. Public servants—the hardworking doctors, nurses, and public servants of Queensland—were the waste. The LNP put them on the scrap heap and they will always remember that.

When the LNP members were in government, they prioritised brand-new shiny offices for themselves. There was no business case and no cost-benefit analysis for that. They did not prioritise putting front-line services into our regional communities; they prioritised a big, bright new shiny tower for themselves. The people of Queensland remember that as well.

Who can forget the LNP government trying to convince public servants that they should buy into the story that they are a waste of time and space? It spent \$100 million on an advertising campaign to try to convince public servants that sacking them was a good idea. They will remember that waste.

Tomorrow it will be one year since the Commonwealth Games were held. I will be down on the Gold Coast with the mayor of the Gold Coast talking up what a massive impact—

**Opposition members** interjected.

**Ms JONES:** They do not want any of you as the mayor.

**Mr SPEAKER:** Order! Minister, your comments will come through the chair.

**Ms JONES:** They do not want any of the members opposite as the mayor of the Gold Coast. We will be down there talking up the legacy of the Commonwealth Games. The games has generated \$4 billion for Queensland and supported more than 16,000 full-time jobs. We know that all of the venues are now completely booked up and are delivering a significant benefit to the Gold Coast economy. We have SportAccord coming to Queensland, with more than 1,500 international delegates. The largest sporting event on the calendar is coming to Australia for the first time and, as a direct legacy of the Commonwealth Games, to the Gold Coast.

The LNP wasted money on legal advice to scrap the Commonwealth Games. I can table that legal advice. It was a waste of money getting that legal advice because—surprise, surprise—the contract says, 'You have to abide by it. Otherwise you have to pay \$1.5 billion of Queensland taxpayers' money to put the Commonwealth Games on somewhere else.' Does that sound like a waste of money? That is 1.5 million bucks of Queensland taxpayers' money to hold the Commonwealth Games in some other state. I table that waste of money by the Newman government under the leadership of his apprentice, the member for Nanango.

*Tabled paper:* Letter, dated 16 October 2012, from Mullins Lawyers, Mr JJ Mullins, to the Chief Executive Officer, Gold Coast 2018 Commonwealth Games Corporation, Mr Mark Peters, regarding the Commonwealth Games Federation 2018 Host City Agreement [\[527\]](#).

I might have to write to the Speaker about the honourable member for Everton misleading the House. Who signed the contracts, the retention payments, for Goldoc bosses? It was not me—

**An opposition member:** Who paid them?

**Mr SPEAKER:** Pause the clock.

**Ms JONES:** I will take that interjection.



**Mr SPEAKER:** You are taking that interjection?

**Ms JONES:** I am taking that interjection, because it highlights that the members opposite do not respect industrial law. If they can take away the rights of workers in their contracts, they will. Who signed the contracts? It was the then minister, Jann Stuckey, on 15 December 2014. It was the last thing the LNP did before it got booted out of office. It made sure it shoved through the retention payments. The members opposite should not come in here and lecture me and talk down the Commonwealth Games when they signed the retention payments. What a joke!

**Opposition members** interjected.


**Mr SPEAKER:** I cannot hear the member on her feet. Please keep your interjections to a minimum.

**Mr Nicholls** interjected.

**Mr SPEAKER:** Member for Clayfield, I am speaking.

**Ms JONES:** Any interjection from the member for Clayfield when we are talking about waste I will take because we know he was the architect of telling the public sector that their nurses, doctors, teachers and teacher aides were the waste. That is who those opposite wanted to cut. That is their legacy. Then those opposite spent \$100 million of taxpayers' money trying to convince those very hard workers that they should be grateful for being sacked. Those opposite spent \$100 million worth of taxpayers' money trying to convince workers that they deserved to be sacked. It was shameless. The LNP is sitting over there because they were a waste of space in government.

*(Time expired)*

 **Mr JANETZKI** (Toowoomba South—LNP) (5.10 pm): I rise to support this very accurate motion moved by the Deputy Leader of the Opposition.

**An opposition member:** An outstanding motion!

**Mr JANETZKI:** It is that outstanding that he started to run out of letters in the alphabet and had to move to (aa). It is not just hopeless waste that we are looking at here this evening; it is wrong priorities. If there are three words that highlight the wrong priorities of this government they are Robert John Fardon. Mr Deputy Speaker—

**Mr SPEAKER:** Member, I am the Speaker, not the deputy speaker. I might just send a reminder out—after the former member I believe was not referring to people by the correct titles—that members are referred to by their correct titles for the remainder of the debate.

**Mr JANETZKI:** On 15 or 16 January when Robert John Fardon was released the shocking priorities from this Labor government were on display. There were text messages to Sharon Tomlinson, the first and most shocking victim of Robert John Fardon, that gave her the cheery sign off that she could go to prison. There were paedophiles on the loose without GPS tracking and nobody knows where they are—the police minister does not know where they are; the housing minister does not where they are—and children at risk in Queensland. The police minister ran and hid from view and kicked out the Police Commissioner to defend the indefensible.

The priorities of the Attorney-General, who should have been out defending the decision to let Fardon loose on the public, under no supervision, with no GPS, were made obvious through media statements that were put into the public arena. We had not heard much from the Attorney-General for a couple of days, but from a media statement we saw what she had been up to. She had been collating Queensland's most popular baby names for 2018. That is what the Attorney-General thought she should be doing when Robert John Fardon is out and about. I am pleased that the first name on the girl's list was Charlotte. I have a Charlotte so that is wonderful news. I was pleased to have a report on that from the Attorney-General.


A couple of days later it got worse. At a time when the police minister and the Attorney-General are kicking out the Police Commissioner to defend the indefensible in the release of Robert John Fardon, the next media statement we got from the Attorney-General was titled *Love app-tually—your perfect match may come with a catch*. These are the priorities of the Labor government under Anastacia Palaszczuk. I will table those two documents.

*Tabled paper:* Emailed media statement, dated 7 February 2019, by the Attorney-General and Minister for Justice, Hon. Yvette D'Ath, titled 'Love app-tually—your perfect match may come with a catch' [528].

*Tabled paper:* Media release, undated, by the Attorney-General and Minister for Justice, Hon. Yvette D'Ath, titled 'Queensland's most popular baby names for 2018 revealed' [529].

It gets worse. Recently we saw from the Chief Justice of the Supreme Court the annual report from the Supreme Court which shows that nearly one in five criminal matters is now aged over 12 months. We are the only jurisdiction in Australia that does not have an electronic filing system. It gets worse. In the District Court, Chief Judge O'Brien has made clear that there is an unsustainable lack of resourcing in the District Court. Outstanding matters older than 24 months blew out from 75 to 128 in one year. All the while the Attorney-General does not seem to be fighting nor does she seem to care to be fighting for resources for the Queensland justice system.

What has been made clear is that the Attorney-General and this Labor government are behind the eight ball on law and order matters that mean something to Queenslanders. On the Sunshine Coast, Sharon Cuthbert was tragically killed. The Attorney-General said she was really pleased with the sentence that was obtained by the DPP that was in the range. I will tell members who was not pleased—Michael Cuthbert, his two daughters, the member for Ninderry and the thousands and thousands of people who signed a petition. Then we have the family of Ken Altoft, who was killed by a drug driver who was doing 154 in a 60 zone and sped away from the scene. No appeal was undertaken. These are the shortcomings of a government that does not appear to care one little bit about public sentiment or about the rule of law and is letting the public down. All the while we have paedophiles being placed in priority order ahead of kids, we have bikies on the Gold Coast placed ahead of Gold Coast residents and, sadly, we have residents, who have lost loved ones, put behind drugged and drunk drivers.

 **Mr BUTCHER** (Gladstone—ALP) (5.15 pm): I rise to oppose the motion moved by the opposition. It was great to follow the member for Toowoomba South because I think he just read last night's MPI. I do not know what that was about. It is appropriate that the LNP state opposition seek to discuss priorities and also to discuss waste because just last night their federal LNP colleagues handed down a budget that had deprioritised Queensland and wasted Treasury's resources by announcing measures that will not be delivered in our state for the next two federal elections. I note that the member for Everton said that we developed an app to help fat dogs. It is better than helping fat cats like those do on that side of the House.

If we want to talk about scrambled priorities and shameless waste, let us talk about how the last LNP government in Queensland found a way to waste hundreds of millions of dollars at the same time as selling out Queenslanders' assets from underneath them.

**Opposition members** interjected.

**Mr SPEAKER:** Order! Members to my left, the member for Gladstone is not taking interjections. I would like to hear his contribution. If you wish to make a contribution please rise to your feet. You are most welcome to during the course of this debate.

**Mr BUTCHER:** It was in 2015 that the incoming Palaszczuk government discovered that Campbell Newman and the LNP had spent more than \$100 million on a covert plan to privatise Queensland's assets. Usually privatisations involve receiving money, not actually spending it, but the Newman government managed to spend more than \$100 million on advertising, scoping studies and consultant reports to lay the groundwork for a scorched-earth asset privatisation program. The program was called Strong Choices. We know how that went.

The LNP planned to sell Queensland's state owned energy generators, our poles and wires, our ports—including the Port of Gladstone—and our water infrastructure authority, SunWater, all while enriching private consultancy firms by more than \$100 million. The LNP was so focused on selling the Port of Gladstone that it even employed an LNP member as a sustainability specialist for the Gladstone port. Ironic really when the man that they put up ran in the election in 2015 on the platform of leasing the Gladstone port. We all know how that went. I thank the opposition for running that campaign because it has brought Labor back into Gladstone, which has become the strongest Labor seat in Queensland.


We will never see a clearer example of chaotic priorities and wasteful spending than the LNP government's bungled privatisation plans. Additional documents revealed that after the first \$100 million it outlaid during that process, the Newman LNP government was prepared to spend up to a quarter of a billion dollars simply to sell Queensland's assets out from underneath them. The LNP had no mandate for asset privatisation in Queensland. Just like in last night's budget, Queenslanders have been kept in the dark by the LNP yet again.

Looking back on the LNP's quarter of a billion dollar Strong Choices program, we might as well call it 'wrong choices'. We know that asset sales—much like the LNP—have consistently failed to deliver on their promises. The contrast with the Palaszczuk Labor government could not be any starker. By

keeping Queensland's assets in hands, the Palaszczuk government has been able to reduce costs for Queensland electricity customers. As the great Minister Lynham has recently said in this House, Queensland now has the lowest typical household power prices of any mainland state.

I acknowledge Minister Lynham sitting here tonight, because he has been a staunch supporter of lowering power prices in Queensland. Most Queenslanders now know exactly what a Labor government can do. We owe our low power bills to Queensland's publicly owned energy networks. While privatised power networks in other states have seen higher prices and rolling blackouts, Queensland has certainly kept the lights on. Our predecessors in the state LNP embarked on a privatisation plan that would have spent, not saved, up to a quarter of a billion dollars in waste. Queenslanders deserve more for their money than to see their assets sold off right underneath their feet.

Queenslanders deserve a government that shares their priorities, keeps their assets in public hands and does not simply resort to the failed LNP mantra of cut, sack and sell.

 **Ms BATES** (Mudgeeraba—LNP) (5.20 pm): When it comes to wasting taxpayers' money, the Palaszczuk Labor government wins the gold medal for sheer incompetence and absolute waste. There is no greater example of how Labor's priorities are all wrong than wasting hundreds of thousands of dollars—so far—on renaming the Lady Cilento children's hospital instead of ensuring better patient care for our sickest kids.

