



QUEENSLAND PARLIAMENT
COMMITTEES

Annual Report 2023-24



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Health, Environment and Agriculture Committee

August 2024

Health, Environment and Agriculture Committee

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Chair's foreword

This report details the activities of the Health, Environment and Agriculture committee from 13 February 2024 to 30 June 2024.

In accordance with section 108 of the *Parliament of Queensland Act 2001*, this report includes a summary of issues considered by the committee, a brief description of Ministerial responses to committee recommendations, a statement of revenue and spending for the year, and a list of committee meetings and names of members attending or absent from each meeting.

On behalf of the committee, I would like to take this opportunity to thank all those who have contributed to the work of the committee during this reporting period.

I also thank my fellow committee members for their ongoing dedication and collaborative approach and the committee's secretariat and parliamentary staff for their professional support throughout the year.



Aaron Harper MP

Chair

Report in brief

The Health, Environment and Agriculture Committee (committee) was established by the Queensland Legislative Assembly on 13 February 2024 as a portfolio committee with responsibility for:

- Health, Mental Health, Ambulance Services and Women
- Environment, Great Barrier Reef, Science and Innovation
- Agricultural Industry Development and Fisheries, and Rural Communities.

This report covers the period from 13 February 2024 to 30 June 2024 in the 2023-24 financial period.

From 13 February 2024 to 30 June 2024, the committee:

	examined 5 bills		held 6 public inquiries		reviewed 27 pieces of subordinate legislation
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The committee's examination of referred bills included proposals to:

- broaden access to medical termination of pregnancy by authorising registered nurses and midwives as providers in appropriate circumstances¹
- ensure environmental protection powers and penalties are contemporary and fit for purpose by facilitating a more proactive approach to environmental risk management²
- ensure all crocodiles are immediately removed by an authorised person if located in a populated waterway.³

Following its consideration of the Health and Other Legislation Amendment Bill (No. 2) 2023 and the Environmental Protection (Powers and Penalties) and Other Legislation Amendment Bill 2024, the committee recommended that each be passed.⁴

In addition to scrutinising legislation, the committee completed an inquiry into the impact of climate change on agricultural production in Queensland which arose from a self-referred inquiry of the former State Development and Regional Industries Committee.⁵

The committee also considered 5 Auditor-General reports and oversaw the performance of the Queensland Health Ombudsman.

¹ Health and Other Legislation Amendment Bill (No. 2) 2023.

² Environmental Protection (Powers and Penalties) and Other Legislation Amendment Bill 2024.

³ Crocodile Control and Conservation Bill 2024.

⁴ The Crocodile Control and Conservation Bill 2024, the Termination of Pregnancy (Live Births) Amendment Bill 2024 and the Tobacco and Other Smoking Products (Vaping) and Other Legislation Amendment Bill 2024 were still being considered by the committee on 30 June 2024.

⁵ The State Development and Regional Industries Committee resolved to conduct the inquiry on 23 January 2023. Upon cessation of the State Development and Regional Industries Committee and establishment of the Health, Environment and Agriculture Committee on 13 February 2024, the inquiry was transferred to the committee.

On 11 June 2024, the Appropriation Bill 2024 was tabled in Parliament. The committee then commenced preparation for its examination of portfolio budget estimates 2024-25.

The committee's total expenditure for the reporting period was \$163,895.

1 Functions of the committee

The committee has a broad range of responsibilities within its portfolio area, as detailed in Figure 1, below. These responsibilities are set out in the *Parliament of Queensland Act 2001*.⁶ The committee had a monitor and review function in relation to the operation of the health service complaints management system in Queensland. Standing Order 194A and Schedule 6 of the Standing Orders, and the *Health Ombudsman Act 2013*,⁷ provide that the committee is responsible for monitoring and reviewing the operation of the health service complaints management system in the state, which includes the Health Ombudsman, the national Australian Health Practitioner Regulation Agency, and the 15 national health practitioner registrations boards.