What we saw from the health minister last year in relation to this renaming debacle was an absolute disgrace. The minister denigrated the legacy of a pioneering and award-winning female Queensland doctor and thumbed his nose at the Cilento family by not even bothering to meet with them until after the decision was made. The minister was caught out using a rigged survey as so-called consultation to justify the decision. At the same time there was a major shortage of oncology beds and kids with cancer were being treated in a kitchenette. Queenslanders deserve a world-class health system that the Palaszczuk Labor government is not delivering. Our hardworking nurses, doctors, midwives and paramedics on the front line need more help to improve patient care.

Queensland Health hospital performance data released every month shows the full extent of Labor's health crisis in our hospitals. The current data shows that, for January this year, 28 per cent of Queensland patients admitted to emergency departments were not seen on time. It also shows that 25 per cent of Queensland patients are being ramped in ambulances because of the chaos in emergency departments, which are bursting at the seams.

In relation to elective surgery, almost eight per cent of Queensland patients are not seen on time, and the median wait time for treatment has blown out to 48 days. To put that into perspective, in 2015, when the LNP left office, 97 per cent of elective surgeries were done on time and the median wait time was 28 days. In over four years, the median wait time for elective surgeries under Labor almost doubled. These are not just numbers on a spreadsheet or on a computer; it is your mother, grandad or close family friend. As a nurse and someone who has run hospitals before, I also feel sorry for the Queensland nurses on the front line who deal with Labor's health crisis in our hospitals each and every day.

Last December, the Auditor-General released a damning report into the rollout of Labor's latest Health IT debacle, the integrated electronic Medical Record. The report showed a \$256 million blowout in the program. Despite that, the health minister has the audacity to label the report a 'big tick'. Talk about being out of touch and absolute sheer arrogance!


Last week, the AMAQ issued another desperate plea to the health minister to stop the rollout of the integrated electronic Medical Record program, because patient safety was at risk. In their press release of 29 March 2019, which I table, the AMA said—

... we have voiced concerns about the rollout of Queensland Health's Integrated Electronic Medical Record across public hospitals. These concerns have been reported to us by doctors working in the public health system. AMA Queensland has recommended Queensland health pause the rollout of the IMR to allow for doctors' concerns around productivity and patient care to be resolved.

*Tabled paper:* Media statement, dated 29 March 2019, by the Australian Medical Association regarding digitisation of the state's public hospital and health services [\[530\]](#).

The LNP has called for the program to be stopped. Doctors have been calling for the program to be stopped. The Auditor-General slammed the waste and inefficiencies, yet the minister described the digital hospital program as an incredible success. Queenslanders have had enough of the health minister and his 'dog ate my homework' excuses. It is time that patients came first. The Palaszczuk government is out of touch, with no plan, direction or energy. Trains do not run on time, the health system lurches from crisis to crisis, education standards are slipping, drug and violent crime is increasing and we have one of the highest unemployment rates in the nation.

Labor's policy priorities are all wrong. It spends hundreds of thousands of dollars renaming a hospital when the health system is in crisis and adds five taxes when Queensland has one of the highest unemployment rates in the nation. Labor cuts the police budget and spends hundreds of millions of dollars on union demands to buy back private prisons when crime is out of control. Labor wants to teach kids about unions while education standards are slipping. Labor slugs you more for your rego and your electricity but does not fix your roads or lower your power bill. Labor does favours for its union mates but 'rail fail' continues. Labor spends millions on overseas travel but cuts maternity services in the bush. I support the motion moved by the Deputy Leader of the Opposition. This government should stand condemned for its waste and wrong priorities.

 **Hon. MC de BRENNI** (Springwood—ALP) (Minister for Housing and Public Works, Minister for Digital Technology and Minister for Sport) (5.25 pm): The Manager of Opposition Business regularly complains about time for debate on legislation and then the member for Everton brings this sort of rubbish into parliament. Once again, the member for Everton has demonstrated a breathtaking lack of understanding when it comes to the delivery of capital projects. Before I get on to that, I want to talk about why the member for Everton was able to provide with such clarity and certainty in his motion some ICT figures. That is because of the Palaszczuk government's commitment to transparency. It is the Labor government that has continued to improve the quality, clarity and availability of information on the Digital Projects Dashboard.

The Palaszczuk government turned the Digital Projects Dashboard into a nation-leading resource for the provision of information on government ICT projects, far ahead of that provided by New South Wales and Victoria. In fact, while I am talking about interjurisdictional analysis of digital dashboards, which jurisdiction in our nation does not provide information about its ICT dashboard? Which one does not have a dynamic dashboard? Scott Morrison's government does not provide a dynamic dashboard to report on its ICT projects.

Interestingly, in our last update to the dashboard, we added new information fields for projects on the dashboard. We did this to provide even greater clarity for members on ICT projects being delivered by the government. The new fields in the dashboard indicate project scope change, cost revaluation and delivery delays over the life of a project. In reality, with all those enhancements to the Digital Projects Dashboard, the member for Everton could have answered his own questions if he had just done a little more research. I have no doubt, as happens on that side of the House, that someone else wrote the motion for him, but I would be happy to pass on the website address to the member for Everton so he can take a look if he likes. Any capital project, as we all know, is subject to variants through the course of delivery. This is a fact of capital. Anyone who has delivered a capital project knows this and understands it.

For the benefit of members opposite, project scope can be affected for a variety of reasons, including a change in business needs. That is called being agile. Again for the benefit of those opposite, a change in strategic direction or policy is called pivoting. Once more for those opposite, the implementation of a newly emerging business model is called innovation. Agility and innovation are attributes those opposite will never be accused of. Members of the LNP would know that if they had delivered anything of note during their term in office.

Let us look at some examples. The human resource information system—when did this start? It started under the LNP back in 2012 with an allocated budget of more than \$100 million. Fast-forward to the end of their term. Had the project been delivered? No. Had the core work of the \$100 million project commenced? No. In fact, all the LNP managed to do was to spend \$18.5 million of the allocated budget to sign a contract to outsource the work. What we saw from the LNP from day one on this program was complete mismanagement. In fact, since July 2016 the Palaszczuk government oversaw the successful upgrade of finance systems for eight agencies.

It is not just the Queensland LNP, though, that has failed in their ability to deliver on ICT projects. The Morrison government have time and time again proven their inability to deliver on time and on budget. Just last night we heard in the federal budget that the federal LNP, the Morrison government, had to allocate \$38 million of taxpayers' money to fix the census.

I am reminded of an LNP pledge about cutting waste. It says, 'The LNP pledge is to cut waste.' What was the LNP's plan to cut waste? It was to sack 14,000 public servants and spent \$800 million in redundancies, only to then later re-hire many of those same individuals as consultants. That was all revealed in the 2012-13 budget. The bottom line in that budget, like all of the other budgets delivered by the LNP—the self-proclaimed experts in economic management—was a \$10 billion deficit. If you want to talk about waste, look at that. That is a room full of waste.

**Mr Mander** interjected.

**Mr SPEAKER:** Order! Member for Everton, you have already had a go.

**Mr Bleijie** interjected.

**Mr SPEAKER:** Member for Kawana, when I am addressing the chamber, I would appreciate not being interrupted.

**Mr MINNIKIN** (Chatsworth—LNP) (5.30 pm): Of the long list of 27 items, my contribution tonight will focus on items (d) and (h). For the benefit of the Minister for Transport and Main Roads they are: fixing Labor's rail fail, \$170,660,000; and taxis for train drivers, \$493,033. No wonder the member for Miller was described by the CCC as 'foolish' because when it comes to finance he maintains this line of being referred to as 'foolish'.

I would like to spin the tape back just a few hours—to this morning—and quote from *Hansard* where the genius member for Miller said the following—

Funding for the Bruce Highway Cairns southern access stage 5 project is a mirage. That is also at least four years away.

It works like this, member for Miller: one, two, three, four. With reference to the budget papers, I notice in year 2021-22—year 3 over the four; not four years, year 3—that there is an allocation of \$105 million which includes an amount for the Cairns southern access corridor. I will give you a tip: if you want to come into this chamber, speak facts from the head, not nonsense from the heart.

There was some other interesting reading that I would like to enlighten the member for Miller—the failed transport minister; the architect of 'rail fail'—about. Let's compare and contrast, as the Premier wanted to do this morning, Queensland to New South Wales. I quote from *Railway Digest* news and sport.

**Mr Bailey** interjected.

**Mr MINNIKIN:** If you want to learn something, you might want to pipe down and listen.

**Mr SPEAKER:** Member, you will direct your comments through the chair. I do not think I need to be told to listen.

**Mr MINNIKIN:** Certainly, Mr Speaker. The latest copy of *Railway Digest*, which should be on everyone's reading list, says in relation to train driver recruitment—

There has been a 64 per cent increase in New South Wales in the past 12 months with—  
wait for it, member for Miller—

125 new train drivers and 235 new guards graduating.

Let us go back. It is such a feast. It is such a target with this failed member. Compare that to the at least seven occasions in the last six months where the member for Miller has been asked a very easy question: how many new drivers and how long will it take to address 'rail fail'? Queue—and for the benefit of Hansard I apologise in advance—my stock standard reply: bing bong; big, big fail. Let us get to the heart of the matter. Member for Miller, really you have a new career, champ, and that is—

**Mr SPEAKER:** Member, I think you are talking about portfolio related matters, not electorate matters. I would appreciate you calling him the Minister for Transport and Main Roads.

**Mr MINNIKIN:** The Minister for Transport and Main Roads will certainly have the next spot on 'better see Specsavers'. In the last one minute and 43 seconds let's cut to the chase and talk about what he always goes on about. What a train wreck of an interview he did on ABC 612 this morning at about 10 minutes to seven. What an absolute train wreck where yet again the Minister for Transport and Main Roads carped on about the number of drivers that were cut, sacked, dispensed with within the 2014-15 financial year.


I actual have a source document here, Minister for Transport and Main Roads. Now I admit the source may be in his eyes a bit dodgy because the fairly dodgy source, as he would put it, is Queensland Rail. I am happy to table this.

*Tabled paper:* Tables showing reasons for cessation of Queensland Rail train drivers [\[532\]](#).

Here are the facts. This is a spreadsheet which shows all driver categories: drivers, tutor drivers and drivers in charge. If we look at the categories of reasons for dismissal they are: age retirement, deceased, resigned, medical separation, retired medically unfit, voluntary separation or dismissed for conduct. If we look along that column inch by inch, millimetre by millimetre there is not a column space for sacked—not one. I will be writing to you in relation to this matter because it is serious. We did not sack them. There were a list of people—I have the quantum—that accepted VERs but they were not sacked. It proves conclusively that the transport and main roads minister completely needs to go.

**Mr Mander** interjected.

**Mr SPEAKER:** Member for Everton, you are warned under the standing orders.

 **Ms HOWARD** (Ipswich—ALP) (5.35 pm): I rise to oppose the motion moved by the LNP. Can I say, it is unbelievable to me that they are moving this motion in the first place. We would have to wonder who is advising them. I think they have been set up. Everyone knows and expects governments to spend money. The Palaszczuk government does that. It invests money in Queensland. By calling that investment a waste makes me think that those opposite are judging this government by their own standards. If they want to talk about waste, I am happy to oblige.

What we saw when the LNP were in government—and the opposition leader was very much a part of that—was a shameful waste of taxpayer dollars. By the time the 2015 state election came along, people in Ipswich were falling over themselves to get rid of the LNP—and get rid of them they did. Right across Queensland LNP members were wiped out. I remind those opposite that people have not forgotten why they did. They were all sacked.

There were plenty of reasons for that. I will remind them of a few. First of all, remember good old 'Jet Set Jeff', the former member for Callide. It is easy enough to forget Jeff, but not if you are a charter flight pilot. Some \$598,590 was spent on charter flights, despite the fact he lived an hour from an airport. That is how much money he spent between March 2012 and February 2015. I can think of numerous projects in my electorate that would love that amount of money. That is what I call a waste.

Who could forget the \$70 million Strong Choices slush fund which was revealed in the *Courier-Mail* a few years ago?

**Ms Bates** interjected.

**Mr SPEAKER:** Pause the clock. Member for Mudgeeraba, you have had a five minutes to contribute to the debate. I would hope that was enough time for you to get your points across without interjecting on other members. You are warned under the standing orders.

**Ms HOWARD:** I see zero investment in the Strong Choices program—just waste. The former attorney-general, the member for Kawana, is the very epitome of waste. Seriously, remember the \$10,000 worth of prisoners' pink jumpsuits to shame bikies. What a waste.

There are plenty more examples, but I really cannot go past the member for Kawana again and his \$7.4 million blowout in the deeply flawed youth boot camp contracts—not to mention the almost 15,000 taxpayer funded helicopter flights to do a promotional video on those same deeply flawed boot camps. It is an absolutely disgrace. These examples I have mentioned were nothing to do with investing in this great state. They were all about shameless self-promotion and playing punitive politics with people's lives.


Ipswich cannot forget that under the LNP we saw a massive spike in unemployment as a direct result of the slashing and axing of government services. The LNP did not care and still do not care about creating jobs. They casually axed \$288 million from employment programs in Queensland including Skilling Queenslanders for Work, which provided jobseekers in Ipswich and right across the state with skills training and work experience to get into the workforce.

They cut massive amounts from Queensland TAFE while ignoring a shocking increase in youth unemployment under their reign. Those opposite when in government did not care about taking away vital community services like the Tenant Advice and Advocacy Service. Across Queensland, 80,000 vulnerable and disadvantaged people were accessing those advocacy services to help them stay in their homes. Also, \$21 million was cut from the West Moreton Hospital and Health Service budget by the LNP in their first term, and they sacked 84 staff.

Since 2015, more than 21,000 Queenslanders, including 1,700 Ipswich jobseekers, have found work as a direct result of participating in the Skilling Queenslanders for Work program. It has directly resulted in Ipswich's youth unemployment rate dropping seven percentage points in four years. We all know in this House about the Deloitte Access Economics analysis of the Skilling Queenslanders for Work program—for every \$1 of government spend there is an \$8 return to the economy. That is what I call investment. We are also investing in TAFE and schools. We are offering free TAFE to year 12 school leavers.

One of the many cuts that the LNP made during their short reign was a \$100,000 cut to the Pyjama Foundation. I am not sure whether those opposite know what the Pyjama Foundation is. Maybe they thought it was a group of first-class international flyers talking about silk pyjamas, when in fact it was a group of people—volunteers—who care for and read to vulnerable children in foster care. It is unbelievable to me that they cut that program. It is very typical of the character of the LNP.

This government is investing in the growing health needs of this state by injecting a record \$18.3 billion into health this year. I am pretty sure my constituents see that as an investment, not a waste. The LNP wasted a lot of time and money when they were in government but they invested nothing in this state. Again, I oppose the motion.

 **Ms SIMPSON** (Maroochydore—LNP) (5.41 pm): All I have heard from the other side are excuses. They have no idea. When they are caught red-handed with their red hands in people's pockets, they think that is acceptable. We see a litany of waste—waste after waste after waste—where this Labor government is putting its hands into the pockets of ordinary Queenslanders and ripping money out through extra taxes. We are seeing small business confidence at a record low in many areas and in many parts of Queensland where businesses are struggling. Guess what? Small businesses in our regions are the ones who employ the vast majority of Queenslanders, and they are saying that this government is out of touch.

We have heard about the waste of the fat dog app. Let me tell the House about some other examples of this government's waste that members opposite seem to want to try to justify. In the training sector we have seen a TAFE IT blowout of \$1.4 billion, yet somehow that is supposed to be acceptable, with Minister de Brenni claiming—what was it?—that they are being transparent or agile or something.

**Opposition members:** Agile!

**Ms SIMPSON:** What a new virtue for absolute waste—\$1.4 million! He must be agile to pat himself on the back. Good on him for wasting \$1.4 million on an IT system. Once again, it is money that is not available for priorities in other areas. This Labor government has its priorities wrong and Queenslanders are paying the price.


Let me tell the House about some other examples of this government's 'agile' waste. Rather than being transparent, it is like pulling teeth when it comes to finding out how they have spent the money, where they have spent the money and what they have spent the money on. When I asked the Minister for Training why they spent \$390,000 on a former TAFE boss only months before that person was supposedly finishing their contract, the government did not say that that person had been sacked. They apparently were not quite clear about why they had paid that \$390,000 and still the mystery remains. Why do you pay out somebody \$390,000 when they only have a few months to go on their contract? There are a lot of questions that remain unanswered, but according to this government that is about being agile. I think they are agile with the truth.

Let us look at some other examples of this government's waste. There was Labor's Commonwealth Games giveaway tickets of \$230,000. The government said they were not going to be doing that, yet they did. Once again, they were agile with the truth. In fact, they broke their promise with \$230,000 in giveaway tickets. We know that TAFE were giving away tickets, but we do not know who they gave them to because that is a secret. Once again, they are not just agile with the truth; they are deceitful and will not release the facts about how they spent that money.

There was also brand research about TAFE Queensland of \$102,300. What value do we get for that agile, wasteful spending of money? Under this Labor government we have seen a fall in completion rates for apprenticeships and traineeships. Completion rates have dropped by more than 30 per cent since this Labor government was elected—10,000 fewer Queenslanders have completed training from when the Palaszczuk Labor government was elected. Federal vocational training figures show that there has been a fall-off in completion rates, despite the fact that this government had an opportunity to sign up to a federal government agreement. They refused to do it. Why did they refuse to do? They do not want to be held accountable because that \$245 million in new funding would have required them to not waste money. They would have had to spend it on the students and not spend it on handouts and free tickets, not spend it on rebranding TAFE Queensland and not spend it on a wasteful \$1.4 million blowout on TAFE.

Let us look at some other examples. The Jobs Queensland logo was changed at a cost of \$37,000. Maybe they thought that was cheap after they wasted money on the Lady Cilento hospital's name change. Once again, we see a government that has its priorities wrong. We are seeing fewer people completing their training. Training matters, jobs matter and small business matters. This government has its priorities wrong by having its hands in everybody's pockets and trying to justify that as being agile.

*(Time expired)*

 **Mrs GILBERT** (Mackay—ALP) (5.46 pm): I rise to oppose the motion moved by the Deputy Leader of the Opposition. He is one to speak about waste. The people of Ipswich might have a different perspective on that after those opposite dropped the Queensland waste levy and made this state the

dumping ground for New South Wales. The notice of motion tabled by the Deputy Leader of the Opposition is about government waste. Therefore, it is useful to shine a light on what happened when the member for Everton was a minister in the Newman government.

I believe at one time he was the minister for racing, among other things, in the Newman government. That government gave us a case study of procurement failure in the bungling of the Eagle Farm raceway redevelopment. After the member for Nanango and the CBRC descope the project, it was so poorly resourced that when we came to government it was apparent that it was not fit for purpose. Frankly, all of the work started by the LNP was a waste. It was a waste of government resources and caused delays to Queensland's great racing industry.

What about the other Jeff Seeney special—Royalties for the Regions, a slush fund of the dodgiest order to pump money into their then government held seats? We know that in that program Mr Seeney personally made decisions to fund programs against departmental recommendations. He funded programs that did not align with program guidelines and projects where no departmental assessment was undertaken and value for money was not considered. Jeff Seeney funded three airports in his own electorate. That is right—three! Grants were made to councils that never applied, so those grants were just gifted, and grants were made to the south-east corner instead of to the regions where it was needed.

The Auditor-General noted that many councils 'unnecessarily invested their time, resources and money to demonstrate the value of their applications against criteria that were apparently irrelevant'. They did not follow them. It was just a waste of time. Mr Speaker, I will share with you a quote from the Auditor-General's report, which states—

Lack of documentation of the reasons for such decisions means it remains unclear what actual criteria were used to decide which projects were to be funded.

A minister is not compelled to accept the advice of their department and is entitled to allocate funds in line with executive authority granted through the Constitution. However, the department had no records of the reasons for funding many projects over much higher rated projects. This absence of documentation reduces transparency and weakens accountability.


What about the fire sale release of seven government owned CBD buildings for \$237 million less than their 2012 valuations? It is shameful and an act of economic vandalism by the LNP government. They lumbered Queensland taxpayers with an exorbitant rent at 1 William Street.

**Mr Millar** interjected.

**Mrs GILBERT:** Can you imagine if they had the chance to implement Strong Choices how badly they would rip the Queensland community off?

**Mr SPEAKER:** Pause the clock. Member for Gregory, that is uncalled for, particularly not putting your comments through the chair as I have given very clear guidance. You are warned under the standing orders.

**Mrs GILBERT:** Queenslanders know a hoax when they see one. They were so impressed with those opposite when they were in government, what did they say when they got a chance to go to the ballot box? They said, 'No thanks.' They did not do it once; they have done it twice. They know a hoax when they see one. They saw it with the Newman government when it wasted \$100 million on its Strong Choices. They see it in the Morrison budget and they see it in the member for Everton. If the LNP want to talk about government waste they should start with their own time in government.

 **Mr BLEIJIE** (Kawana—LNP) (5.51 pm): I was awaking from my slumber of the last five minutes after listening to that. In fact, I learnt something just now. I learnt the honourable member for Mackay is the Assistant Minister for State Development. How far they have come!

Mr Deputy Speaker—Mr Speaker, my apologies. With respect to the members who have spoken, in response to the member for Cooper, who started the contribution whingeing about the big new building across the road: hand the keys back. If the minister did not want to move into it, if it is that bad, get out of the building. The reason that William Street worked so well is that it was the catalyst to start other developments like the Queens Wharf development that is happening. The minister for tourism and the Commonwealth Games then talked about how great the Commonwealth Games were. We supported the Commonwealth Games. We funded the Commonwealth Games. What we reject is the waste of the accommodation. Queensland taxpayers care where the minister slept and the amount of money they spent on accommodation. If they wanted to save more money, I suggest they could have saved a bit on the closing ceremony.

The member for Gladstone talked about asset sales. The only party that has sold assets in Queensland is the ALP. This is the hypocrisy of the Labor Party. As the former member for Bundaberg and now Mayor of Bundaberg, Jack Dempsey, always said in this place, 'How do you spell hypocrisy? A-L-P.' He rarely got it right but he meant the ALP.



I cannot help recalling when we talk about hypocrisy and asset sales the good old myth busters. The member for Mulgrave used to hand these out. He said, 'The myth: the government is selling all of its assets.' Then the member for Mulgrave said: 'Fact: we aren't. In fact, our total assets is over \$200 billion. We are selling Forestry Plantations, Queensland Motorways, Port of Brisbane, Abbot Point Coal Terminal, and the above and below rail businesses for Queensland Rail.' The only party and the only ones who advocated and actually did the asset sales is the Labor Party.