Figure 1: Committees are responsible for oversight of many matters within their portfolio areas



2 Overview of committee activities

During the period 13 February 2024 to 30 June 2024, the committee undertook considerable engagement with stakeholders who made submissions to its inquiries and assisted it in its public accounts responsibilities. As detailed in Table 1, which summarises the activities of the committee during the reporting period, the committee heard from 41 witnesses across 5 public briefings, 1 public hearing and 1 private briefing. The evidence provided by these witnesses was invaluable and helped the committee to complete its other tasks.

Members' attendance at committee meetings, hearings and briefings is set out in **Appendix A** at the back of this report.

The committee's reports tabled during the reporting period are available from the committee's webpage: www.parliament.qld.gov.au/HEAC.

⁶ Sections 92-94.

⁷ *Health Ombudsman Act 2013*, ss 19 and 179.

Table 1: Committee activities, by type, 13 February 2024 to 30 June 2024

Activity	Number
Deliberative meetings	17
Public briefings	5
Private briefings	1
Public hearings – Brisbane	1
Witnesses questioned at private and public briefings and hearings	41
Inquiry submissions received	711
Interactions with Schedule 6 oversight bodies ⁸	17
Bill inquiries	5
Pieces of subordinate legislation examined	27
Auditor-General reports examined	5
Inquiries into other matters (self-referred)	1
Reports tabled	8

3 Examination of budget estimates

On 11 June 2024, the Appropriation Bill 2024 was tabled in Parliament. The committee then commenced preparations for the examination of the 2024-25 budget estimates for its portfolio areas, which totalled approximately \$19.5 billion. The estimates process was still in progress at the completion of this reporting period.

4 Bill inquiries

When it examines legislation, the committee is responsible for considering:

- the policy to which it gives effect
- whether it complies with basic standards for laws, known as fundamental legislative principles
- whether it is compatible with the human rights of people in Queensland
- whether subordinate legislation is lawful.

The committee conducted 5 bill inquiries during the reporting period. As shown in Table 2, the committee made recommendations in relation to the bills it considered. Government responses to recommendations made by the committee (where provided) are noted in the discussions of each inquiry below.⁹

⁸ Health Ombudsman.

⁹ The Government has 3 months to respond to recommendations made by the committee (*Parliament of Queensland Act 2001*, s 107(4)).

Table 2: Bills examined by the committee, 13 February 2024 to 30 June 2024

Bill	Report no.	Recommendations
Health and Other Legislation Amendment Bill (No. 2) 2023	3	1
Environmental Protection (Powers and Penalties) and Other Legislation Amendment Bill 2024	4	1
Termination of Pregnancy (Live Births) Amendment Bill 2024	Inquiry ongoing at as 30 June 2024	
Crocodile Control and Conservation Bill 2024	Inquiry ongoing as at 30 June 2024	
Tobacco and Other Smoking Products (Vaping) and Other Legislation Amendment Bill 2024	Inquiry ongoing at as 30 June 2024	

4.1 Health and Other Legislation Amendment Bill (No. 2) 2023 (Report 3)

This Bill made amendments to the *Hospital and Health Boards Act 2011*, the *Termination of Pregnancy Act 2018*, the Queensland Criminal Code, the *Powers of Attorney Act 1998*, the *Mental Health Act 2016*, and the *Public Health Act 2005* to support improved access to healthcare, quality improvement and patient safety in public health facilities, and the operation of health legislation in Queensland.

The amendments in the Bill sought to:

- clarify that, for the purposes of nurse and midwife-to-patient ratios, a newborn baby should be counted as a patient when they are staying in a room on a maternity ward with their birthing parent
- require a Quality Assurance Committee (QAC) to disclose information about a health professional to their chief executive where the QAC reasonably believes the health professional's health, conduct or performance poses a serious risk of harm to a person
- clarify that the chief executive of Queensland Health may, after considering a report from a clinical review or health service investigation conducted in a Hospital and Health Service (HHS), take the action the chief executive considers appropriate in relation to the matters identified in the report
- allow additional health practitioners to perform early medical terminations of pregnancy through the use of termination drugs
- provide for more inclusive language by replacing references to 'woman' with 'person' in termination of pregnancy provisions
- clarify how Mental Health Court expert reports and transcripts may be released and used
- exempt medical practitioners from duplicate reporting of dust lung diseases.