**Mr Mander:** They didn't tell anyone.

**Mr BLEIJIE:** And of course they did not tell anyone and they lost the election because they lost the union support. The member for Springwood, the minister responsible for housing and public works, talked about IT. Then he said, 'It's not waste; it's just being agile.' Maybe that is why they gave the money to the fat dog app for agility purposes. Who knows what they did, but now we do not talk about waste; we talk about being agile in the Queensland economy. Whilst I often talk about the Labor Party and union fat cats, Mr Deputy Speaker, now we talk about the fat dog app which is in the motion for waste.

**Mr SPEAKER:** I will give you one more go, member for Kawana. I am not the Deputy Speaker.

**Mr BLEIJIE:** My apologies, Mr Speaker. Mr Deputy Speaker—Mr Speaker, I apologise.

**Mr SPEAKER:** I am not being precious about this, but there is a protocol in this place and it is very hard to believe you had a slip immediately. I will give you one more chance before warning you under the standing orders.


**Mr BLEIJIE:** Thank you, Mr Speaker. It is not the government's job to put dogs on a treadmill. It is not the government's job. We have gone from (a) to (z) to (aa) with respect to the waste of the Labor Party. No-one likes travelling in this state and international travel as much as the Premier. The member for Mackay or the member for Ipswich talked about the former deputy premier's travel. He is a regional member. What do they have against regional members? Regional members and the deputy premier ought to be able to travel across the state to deal with business across the state. It is a disgraceful attack not only on the former deputy premier but also on regional members who serve in this parliament. The Premier is the queen of excuses. We rarely see her in the parliament unless there is a division on a particular motion. Otherwise what does the Premier do in the state of Queensland? No-one knows—

**Mrs D'ATH:** Mr Speaker, I rise to a point of order. There is a convention of not reflecting on the absence of members in this House, and the member for Kawana has just done so in relation to the Premier.

**Mr SPEAKER:** Member for Kawana, I appreciate you are not suggesting the Premier's absence right now during this debate, but I would be cautious about the tact you are taking. I would ask you to withdraw those comments.

**Mr BLEIJIE:** I withdraw. The Labor Party wastes Queensland taxpayers' money. They have always been doing it. Only the LNP run government effectively.

*(Time expired)*

 **Hon. MC BAILEY** (Miller—ALP) (Minister for Transport and Main Roads) (5.57 pm): It is always a great pleasure to follow the amateur thespian performances from the member for Kawana, a man who was a member of the Newman cabinet who approved 1 William Street—probably the greatest waste of public money we have seen. They were in power for two seconds before they went straight into commissioning a nice big tower for themselves, looking after themselves. While telling everybody else in the state that we were broke and we had to cut, we had to sack, we had to sell, they were building a palatial tower to themselves which was set in stone by the time we won the election. We are getting a lecture from those who built 1 William Street. That is just extraordinary.

When it comes to waste there is no greater practitioner than the LNP when it comes to public money. Let me mention three letters, N-G-R. Under their watch NGR trains were ordered from overseas—not from Maryborough but from overseas. They wasted jobs in Maryborough, that is for sure. They let down the workers of Maryborough and Queensland by ordering them overseas and they were not compliant.

Let me look at the LNP record when it comes to further waste. They spent \$70 million on Strong Choices to privatise everything that moved in this state—privatising our energy assets. They were lined up to privatise Queensland Rail. That was their agenda. If they get another chance, they will be doing

it again. As revealed in estimates in 2015, they had a secret branch in Transport and Main Roads to privatise sections of Transport and Main Roads. That was another \$30 million worth of waste there that was absolutely exposed, let alone the former minister for transport wasting a lot of public money putting all those trophies on his wall. He is no longer here; we certainly sorted him out.

As the member for Ipswich said, when it comes to waste, the former deputy premier's waste of money for flights to and from his own electorate takes the cake. That was over half a million dollars worth of waste. The list of waste from the opposition in their three short years in power—three very short years; three mercifully short years—is absolutely very clear.

Recently, some figures were released about taxis in a question from the opposition. The bill was \$493,000. I thought I would look up the record of the opposition when they were in power. In the opposition's first year in government, the taxi bill for Queensland Rail staff was—wait for it—\$532,000. That was a lot more than under us. They seem to have one rule for one and one rule for another.

I was fascinated to see the recent comments by the member for Chatsworth. He suggested, firstly, that it would take six years to get back to a full timetable. The next day he suggested it would somehow take seven years to get back to a full timetable. Then he got his leader to suggest that it would take 37 years to get back to a full timetable. I smell a rat. I think the numbers are moving. Whoever gave that advice to the Leader of the Opposition to say that publicly has not got her best interests at heart. That is a bit of waste that the Leader of the Opposition needs to look at, because saying 37 years is one of the most embarrassing things I have heard in four years in this chamber. It shows the Leader of the Opposition—

**Mr Minnikin** interjected.

**Mr SPEAKER:** Pause the clock. Member for Chatsworth, you have had a five-minute stint to say your piece. I think that is enough.

**Mr BAILEY:** It shows an appalling lack of judgement, let alone an appalling lack of research, acumen and advice. I will remember that one. We had 43 per cent earlier, and I will remember 37 years in equally the same kind of light.

We had 48 fewer train drivers at the end of the Newman government than at the beginning of it, when they knew a whole new line was opening to Redcliffe and they knew the Commonwealth Games were coming. How do you lose drivers? Firstly, you stop training them. Not a single train driver school started for the entire year of 2014 when they knew those events were coming up. A significant contribution to the rail fail was the LNP sacking drivers and stopping train driver schools. Their record is appalling.

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

**AYES, 38:**

**LNP, 36**—Bates, Batt, Bennett, Bleijie, Boothman, Boyce, Crandon, Crisafulli, Frecklington, Hart, Hunt, Janetzki, Krause, Langbroek, Last, Leahy, Lister, Mander, McDonald, Mickelberg, Millar, Minnikin, Molhoek, Nicholls, O'Connor, Perrett, Powell, Purdie, Robinson, Rowan, Simpson, Sorensen, Stevens, Stuckey, Watts, Weir.

**PHON, 1**—Andrew.

**Ind, 1**—Costigan.

**NOES, 47:**

**ALP, 45**—Bailey, Brown, Butcher, Crawford, D'Ath, de Brenni, Dick, Enoch, Farmer, Fentiman, Furner, Gilbert, Grace, Harper, Healy, Hinchliffe, Howard, Jones, Kelly, King, Lauga, Linard, Lui, Lynham, Madden, McMahon, McMillan, Mellish, Miles, Miller, Mullen, B. O'Rourke, C. O'Rourke, Palaszczuk, Pease, Pegg, Pugh, Richards, Russo, Ryan, Saunders, Scanlon, Stewart, Trad, Whiting.

**Grn, 1**—Berkman.

**Ind, 1**—Bolton.

Pairs: Boyd, Wilson; Power, McArdle.

Resolved in the negative.


## HEALTH AND OTHER LEGISLATION AMENDMENT BILL

### Second Reading

Resumed from p. 1077, on motion of Dr Miles—

That the bill be now read a second time.

to which Mr Bleijie had moved an amendment.

 **Mr BENNETT** (Burnett—LNP) (6.08 pm): I want to concentrate my contribution on the Health and Other Legislation Amendment Bill that repeals the Public Health (Medicinal Cannabis) Act and makes consequential amendments. It is really important that we continue to progress the medicinal cannabis act reforms and the state based regime that allows patients to access medicinal cannabis. It establishes a robust system for Queensland Health to control medicinal cannabis so that it can only be prescribed by suitable medical practitioners where there is evidence of its health benefits.

The LNP supports the health benefits of medicinal cannabis when it is overseen by medical practitioners in order to help patients where there is evidence that it will help treat certain conditions. We have all had advocacy in our electorates because we understand that medicinal cannabis may be suitable to treat things like: severe muscular spasms and other symptoms of multiple sclerosis; chemotherapy induced nausea and vomiting; some types of epilepsy with severe seizures; and palliative care, where there is loss of appetite, nausea, vomiting and pain.

I want to limit my contribution because of the time that is left here tonight. This is also a great thing for pharmacists in our regions. Currently, each individual pharmacist who dispenses medicinal cannabis in Queensland must have a dispensing approval. Dispensing approvals are site specific so pharmacists working out of multiple pharmacies require an approval in each pharmacy they work in. Queensland is the only state that requires pharmacists to have an approval to dispense medicinal cannabis, and there are more than 4,000 pharmacists in Queensland.

I want to thank John Hall, the director of Agri Fibre Industries in Bundaberg. After 20 years of developing hemp and medicinal cannabis technologies and research, he agrees with the streamlining of the process to take away the duplication and unnecessary overregulation of the medicinal cannabis sector. I acknowledge David Gillespie and Louise Blatchford for their work in this important sector. We need to work hard to make sure the region will see the benefits of using hemp as a rotational crop.

The issue that we have in Queensland is that the Drugs Misuse Act and the Drugs Misuse Regulation mean the details are very restrictive on how to go about research with the operation. I want to acknowledge the minister for taking that on board and at least agreeing to have a conversation with this group outside this forum. That is an important way forward to make sure we can get this important sector up and running.

For example, at present a researcher cannot send samples of leaves or flowers for routine analysis of cannabinoids and other THC to a laboratory outside Queensland without a complicated research agreement. The approved laboratory in Queensland—the forensic lab at Coopers Plain—cannot release levels of CBD in the samples that they test for research and other legislation that allows for THC testing. For Queensland to be a serious player in the research area, we need to bring legislation and regulations in like other states in Australia. It is also appropriate—

**Mr SPEAKER:** Members, in accordance with the business program agreed to by the House, the question is that the bill be now read a second time to which it has been proposed that the question be amended by omitting words and inserting words in the member for Kawana's amendment

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

**AYES, 39:**

**LNP, 36**—Bates, Batt, Bennett, Bleijie, Boothman, Boyce, Crandon, Crisafulli, Frecklington, Hart, Hunt, Janetzki, Krause, Langbroek, Last, Leahy, Lister, Mander, McDonald, Mickelberg, Millar, Minnikin, Molhoek, Nicholls, O'Connor, Perrett, Powell, Purdie, Robinson, Rowan, Simpson, Sorensen, Stevens, Stuckey, Watts, Weir.

**PHON, 1**—Andrew.

**Ind, 2**—Bolton, Costigan.

**NOES, 46:**

**ALP, 45**—Bailey, Brown, Butcher, Crawford, D'Ath, de Brenni, Dick, Enoch, Farmer, Fentiman, Furner, Gilbert, Grace, Harper, Healy, Hinchliffe, Howard, Jones, Kelly, King, Lauga, Linard, Lui, Lynham, Madden, McMahon, McMillan, Mellish, Miles, Miller, Mullen, B. O'Rourke, C. O'Rourke, Palaszczuk, Pease, Pegg, Pugh, Richards, Russo, Ryan, Saunders, Scanlon, Stewart, Trad, Whiting.

**Grn, 1**—Berkman.

Pairs: Boyd, Wilson; Power, McArdle.

Resolved in the negative.

Non-government amendment (Mr Bleijie) negated.

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 57, as read, agreed to.

### Third Reading

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

Motion agreed to.

Bill read a third time.

### Long Title

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

Motion agreed to.

## MOTION

### Order of Business



**Hon. YM D'ATH** (Redcliffe—ALP) (Leader of the House) (6.17 pm): I move—

That government business order of the day No. 3 be postponed.



**Mr BLEIJIE** (Kawana—LNP) (6.17 pm): Are we able to speak to the motion moved by the Leader of the House?

**Mr SPEAKER:** Member for Kawana, because I have not put the motion yet you are entitled to speak. I just wanted to make sure I sought that advice. Is it your wish to speak? Then you may rise to your feet.

**Mr BLEIJIE:** We have a motion being moved by the Leader of the House to suspend standing orders and change the government orders of the day—

**Mr SPEAKER:** Sorry, a time limit is needed on that.

**Mr BLEIJIE:** We had this debate yesterday with respect to the government orders of the day and we had the business committee debate. The education bill that we are now debating was not even up for debate this week. I raised the issue—

**Mr SPEAKER:** Member for Kawana, I ask that you resume your seat while I take further advice. I want to be to be triply sure that this motion is one that you can make a contribution on. Thank you for your patience, member for Kawana. The advice that I have received is that, whilst this motion is put under standing order 78, it is not debatable under standing order 76. I apologise for allowing you that opportunity to speak. You managed to get a few words out, though.

Division: Question put—That government business order of the day No. 3 be postponed.

**AYES, 45:**

**ALP, 45**—Bailey, Brown, Butcher, Crawford, D'Ath, de Brenni, Dick, Enoch, Farmer, Fentiman, Furner, Gilbert, Grace, Harper, Healy, Hinchliffe, Howard, Jones, Kelly, King, Lauga, Linard, Lui, Lynham, Madden, McMahon, McMillan, Mellish, Miles, Miller, Mullen, B. O'Rourke, C. O'Rourke, Palaszczuk, Pease, Pegg, Pugh, Richards, Russo, Ryan, Saunders, Scanlon, Stewart, Trad, Whiting.

**NOES, 40:**

**LNP, 36**—Bates, Batt, Bennett, Bleijie, Boothman, Boyce, Crandon, Crisafulli, Frecklington, Hart, Hunt, Janetzki, Krause, Langbroek, Last, Leahy, Lister, Mander, McDonald, Mickelberg, Millar, Minnikin, Molhoek, Nicholls, O'Connor, Perrett, Powell, Purdie, Robinson, Rowan, Simpson, Sorensen, Stevens, Stuckey, Watts, Weir.

**Grn, 1**—Berkman.

**PHON, 1**—Andrew.

**Ind, 2**—Bolton, Costigan.


Pairs: Boyd, Wilson; Power, McArdle.

Resolved in the affirmative.

## EDUCATION (QUEENSLAND COLLEGE OF TEACHERS) AMENDMENT BILL

Resumed from 12 February (see p. 42).

### Second Reading

 **Hon. G GRACE** (McConnel—ALP) (Minister for Education and Minister for Industrial Relations) (6.26 pm): I move—

That the bill be now read a second time.

The Palaszczuk government is committed to delivering a quality world-class education system in Queensland. We know that every day in classrooms right across the state Queensland teachers work hard to give our students the very best start in life. That is why we went to the last election with a commitment to raise the status of the teaching profession. It does not help when you often have governments, particularly at the national level, that continue to deliver statements which undermine the profession of teaching.

On 12 February 2019 I was proud to introduce the Education (Queensland College of Teachers) Amendment Bill 2019 into the Queensland parliament. This is another example of the Palaszczuk government delivering on its commitment to transform and modernise the teaching profession under the Letting Teachers Teach initiative. This government firmly believes that teaching is a highly valued profession. I would like to take this opportunity to thank all the wonderful hardworking teachers and principals in our schools right throughout Queensland for the excellent job that they do day in and day out. Unlike those opposite, we value teachers and the work they do. They work tirelessly every single day in our classrooms delivering what I describe time and time again as a world-class education here in this state. We believe that they deserve to be recognised and acknowledged for their hard work and professionalism. The Palaszczuk government wants teachers to have career development opportunities and they deserve to be well remunerated. The bill is a clear demonstration of this government's commitment to ensure a quality education system by providing outstanding teachers with new opportunities to advance their careers while allowing them to stay in the classroom.

The bill amends the Education (Queensland College of Teachers) Act 2005 to provide for a nationally recognised certification framework in Queensland that recognises high-quality teachers and encourages them to continue their role as a classroom teacher; enable the Queensland College of Teachers—the college—to perform the role of a certified authority within the framework for the certification of highly accomplished teachers and lead teachers; and provide for an effective, transparent certification process with decisions subject to appropriate review.

The bill was referred to the Education, Tourism, Innovation and Small Business Committee for consideration. The committee tabled its report on 28 March 2019. The committee made a single recommendation: that the bill be passed. I would like to thank the chair, the member for Nudgee, and the committee members for their thorough consideration of the bill. As usual, the member for Nudgee and committee members—particularly the member for Nudgee—did a great job and this bill was considered very well. I also take this opportunity to thank the departmental representative who assisted the committee with their consideration of the bill as well as the stakeholders who made submissions to the bill.

This bill is a positive step for teachers and the teaching profession as a whole. It is also a positive step for all Queenslanders, as the bill contributes to ensuring our state has a quality education system. I will say it again: world-class at that! This is an important step in raising the status of the teaching profession in Queensland and throughout the nation.

The Palaszczuk government has been comprehensive and meticulous in its introduction of a process to assess and certify highly accomplished and lead teachers. An investment of \$6 million over three years was allocated to implement a pilot program. This funding was used to support a small project team, the training and release of assessors, travel and accommodation, teacher relief and training for participants. Commencing in 2017, this pilot of the national certification process for HAT and lead teachers was trialled in the north coast and Far North Queensland education regions. In developing and assessing the certifying framework the Department of Education has worked closely with the college and the Queensland Teachers' Union.

In contrast to those opposite, the Palaszczuk government listens to, consults and works with Queenslanders. This pilot program has been recognised by the Australian Institute for Teaching and School Leadership, AITSL, which acknowledged the incredible work by the department and the college and the national leadership shown in developing and implementing a certification process consistent with the national framework.

As a result of the incredible work that has gone into the pilot program, Queensland now has 44 certified highly accomplished teachers and three lead teachers recognised in our state schools. These 47 teachers span across the range of diverse education areas in our state schools. It is great to be able to acknowledge the education provided by teachers in special education, the early years and outdoor education as well as in primary and secondary schools. This spans across all areas.

Last year I was proud to announce that highly accomplished teachers and lead teachers will be able to earn around \$112,000 per year and \$122,000 per year respectively. It was fitting that two highly accomplished teachers in Helen Hamilton and Dwayne Rees and a lead teacher in Susan Scott were able to be present for the announcement. I acknowledge the member for Mount Ommaney, because we launched this at Jindalee State School. I particularly thank Principal Meaghan Rodgers, who welcomed us to the school, as well as the other members of the school community where we were able to launch this fantastic initiative of HA and lead teachers.

**Ms Pugh:** A great school.

**Ms GRACE:** I take that interjection from the member for Mount Ommaney: a great school. As a result of amendments contained in this bill, Helen, Dwayne and Susan, and many others like them, will have new opportunities to progress their careers while staying in the classroom.

For those teachers who have been certified as either a highly accomplished or a lead teacher, this bill incorporates transitional arrangements to ensure that those who were certified under the pilot continue to be recognised and not disadvantaged by the passing of this bill. Teachers who are teaching at the highly accomplished or lead teacher standard can be recognised as such and will be remunerated accordingly.

I spoke in detail about the bill in my explanatory speech, but I will briefly again outline its main features, because I think it is important for the teaching profession in this state. We want to acknowledge the high value of these wonderful professional people.

The bill provides a statutory framework which allows eligible teachers to apply to the college for certification as a highly accomplished or lead teacher. It also enables the college to assess applications and the applicant's professional practice against the Australian Professional Standards for Teachers developed by AITSL, a national agency with the role of promoting excellence in the profession of teaching throughout Australia. These rigorous national standards recognise high-performing teaching across the domains of professional knowledge, practice and engagement. Mr Speaker, I know that you are well equipped to understand these issues.

In order to be recognised by AITSL and nationally, the assessment and certification process must meet the requirements set out by AITSL in its *Guide to the Certification of Highly Accomplished and Lead Teachers in Australia*. This will be recognised nationally, which is fantastic. In assessing applications, the bill allows the college to be assisted by employing authorities; however, the college, as an AITSL approved certifying authority, is the final independent decision-maker as to whether the teacher is certified as a highly accomplished or lead teacher. This is consistent with the current review processes of the college. I note that this approach was supported by all stakeholders in the committee process. I think they were very keen to see that this had been nationally recognised, that it was in line with those certifying principles and that this is the manner in which Queensland is stepping forward with this certification process. The bill also establishes a review framework for decisions of the college. If a person is dissatisfied with a decision of the college, they may seek an internal review of the decision by the college as well as an external review by the Queensland Civil and Administrative Tribunal.

The bill and the certification framework it gives effect to were informed by a two-year pilot conducted in two state school regions during 2017 and 2018, as I outlined previously. The college gained experience from the pilot in undertaking the certification process and has established procedures and capabilities that allow it to continue to perform the certifying role on an ongoing basis. Overall, amendments in the bill provide for a high-level yet rigorous framework suited to Queensland's education environment. It allows for an appropriate level of operational flexibility and adaptability to ensure the certification process can be practically implemented consistent with the national framework developed by AITSL.

I would now like to respond to a small number of issues raised by stakeholders during the committee's consideration of the bill. While the Queensland Catholic Education Commission supported the bill, it noted that the bill does not provide for revocation of certification. That was a good point. The certification process is designed to fit with the current national framework, which does not provide for revocation. Unfortunately, even though we may want to be able to do that, at the moment that is not

provided for in the national framework. Implementing revocation in Queensland without a nationally consistent process would create a variety of operational issues that could undermine the effectiveness of such a policy.

My understanding is that the scheme is reviewed every five years and that this could be part of that five-year review. However, the government recognises that this is a matter that can be explored further with AITSL so that any revocation policy will be implemented consistently across the national framework. We just want to ensure that whatever we do in this area is nationally consistent and nationally recognised. I think it is so important for teachers to have confidence that it is a national scheme they are entering into. The Queensland Catholic Education Commission also acknowledged that further consultation with AITSL on this matter was the best approach. Eventually, it did agree that the government's approach was the best way forward. The government also notes the issues raised by the Queensland Independent Education Union, QIEU, that early childhood teachers in non-school environments are not eligible to apply to the college for certification.

In accordance with the Queensland government's commitment, the purpose of the bill is to enable registered teachers in Queensland schools to be able to apply to the college for certification, consistent with the processes evaluated under the pilot. We want registered teachers to be able to apply. Importantly, extensive consultation with the early childhood sector and stakeholders would need to occur should this change. There are a number of policy issues that would need to be resolved with the early childhood stakeholders, including private childcare employers, before it would be appropriate to consider extending the college's statutory functions to certifying early childhood teachers outside of a school setting. Even though we have sympathy for this, it is important to note that, outside of a school setting—outside of that registration—it would not be part of the national framework. If we wanted to go down that path, it really would require some extensive consultation. That is not to undermine the work that is done by teachers in early childhood education and care; it is just that we want to maintain that national framework. If we move in any direction in this way, we want to make sure that there is extensive consultation of all stakeholders should we decide to go down that path. That consultation will certainly occur by my department with all stakeholders involved in that area.