The committee published 38 submissions, held 2 public briefings with Queensland Health and convened a public hearing during which we heard from 18 witnesses.

The Bill was passed with amendment on 7 March 2024.

4.2 Environmental Protection (Powers and Penalties) and Other Legislation Amendment Bill 2024 (Report 4)

This Bill amended the *Environmental Protection Act 1994* to implement recommendations from an independent 2022 review into regulatory environmental protection powers and penalties. The objective of the Bill was to embed contemporary and fit for purpose powers and penalties to facilitate a more proactive approach to environmental risk management, with enhanced regulatory responses to manage and restore environmental harm which has occurred.

The amendments in the Bill sought to:

- clarify and refine environmental policy principles

- rationalise statutory notices to ensure compliance with authorities, duties, and obligations and to respond to environmental harm events
- establish a new duty to restore the environment and associated existing duties or obligations to offences
- improve evidentiary provisions relating to court proceedings.

The committee published 20 submissions, held 2 public briefings with the Department of Environment, Science and Innovation, and convened a public hearing with 20 witnesses. The committee recommended that the Bill be passed and commented on matters raised by submitters in relation to the consultation process and regulatory impact assessment undertaken by the department in the development of the Bill.

The Bill was passed on 11 June 2024.

4.3 Termination of Pregnancy (Live Births) Amendment Bill 2024

On 20 March 2024, Mr Robbie Katter MP, Member for Traeger, introduced this Bill into the Queensland Parliament and referred it to the committee for examination. The committee has agreed to report on the Bill by 20 September 2024.

The stated objective of the Bill is to enshrine in legislation the protections for babies born because of a termination of pregnancy procedure. The Bill is intended to remove any doubt that babies born in these circumstances are entitled to the same degree of medical care and attention as a baby born in any other way.

The Bill amends the Termination of Pregnancy Act 2018 to:

- insert a new section to apply when a termination results in a live birth
- state that nothing in the Act prevents a ‘relevant person’ for the termination from exercising any duty to provide the person who is born with medical care and treatment that is clinically safe and appropriate to the person’s medical condition
- clarify that the duty owed by a registered health practitioner to provide medical care and treatment to a person born as a result of a termination is no different than the duty owed to provide medical care and treatment to a person born other than as a result of a termination
- define ‘relevant person’ as a registered health practitioner who performed the termination, and other practitioners, including students, present at the time.

The committee held a public briefing with Mr Katter on 29 April 2024, and has published 647 submissions. The committee’s consideration of the Bill was ongoing on 30 June 2024.

4.4 Crocodile Control and Conservation Bill 2024

On 22 May 2024, Mr Shane Knuth MP, Member for Hill, introduced this Bill into the Queensland Parliament and referred it to the committee for examination. The committee is required to report on its examination of the Bill within 6 months of its introduction.

The Bill aims to eliminate from state waterways any crocodiles that pose a threat to human life, while continuing to protect crocodiles from becoming extinct as a species. The Bill would establish a Queensland Crocodile Authority to be based in Cairns and appoint a director of the authority with the following functions:

- to take measures to minimise injuries and deaths caused by crocodiles in the State
- to authorise persons, in any part of the State, to operate a crocodile farm, or a crocodile sanctuary
- to decide the number of crocodile eggs that may be harvested each year in any part of the State
- to authorise persons to harvest crocodile eggs in any part of the State
- to decide the number of crocodiles that may be culled each year in any part of the State

- to authorise persons to carry out the culling of crocodiles in any part of the State
- to authorise persons to, for the prompt management of crocodiles, kill or relocate crocodiles in any part of the State
- for Aboriginal land or Torres Strait Islander land—to authorise the owner of the land to—
 - kill crocodiles on the land, or
 - allow other persons to kill crocodiles on the land, for payment of a fee or free of charge, or
 - relocate crocodiles on the land to a crocodile sanctuary or crocodile farm, or
 - harvest crocodile eggs on the land, or
 - otherwise manage crocodiles on the land
- for State leasehold land or other land that is not State land—to authorise a person to, with the consent of the owner of the land, enter the land to—
 - kill crocodiles on the land, or
 - relocate crocodiles on the land to a crocodile sanctuary or crocodile farm,
 - harvest crocodile eggs on the land
- to authorise persons to otherwise display, interact with, keep, or use crocodiles or crocodile eggs in any part of the State
- if requested by the owner of land, to authorise a person to remove a crocodile from the land
- to ensure the carcasses of all crocodiles killed under an authorisation granted by the director are dealt with so that, as far as practicable, no part of a carcass is wasted
- to refer the suspected commission of offences relating to crocodiles or crocodile eggs to the police service
- to coordinate research into, and the routine surveying of crocodile, and crocodile egg, numbers and distribution in the State
- to promote the farming of crocodiles and the harvesting of crocodile eggs in the State
- to investigate viability of the use of State land to farm crocodiles or as crocodile sanctuaries
- to declare and manage crocodile sanctuaries and populated waterways
- to make recommendations to the Legislative Assembly about crocodile management in the State
- to manage the authority's affairs.

The Bill provides that, in carrying out these functions, director must:

- consult with Aboriginal peoples and Torres Strait Islander peoples with regard to the Aboriginal tradition or Island custom in relation to land, and potential economic or social benefits of actions for the Aboriginal peoples and Torres Strait Islander peoples
- not do anything the director reasonably believes will cause, or is likely to cause, the population size of crocodiles to decline to such an extent that crocodiles are in danger of extinction.

The Bill would require the director to review the Queensland Crocodile Management Plan, within 6 months of commencement, with the purpose of establishing a 'zero-tolerance zone' in the plan.

The Bill also provides for an advisory committee to be established to advise the director in the performance of the director's functions, and for the director to report annually to the Minister about the authority's operations.

The committee held a public briefing with Mr Knuth on 21 June 2024, and has published 14 submissions. The committee's consideration of the Bill was ongoing on 30 June 2024.

4.5 Tobacco and Other Smoking Products (Vaping) and Other Legislation Amendment Bill 2024

On 12 June 2024, the Hon Shannon Fentiman MP, Minister for Health, Mental Health and Ambulance Services and Minister for Women, introduced this Bill into the Queensland Parliament and referred it to the committee for examination. The committee is required to report on its examination of the Bill by 2 August 2024.

The stated objective of the Bill is to ensure Queensland can appropriately enforce the Therapeutic Goods and Other Legislation Amendment (Vaping Reforms) Bill 2024 (Cth) to ban the importation, manufacture, supply, and commercial possession of all disposable single use and recreational vapes; and amend the *Tobacco and Other Smoking Products Act 1998*.

The Bill amends the *Tobacco and Other Smoking Products Act 1998* to:

- insert a definition of ‘illicit nicotine products’, capturing within that term, vaping goods, as well as products containing nicotine or another substance detrimental to health that have been prescribed by regulation
- remove the definition of ‘personal vaporiser’ and incorporate relevant aspects of it within the definition of ‘vaping device’
- insert new offences relating to the supply and possession of illicit nicotine products
- provide that a person must not as part of a business activity, supply or possess illicit tobacco, to align it with the new provision regulating the supply and possession of illicit nicotine products
- increase the current penalties for persons who supply and possess illicit tobacco as part of a business activity
- clarify that the prohibition on commercial possession extends to an off-site premises, such as a storage shed or vehicle, if the premises is used for the purpose of storing or possessing illicit tobacco or illicit nicotine products
- create a power for the chief executive to order the interim closure of a premises from which illicit tobacco or illicit nicotine products are being supplied as part of a business activity, or from which a business is being carried on without a licence, and for the Magistrates Court to order closure for a longer stated period of up to six months, and ancillary offences relating to violating closure orders
- create a power for the District Court to grant an injunction against a person who supplies illicit tobacco or illicit nicotine products as part of a business activity
- create a new offence for an employee or a person acting on behalf of another person (for example, a family member or friend of the business owner working in the business) to supply illicit tobacco or illicit nicotine products in retail and wholesale outlets
- create a new offence relating to adults who supply illicit nicotine products to children outside of a business activity
- create new offences relating to displaying, advertising and promoting illicit nicotine products
- increase penalties for providing false or misleading information and failing to give information about an offence
- introduce executive liability offences to ensure that executive officers of corporations who supply illicit tobacco and illicit nicotine products, and commit other key offences under the Act, can be held liable
- include additional circumstances where an authorised person may, without the occupier’s consent or a warrant, enter a place, and
- make other minor amendments to support enforcement.