One of the many elements that would need to be considered is the potential cost impact on early childhood services employers and families. That is a significant part of this as well. Under the federal budget, which was just handed down, there is no long-term funding for early childhood education and care beyond another 12-month extension. This is the problem that the industry is facing: it cannot make any long-term plans—any concrete plans—in this industry without long-term concrete funding. Without that long-term concrete funding to determine what the teachers in that sector require long term without that funding certainty, how do we go down that track when all we are getting is year upon year of extended funding by the federal government for six years in a row? The federal government has been in government for six years and we have had six years of yearly extended year-by-year funding. It is just not good enough for this sector and I will keep calling on the federal government to give us long-term concrete funding for early childhood education and care so that we can not only look after those children in kindy and the year before kindy but also ensure that the staff have that career progression, that career certainty and that career security that they currently do not have because of this yearly rolling over of funding and no long-term concrete funding. It is important for the sector and it was worth repeating that in this speech.

The Queensland Independent Education Union also raised that teachers from independent schools are not eligible to apply to the college for certification. This is because Independent Schools Queensland, ISQ, is also a certifying authority. It is a certifying authority in its own right and teachers in the independent school sector are already able to apply for certification through ISQ. My understanding is that that is the way that it wants it to continue at this point in time. The bill allows for future flexibility if this is required. If it changes its mind and it wants to come under the Queensland College of Teachers, it is able to do that, as an amendment can be made to the regulation to enable teachers in independent schools to be able to apply to the college for certification. After speaking with ISQ, it is happy with the arrangements that it has at the moment and we have assured it that, should that change—should it want to come under the QCT—we will be able to make a regulation change and it would be able to do that. At the moment teachers in the independent sector would be going to the ISQ for certification.

A quality education system is an essential foundation to an effective society. To ensure a quality education system, it is vital that we retain excellent teachers in the classrooms across the state. It is really heartening to see that, as part of the agreement, the landing of the pay rates for lead teachers and high-achieving teachers was sorted out between the government and the union and has provided for significant increases in salary as per the amounts that I outlined earlier in my speech. There is clear interest from state school teachers in the certification process. Since calls for expressions of interest

were opened last year, the department has received more than 800 applications, demonstrating a high level of interest in engaging with the certification process in 2019. This expression of interest process will only be used by the Department of Education to gauge how many assessors will need to be trained to adequately review the number of applications this year.

Teachers who have not completed an expression of interest are not prevented from submitting an application—this was just an EOI—nor are those who have expressed interest locked into progressing an application in 2019. No-one is locked in or out. This was merely an expression of interest process so that we could see how many assessors we would need, what the numbers would be like and how successful this is going to be. We are very pleased with the 800 EOIs that we have received to date. It is expected that the number of interested teachers will fluctuate. As teachers become more informed about the process, there might be decisions to delay making an application in order to take more time to prepare a portfolio. Conversely, after knowing more about the process, teachers might decide that they are well placed to be successful with an application and apply without having previously expressed an interest. We just want to ensure that the message is out there—that is, once they learn about this, they are free to determine which way they want to go. Whether they want to continue, whether they want to come in or whether they want to stay out, it really is up to the teachers and we would encourage them in any way that they believe is the best way forward. To support those interested, the Department of Education and the Queensland College of Teachers are continuing to run workshops to provide further information and the government is ensuring that those workshops are really informative and provide some great information to assist our teachers right throughout the state.

In addition, the department has also developed a number of fact sheets to inform interested teachers about portfolio requirements and the certification process so that all applicants are fully aware of the rigorous standards prior to submitting an application, and they are quite rigorous. This is not something that is given lightly and hence the salary remuneration is quite commensurate with the work that needs to be done. A fact sheet has also been developed for school leaders to provide information on the process and clarity on how schoolteachers can support applicants in their decision to make an application.

The government is keenly aware that, with more applicants, there will be a need for more assessors, which are such an important part of this process. We want to make sure that those assessors are on the ground, that they are trained and that they are well equipped to take on the load. To address this, there is also information for educators who might be interested in being trained as assessors. It is clear that there has been considerable work in planning, developing and implementing the assessing and certification process. The trials went very well. There have been a number of trained assessors. The department has really crossed the t's and dotted the i's in this. We should all be very proud of the work that has happened to recognise our hardworking teachers so they can get certified as a lead teacher or as a highly accomplished teacher and that they are remunerated appropriately. We were able to get agreement, go to the commission with that agreement and get that agreement certified. Everyone is very clear about what is required. As I said, this is a rigorous process and it is one that the Department of Education and teachers right throughout Queensland should be very proud of and I commend them for their hard work in this area.

I would like to take this opportunity to acknowledge the work of John Ryan, the Director of the Queensland College of Teachers. John has demonstrated his passion for education and supporting teachers throughout his respected teaching career and extensive experience in the Department of Education. In 2006, John commenced his role as the inaugural director of the college. John has successfully led a number of reforms, initiatives and programs in Queensland, such as the introduction of professional standards for teachers, continuing professional development frameworks and a professional boundaries guideline. In addition, John has overseen the introduction of a range of technologically enhanced professional learning opportunities for Queensland teachers working in rural, regional and remote locations so that they have equitable access to the professional development that is required of contemporary teachers.

John is undoubtedly respected and held in high esteem by his education peers, having in 2015 been awarded the Excellence in Educational Leadership Award from the Australian Council for Educational Leaders and in 2018 receiving an award from the Australian Council of Deans of Education—the ACDE—for his outstanding contribution to education. Most recently, John led the work of the college in piloting systems for assessing and certifying highly accomplished and lead teachers. Under John's leadership, the college has been positioned as a leading regulator for the teaching profession in Australia. I would like to take this opportunity to wholeheartedly thank John for his dedication to education and distinguished years of service. He will be retiring soon and I wish him all the best in his retirement.



I would like to extend a warm welcome to Deanne Fishburn, who commences in the role of director of the college from 7 May. On behalf of the Queensland government, I once again wish John a very happy, fulfilling and long retirement and I warmly welcome Deanne Fishburn to the role as director of the college from 7 May. Deanne is a recognised national leader in teacher regulation in Australia. Her leadership in implementing the Australian Professional Standards for Teachers in Queensland places her in a good position to continue the important work of the college.


Under the chairmanship of Professor Wendy Patton, the college is definitely in good hands. They do excellent work. It is a pleasure to be the Minister for Education with a college that produces such excellent teachers in this state and does such great work. Professor Wendy Patton really is an excellent chair. I thank her for the many years that she has been at the head of the Queensland College of Teachers.

The bill before the House provides for an effective framework that identifies excellent teachers and gives them the appropriate career opportunities without them having to leave the classroom. This is about keeping our very best teachers in the classroom. That is what we want to see. We want them in front of kids, where they want to be, doing what they love doing.

For Queensland to continue to deliver a world-class education and to give every child a great start, it is vital that we retain excellent teachers in our classrooms across the state. This bill gives these teachers the opportunity to apply for the nationally recognised career opportunity of becoming a highly accomplished or lead teacher. We are leading the nation with this initiative in Queensland. Recently, when I saw AITSL in Melbourne, they highly commended the work that Queensland has done in this area. They were super impressed with what we have done. They believe that we are the leaders in Australia in this area.

Teachers will now have an opportunity to take advantage of this initiative. We believe that the Queensland College of Teachers is the appropriate body to be the certifying authority. Teachers can appeal if a decision is not suited to them. Teachers will have full information with fact sheets, information and workshops on how they can go about attaining these qualifications. Teachers will be equipped with everything at their fingertips in order to put together a portfolio to gain accreditation as a highly accomplished or lead teacher. They can continue their successful careers in front of kids in the classroom.

Queensland delivers to our children in this state, no matter where they are, the highest quality education. Every member of this House should be proud of what we deliver in terms of world-class education in this state. As the Minister for Education, all I ever want is our fair share of funding. All I want is every dollar that we can get to be spent on those children in those classrooms every day. We want solid, concrete funding for early childhood education and care so that we can deliver in this state one of our priorities, which is to give every kid a great start to their life, to their education and to their role in society. I highly commend the bill to the House.

 **Mr BLEIJIE** (Kawana—LNP) (6.55 pm): It is a pleasure to speak to the Education (Queensland College of Teachers) Amendment Bill 2019. When we debate bills relating to education, it gives us an opportunity to speak about the great profession of teaching and also the wonderful schools in our electorates. Many a time in this place we debate philosophical or ideological issues, but when we debate matters relating to education, we come together because our kids are too important. That said, can I say that, in terms of—

**Honourable members** interjected.

**Mr DEPUTY SPEAKER** (Mr Stewart): Order!

**Mr BLEIJIE:** Mr Deputy Speaker, I will save it for tomorrow. This bill introduces the accreditation of highly accomplished and lead teachers. This initiative follows a review conducted by the government and also a trial of this accreditation. As the minister indicated earlier, 800 people applied to undertake this accreditation. I acknowledge the LNP members of the committee—the member for Currumbin, the deputy chair of the committee, and the member for Pumicestone—for the committee's report on the bill. They did a great job in advocating for the recommendation that the bill be supported.

The report indicates that 800 teachers expressed an interest in being lead teachers or highly accomplished teachers. Of those 800 teachers, 500 teachers went through a process of being selected for the pilot program and 180 teachers participated in it. As I understand it, 44 teachers were appointed highly accomplished teachers and three were appointed lead teachers.

That alleviates some concern that every teacher who signed up for the program would receive the accreditation. We want the best of the best teaching our kids. Although it is a voluntary career development program, we do not want the accreditation to be easy to obtain, because we could fall into the danger of people getting the accreditation just for the money and not the real reason, which is that we want the best of the best teaching our kids. We have to do that, because I believe there are some real issues in education. Standards are slipping. Recently, the NAPLAN results were released and I have great concerns about some of the results in various areas in Queensland. The best thing we can do is to ensure that we have the best of the best teachers.


When the LNP was in government, under the original Gonski funding, we introduced the master teachers program. We gave schools the opportunity to employ master teachers to show we were serious about ensuring teachers were able to get the additional support, encouragement, advice and training they needed from master teachers. At that time I remember talking to many principals in my electorate and particularly one at Talara Primary College, who took up the opportunity of having a master teacher. That principal said that not only was it an amazing opportunity to have a master teacher but also they were able to direct where they wanted the funding to go for the school under the Great Results Guarantee, which the LNP introduced. I note that the government has not cancelled that program. It has called it something else—it is building for success, or whatever—but it is essentially the Great Results Guarantee. That program was about empowering schools by giving them the autonomy to plan. Every school has different challenges. Every school has a different emphasis and focus. What may be a solution to issues or results in one school on the Sunshine Coast may not be a solution for a school in the electorate of the member for Currumbin, for example, or a school in regional or rural Queensland. We have to make sure that we have the capacity in the schools and the leaders in the schools to be able to determine what is in the best interests of the students and the school community. Ultimately, that is what this bill is all about.

I note that this accreditation is a voluntary career progression. The pilot program has been instituted and completed. The LNP will be supporting the Queensland College of Teachers to be the accreditation agency for it, recognising that the Liberal National Party members on the committee supported and backed the bill.

Debate, on motion of Mr Bleijie, adjourned.

## ADJOURNMENT

### Animal Activists


 **Mr MILLAR** (Gregory—LNP) (7.00 pm): I rise tonight to strongly condemn the appalling actions of animal activists last month when they invaded a dairy and feedlot property in southern Queensland. I strongly condemn the proposed invasion this coming Monday, again in southern Queensland, and I call on the Minister for Police and Minister for Corrective Services and the Minister for Agricultural Industry Development and Fisheries to act now to protect our primary producers from this law-breaking activist group that calls itself Aussie Farms. They are breaking the law and trespassing on the properties of law-abiding primary producers and that is a simple fact. They are putting their own health at risk by entering a property with no induction and no understanding of that property.

What makes me angry is that we have a Queensland Labor government prepared to pay lip-service to allow this activist group to break the law for green ideology. I should not be surprised by the Queensland Labor government. It relies on Greens preferences and does not want to upset a group that delivers it government. Make no mistake, the Queensland Labor police minister and the agriculture minister should be putting a plan in place tonight to have the resources ready to stop this illegal activity. Make no mistake, this is illegal activity. It has already been circulated amongst the activists to be ready on Monday with their cars full of fuel and to be prepared to drive for up to four hours. The police minister must send out a clear message tonight that they are breaking the law and they will be arrested if they trespass on private property. They will face the full force of the law, whether they are arrested or they are fined. I am sure if anyone breaks into someone's house they are breaking the law. This is no different. The agriculture minister must stand behind the police minister to send out a clear message to this group that they cannot break the law and they cannot do this to law-abiding citizens who are primary producers.

What makes me more angry is that our primary producers are law-abiding, tax-paying, community-serving people but when it comes to animal activists, already saying they are going to break the law and trespass on people's private property, we have not heard anything from the Queensland

Labor government. I call on the Labor government, the police minister and the agriculture minister to send a message to these activists tonight: if you trespass on these properties you will be arrested and you will face the full force of the law.

### Australian Tourism Exchange


 **Mr HEALY** (Cairns—ALP) (7.03 pm): It is an exciting time for the tourism industry, not just in Cairns and across the region but also across Queensland and Australia. Next week Australia's largest annual travel and tourism business-to-business event, the Australian Tourism Exchange, will be underway. This event brings together Australian tourism businesses and tourism wholesalers and retailers from around the world through a combination of scheduled business appointments and networking events. It also provides international travel buyers with the opportunity to experience Australia's tourism offerings firsthand through pre and post event familiarisations.

Around 1,500 Australian seller delegates from approximately 550 companies will be selling their products to 650 international buyers from 30 countries. In addition to this, we will also have 70 international and Australian media attending this global event. This event is organised by Tourism Australia. I note that in the federal budget they did not get anything more than what they usually get, which is a little disappointing as they make over a billion dollars from the passenger movement tax. The event is held in partnership with the Perth Convention and Exhibition Centre where ATE is being held this year. I am proud to say that our regional tourism body, Tourism Tropical North Queensland, will be in attendance, along with a large number of tourism products from the Cairns region. Working closely with Tourism and Events Queensland, producers from our region will be looking at increasing their exposure in international wholesale brochures and websites.

I commend Pip Close and the team at Tourism Tropical North Queensland who are for the first time taking several operators to ATE who are promoting the region's Indigenous experiences with a sole booth this year. This is the first time TTNQ has had a push of this nature around Indigenous tourism and profiling at ATE will help this third pillar in their marketing efforts. We know that the demand for Indigenous tourism experiences across the north continues to grow, in particular with what we refer to as our traditional long-haul markets.

It is reassuring that the Palaszczuk government is contributing to our region's tourism sector with a \$178 million expansion and upgrade of the Cairns Convention Centre starting in May of next year and \$127 million for our port expansion, which will enable larger cruise ships to come into our city—great for restaurants, hotels and retail businesses. In addition to that we have \$48 million in the attracting Asia aviation fund. There is a lot being done. We have investment in scoping documents for the Wangetti Trial and in scoping documents for a refrigerated export facility at Cairns airport. I wish each and every one of the tourism operators in my part of the world—Cairns and our region—all the best. I wish them a successful and a very happy and joyful ATE. Happy days!

### State of Israel, Diplomatic Relations

 **Mr MINNIKIN** (Chatsworth—LNP) (7.06 pm): I would like to officially acknowledge the 70th anniversary of Australia's formal diplomatic relationship with the State of Israel and affirm our deep friendship with the people of Israel. This year marks a special occasion between two democratic countries: our own, Australia, and the State of Israel. On 29 January 1949 Australia formally recognised the State of Israel, establishing diplomatic relations between our nations that have lasted 70 years. Israel is a young country, but it has achieved so much. From Nobel Peace Prize winners, world-first discoveries and life-saving technologies to music and the arts, Israel is often referred to as the miracle nation. Our two countries have much in common, from the democratic values we both hold to our pioneering, innovative spirits. These are also values and history that are reflected for us here in Queensland.

Our common history with Israel goes back way before the formal diplomatic relations to World War I when young Queenslanders played a crucial role in the Allied forces' campaign in the Middle East, particularly the legendary Light Horse Brigade that fought in crucial battles against the Turks in Beersheba in Israel. Queensland was also the recipient of holocaust survivors following World War II, many of whom have added greatly to the fabric of our state. I want to acknowledge the contribution of these resilient survivors and their families to the economic and cultural life of Queensland.


In areas such as water, science and innovation, defence industries and many other sectors, Queensland and Israel have been collaborating to solve some of the major challenges facing our state. In fact, just a month or so ago, three of the world's leading water experts from Israel visited Queensland

to share ideas and know-how designed to tackle the severe drought using some state-of-the-art technologies developed in Israel. In May it will be a Queenslander, Kate Miller-Heidke, who will be representing Australia in the popular song contest, Eurovision, being held in Tel Aviv.

Our glorious state of Queensland and the miracle State of Israel are connected, not just through friendship but also through a commitment to the rule of law, democracy, multiculturalism and diversity, giving a free press and support for its citizens to innovate. Since 2014, I have had the honour of convening the inaugural Queensland Parliamentary Friends of Israel, a group established in a true bipartisan manner. This group remains active and I thank all those members who participate and encourage all members to interact where they can. The charter of the group includes fostering cultural links and opportunities between Israel and Queensland; encouraging the development of friendly relations and ties between the Queensland parliament and Israel; and enhancing interaction between Queensland and Israel through meetings and discussions with Israel's representatives and the Israeli and Jewish communities in Queensland.

Today I would like to formally acknowledge the 70th anniversary of Australia's diplomatic relations with this highly valued and mutually respectful friend. Given recent events around the world, we need cultural understanding more than ever.

### Redlands Electorate

 **Ms RICHARDS** (Redlands—ALP) (7.09 pm): Last week, Redlands and our Labor Party lost a stalwart in Bill Jennings. Bill was a life member of the Labor Party, joining the party back in 1946—a member for 72 years. He was a true gentleman. He has been one of my biggest supporters and will be deeply missed by all in our Redlands branch. To Heather and his family, I am thinking of you all and sending my love. We really have lost a treasure.

The games just keep on keeping on in the Redlands with our federal member, Andrew Laming. The topsy-turvy chaos continues of politics before people. At the Redland Hospital we are delivering on our upgrade to the emergency department and growing our maternity capacity. We are also delivering the \$500,000 detailed business case for the car park. It is the first step toward a new car park with planning, pre-design works, costing and construction methodology a detailed part of that work. Last night, the federal government committed funding toward a new car park after months of the federal member muddying the waters. However, in our federal member's usual style, the muddying continues.

The big questions for Andrew Laming are: when in the next seven years are we going to see the money, and who is he planning to do the deal with? Will he do a deal with a developer who wants to bulldoze significant koala habitat to build a new car park and have control over parking pricing? Our federal member needs to come clean with our community. They deserve honesty and answers to those two very important questions: who is the deal with and when are you going to deliver? The year 2026 is a long time away. In fact, it spans across three federal election cycles.


Congestion and time on roads is also a key issue for Redlanders. We all know that Cleveland-Redland Bay Road is the No. 1 road priority. The mayor knows it is and had promised to fix it in the lead-up to the 2016 council election. The federal member knows it and spent day and night campaigning about it during the last state election with me on the side of the road. It was disappointing to see that again our federal member chose to put politics before people when it came to roads funding in the Redlands. Wellington Street, a council controlled road, is an important road, but Cleveland-Redland Bay Road is the priority as it is the main arterial road in and out of the Redlands. Some 70 per cent of employed locals that leave Redlands borders use this road every day for work.

In last night's budget, the Morrison government committed from its urban congestion fund \$15 million over four years to the Wellington Street upgrade. The fund requires a 50 per cent co-contribution. This means that Redland City Council has to commit the equivalent of 25 per cent of its current annual roads budget to 2022. We finished Giles Road, and the Anita Street intersection is underway on Cleveland-Redland Bay Road. The Victoria Point bypass study is underway and community feedback has been great. This is an important study to make sure we get the planning and infrastructure right.

Today, I am launching my petition with the help of my community to send a very clear message that Cleveland-Redland Bay Road needs upgrading; it is the priority. I call on the federal member, Andrew Laming, to stop putting politics before people—

*(Time expired)*

## Fishery Quotas


 **Mr SORENSEN** (Hervey Bay—LNP) (7.12 pm): I rise tonight to talk about the East Coast Inshore Fin Fish Fishery, the East Coast Mud Crab Fishery and Blue Swimmer Crab Fishery quota. Fisheries has implemented a quota allocation on the following east coast fisheries: Inshore Finfish Fishery; catch in kilos averaged over the last five years, specimens targeted are school mackerel, whiting, grey mackerel, barramundi and king salmon; and mud and blue swimmer crabs; catch in kilos averaged over six years. The point in relation to these matters is that the pending quota allocation will have a devastating effect on the large number of fishermen and fishing licence holders in Queensland. Devaluation of the licences in terms of an insignificant quota will cripple small businesses, in particular fishermen and seafood processors, and reduce their equity and borrowing capacity. Insufficient quotas will devalue fishing licences and cause a lot of fishermen to exit the industry. The crab and net symbols have been devalued by approximately 60 per cent. There is an immense strain on the retail outlet supply of fresh seafood.

Every Queenslanders has the right to access their share of a public resource—the ocean—whether it be by catching it themselves or purchasing commercial caught seafood from retail outlets. Fisheries have stated in the past that they cannot rely on the logbook data, yet this is what they have based these quota allocations on. Fisheries are managing a fishery on out-of-date data for the recreational fishermen but are using up-to-date data on the commercial sector. Fairness? The licence industry has been broken into regional sectors. This is unfair on licence holders who lease their licences. Also, fishermen who for personal reasons move out of a region and return years later in other regions are penalised by restriction of quota by region averaged over five years. The industry has already been hit with additional costs from the introduction of VMS. These costs have been absorbed by the fishermen. I table the article by CEO Eric Perez.

*Tabled paper:* Article from *Queensland Seafood 2018 No. 3*, dated 2018, titled “Reform” process stressing fishers’ [\[531\]](#).

One thing that worries me is the stress on some of these fishermen. The wives of some of these fishermen are very worried. When they ring the department, they are told to ring Lifeline.

## Algeria Electorate, Harmony Day


 **Hon. LM ENOCH** (Algeria—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (7.15 pm): I strongly believe that our stories—who we are, where we come from, how we see the world—are the strongest things about us, and those stories are the greatest gifts we can give to and receive from each other as a community. It is in the honouring and valuing of our collective stories that our communities are made more inclusive, more compassionate and a richer place for us all. It is in our collective stories that we find a true narrative for our society, for what it means to be an Australian in a modern, connected world.

My electorate of Algeria is proudly one of the most multicultural communities in our state, with many languages being spoken, many cultural practices being shared and of course different religions being followed. Each year I have the privilege of attending Harmony Day services across the Algeria electorate where we celebrate the incredible diversity in our community. Each year, this day has been indeed a time to celebrate—to celebrate the magnificence of difference and to celebrate everything that connects us. This year, however, Harmony Day fell the week after the horrendous terrorist attack in Christchurch, New Zealand, where 50 innocent people were killed in their place of worship. This terrorist attack shook us all to the core and fundamentally punctured our collective story as Australians, leaving us all recognising that when hatred and prejudice go unchallenged, when they are fostered, the outcomes can be devastating. Consequently, this year’s Harmony Day events of course reflected our collective sorrow and shock that something so horrible could happen so close to home and gave us all the opportunity to support each other and find a way to reset our story.

Algeria electorate is home to Wisdom College, one of Queensland’s many Islamic schools. This year for Harmony Day, Wisdom College held a peace ceremony at Algeria mosque. Local school leaders from Calamvale Community College, St Stephen’s Catholic Primary School, the Murri School and Stretton State College came together with Wisdom College, members of the Algeria mosque and our broader community to show a community united against hate and violence, a community united in our determination for hope, compassion and kindness to be our compelling story. I acknowledge that the member for Stretton also attended. It was a powerfully human ceremony. The member for Stretton and I stood with students, teachers and family members and heard the emotion, fear and heartfelt attempts to make sense of what happened and what it meant for the future. Overwhelmingly, we heard

the determination of the Algester community to heal our punctured story together and to promote kindness and compassion so that our continued story is one that values and honours the richness of diversity and ensures a bright future for all.

### Electric Vehicles

 **Mr HART** (Burleigh—LNP) (7.19 pm): I want to talk about targets. I expect the next vehicle I buy will be an electric vehicle. I have already made preparations for the charging of that vehicle in my residence. I have put the power in place to make sure that will be possible. I am going to be watching with interest the federal opposition leader's budget reply speech tomorrow. He is going to be talking about 50 per cent of all vehicles in the future being electric vehicles.

**Mr Bailey** interjected.

**Mr HART:** The minister might like to listen to this. I suspect that rather than driving his Chrysler 300C around as a ministerial car maybe he would like to think about driving an electric vehicle, as should the other ministers. None of the members on that side of the House have an electric vehicle.


Where is the charger for electric vehicles at Parliament House? Where is the charger for electric vehicles at 1 William Street? Is there one there? That is an interesting question. None of the ministers are looking at electric vehicles as ministerial cars in the future.

The federal Leader of the Opposition is going to call for 50 per cent of new cars to be electric vehicles. That is 10 million cars. There is a bit of a problem there. Presently, an electric vehicle takes 30 kilowatts of power to drive 100 kilometres. If we get our calculator out and calculate 10 million vehicles by 30 kilowatts we end up with 300,000 megawatts of power required for those 10 million cars. The sad news is that the National Electricity Market in Australia produces 54,000 megawatts of power at any one time. It is going to take six hours of all the electricity we have in the National Electricity Market to pump those cars up. They will only go 100 kilometres. There is a big problem coming.

These decisions need to be made on the basis of engineering and economics. We all know that those opposite fail the test when it comes to economics and they do not even know how to spell 'engineering', I can tell members that. I note that the member for Miller is speaking next. Perhaps he could tell us when he will be driving an electric vehicle as a ministerial car and why instead of talking the talk he is just trying to walk the walk.

*(Time expired)*

### Electric Vehicles; Quirk, Lord Mayor G

 **Hon. MC BAILEY** (Miller—ALP) (Minister for Transport and Main Roads) (7.21 pm): I am glad to speak tonight. I note, particularly for the previous speaker, that we are in the 21st century. This is a government that supports technology. It supports transitioning to clean energy. It supports acting on climate change. Those opposite have shown themselves to be the Luddites and technophobes of this state, and they are unashamed about it.


The world is transitioning to cleaner energy sources. In Norway 50 per cent of all cars sold are electric vehicles. I have not noticed their electricity grid collapsing all of a sudden. In fact, the Australian Energy Market Operator, which runs our power system, has made it very clear that they do not see any issue in terms of the grid when it comes to the emergence of electric vehicles. I will listen to the Australian Energy Market Operator over the member for Burleigh on any issue, especially energy, any day of the week because he knows very little about this. He hates renewables. He hates electric vehicles, just like the LNP. They do not listen to science.

We need that transition. It is good to see federal Labor taking this matter seriously. There is no electric vehicle policy of any note under the current government. This technology is galloping. I am proud to be part of a government that is leading the way in this area. The largest electric vehicle superhighway in one state in the world is in Queensland. We are ahead of the curve. That is 100 per cent renewable energy too. There are things called solar panels. I do not know whether the member for Burleigh realises it, but people can actually power their cars off their solar panels and a battery.

Getting on to the substance of my speech, I want to say a couple of things which might surprise the opposition. I acknowledge the incoming lord mayor of this city and the incoming deputy mayor. I sincerely congratulate both of them on their elevation. I thank Lord Mayor Graham Quirk, whom I knew in my nine years in the Brisbane City Council chamber, for all of his contributions. We have not always agreed on everything, but he has been a stayer and made a serious contribution. I wish him well in retirement.

I would say to the incoming lord mayor who has suggested building five green bridges—that is a first step—that the Walter Taylor Bridge in my electorate should not be ignored. In this day and age, one lane across the Brisbane River for general traffic between the Centenary suburbs and the CBD is silly. I am not going to be politically partisan. I am going to stand up for my electorate and simply say to the lord mayor, 'Have a look at the Walter Taylor Bridge. We have to get the design started there.' I am happy to work with him on this. It is a council responsibility, but that area of the city needs attention.

### Animal Activists

 **Mr WEIR** (Condamine—LNP) (7.25 pm): Another Darling Downs farm is set to be targeted by a group of animal activists on 8 April. This comes after the recent invasion of a family owned and operated feedlot and dairy near Millmerran by over 100 vegan protestors from the group Animal Activists Collective who illegally entered the private property. Not only was this invasion breaking the trespass laws; it also created a risk to biosecurity protocols and was a distressing event for the family and staff of Lemontree Feedlot.

The definition of trespass is: someone enters your private property without your permission and then refuses your requests to leave. This is exactly what these animal activists did last week. They entered private property and when asked to leave they refused. I am certain if that happened in your home or place of work you would be outraged.


The farming industry has to adhere to strict industry best practice regulations to ensure the safety and wellbeing of livestock and staff is a priority. It is similarly important that the biosecurity of any given farming enterprise is not compromised. That is why rigorous biosecurity protocols are in place. The risk to the agricultural industry if a breach does occur has the potential to cause ramifications that our economy cannot afford and certainly not an individual farmer.

The animal activist movement has gained momentum and is growing at a rapid rate. These groups see this as a social justice issue. What they do not understand is that no farmer wants any stress to be placed on their livestock. Stress is detrimental to the livestock's development and increases the cost of production. Additionally, it is very upsetting for those responsible for the care and welfare of the animals.

Why should farmers have to tolerate animal activists trespassing on their private property when they are conducting their businesses within the regulations, restrictions and requirements of that industry? One of the primary roles of government is to protect its citizens and enforce the laws of this state. It is an offence under the current laws of this state to breach our biosecurity laws and those laws need to be enforced.

Due to the high number of intense cattle, pork and poultry enterprises located in Condamine, I hold grave concerns for the personal safety of the owners and workers on these enterprises if they are the target of planned and unprovoked attacks. I call on the Palaszczuk government to strengthen the laws and penalties that apply to individuals or groups found to be trespassing on private property before there is a major breach of biosecurity protocols that our state's economy can ill afford and to assure a safe environment for landholders, their families and staff who live and work there.

### Queensland Rail, Shorncliffe Line

 **Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Minister for Local Government, Minister for Racing and Minister for Multicultural Affairs) (7.27 pm): As a regular commuter I know that there is still more work to be done to return our Citytrain network to the service levels planned in October 2016. In particular, the restoration of the Monday to Thursday 7.39 am Shorncliffe-to-city service is something that I have raised with the Minister for Transport on multiple occasions as a service that should be treated with priority. This gap in the peak-hour service was felt strongly by local commuters.

Having supported community petitions, met with many constituents and organised meetings with the minister and Queensland Rail executives for them, our community have signalled loud and clear that they have had more than their fair share of gaps in peak-hour services. That is why I welcome the announcement by the minister that the 7.39 am Shorncliffe-to-city service will be reinstated Monday to Thursday, to fill the full week, as part of Queensland Rail's addition from Monday, 13 May of 32 extra weekly services at peak times across the South-East Queensland network. This announcement is welcome relief to the many commuters in my electorate, such as Sharon Westwood of Shorncliffe, who have spent many hours of their own time campaigning alongside me for the reinstatement of this popular peak-hour service.

Filling in these gaps, in addition to the rollout of the new six-car new generation rolling stock on the Shorncliffe line, demonstrates that the Palaszczuk government is committed to progressively improving the timetable and then delivering further timetable improvements later this year. This is a consequence of the largest driver recruitment and training campaign in Queensland Rail's history. Seventy-six drivers are in training, adding to the 136 drivers who have completed their qualifications and are working hard on the network, representing a net increase of 73 in service due to the impact of natural attrition such as retirement.

While the Palaszczuk government is getting on with the job of delivering the services our community expects, I was disappointed to see no funding allocated in last night's Morrison LNP government's budget for vital, network-opening infrastructure projects like Cross River Rail. Such a project will mean more trains, more often on the Shorncliffe line. The Palaszczuk government supports communities in my electorate by investing in Cross River Rail. I am pleased that Bill Shorten and Labor's candidates in Lilley and Petrie, Anika Wells and Corinne Mulholland, are committed to supporting this city-changing project.

This is a great opportunity to see the public transport network in our city live up to its potential. With the work that has been happening to restore services and restore the capability of that network, I know that we will see a great service into the future with further additions like Cross River Rail.

The House adjourned at 7.30 pm.

### **ATTENDANCE**

Andrew, Bailey, Bates, Batt, Bennett, Berkman, Bleijie, Bolton, Boothman, Boyce, Brown, Butcher, Costigan, Crandon, Crawford, Crisafulli, D'Ath, Dametto, de Brenni, Dick, Enoch, Farmer, Fentiman, Frecklington, Furner, Gilbert, Grace, Harper, Hart, Healy, Hinchliffe, Howard, Hunt, Janetzki, Jones, Katter, Kelly, King, Knuth, Krause, Langbroek, Last, Lauga, Leahy, Linard, Lister, Lui, Lynham, Madden, Mander, McArdle, McDonald, McMahon, McMillan, Mellish, Mickelberg, Miles, Millar, Miller, Minnikin, Molhoek, Mullen, Nicholls, O'Connor, O'Rourke B, O'Rourke C, Palaszczuk, Pease, Pegg, Perrett, Pitt, Powell, Pugh, Purdie, Richards, Robinson, Rowan, Russo, Ryan, Saunders, Scanlon, Simpson, Sorensen, Stevens, Stewart, Stuckey, Trad, Watts, Weir, Whiting, Wilson