To help address the issue of vape littering, the Bill also amends the *Waste Reduction and Recycling Act 2011* to create a specific dangerous littering offence for depositing a vaping device or vaping accessory.

The committee held a public briefing with Queensland Health on 24 June 2024, and submissions closed on 28 June 2024. The committee's consideration of the Bill was ongoing on 30 June 2024.

5 Other inquiries

The committee undertook other inquiries during the reporting period in relation to its public accounts, public works, and other responsibilities.

5.1 Auditor-General reports

The committee's role includes consideration of reports of the Auditor-General that fall within its portfolio.¹⁰ The Auditor-General leads the Queensland Audit Office (QAO), which is the independent auditor of the public sector. The Auditor-General reports to parliament on the results of QAO's audit work, providing insights and advice, and recommendations for improvement.

In the reporting period, the committee considered 5 reports from the Auditor-General.

Table 3: Auditor-General reports considered, 13 February 2024 to 30 June 2024:

Auditor-General report	Consideration completed/ongoing	Committee report no.	Committee recommendations
Auditor-General Report 9: 2022-23 - <i>Protecting our threatened animals and plants</i>	completed	this report	0
Auditor-General Report 10: 2022-23 - <i>Health 2022</i>	completed	this report	0
Auditor-General Report 14: 2022-23 - <i>Health outcomes for First Nations peoples</i>	completed	this report	0
Auditor-General Report 1: 2023-24 - <i>Managing invasive species</i>	ongoing	–	–
Auditor-General Report 6: 2023-24 - <i>Health 2023</i>	completed	this report	0

5.1.1 Report 9: 2022-23 - *Protecting our threatened animals and plants*

This report was referred to the committee on 23 February 2023, and the committee held a private briefing about the report with officers from the Department of Environment and Science on 17 April 2023. Report 9 summarises the results of a performance audit to assess the progress made by the department in implementing the recommendations from the Auditor-General's 2018 report, *Conserving threatened species* (Report 7: 2018–19). The Auditor-General chose to follow up on the 2018 report due to the adverse findings and the significance of the recommendations in that report, and the impacts of bushfires and floods on critical habitats and animals since that time.

The QAO found that the department had fully implemented 2 of the 7 recommendations made in the 2018 report, with the department more proactively nominating species for listing as threatened and more quickly listing threatened animals and plants for protection than it did previously.

The other 5 recommendations from the 2018 report were found to be at various stages of implementation. These relate to:

¹⁰ *Parliament of Queensland Act 2001, s 94(1).*

- nomination of species for listing or reclassification under the Nature Conservation (Wildlife) Regulation 2006, and the need for periodic classification reviews
- increasing the transparency of the threatened species assessment process by publishing it online
- progress on the department's governance framework and plan for the process of listing and reassessing threatened species in Queensland to comply with the national common assessment method, and to meet its obligations under the memorandum of understanding with the Australian Government
- reviewing the classification status of Queensland's native species currently listed in the Nature Conservation (Wildlife) Regulation 2006 to prepare for the transition to the national common assessment method, and
- monitoring and reporting on the population and trends of threatened species.

The QAO found that much more remains to be done to effectively address the performance and systems issues that led to the Auditor-General's original recommendations, and that Queensland's threatened species remain under considerable and increasing pressure.

The report states that the department advised the QAO that several factors have contributed to delays in implementing the recommendations of the 2018 report. These include the need to coordinate with Australian, state, and territory agencies, competing priorities, and COVID-19 restrictions.

The committee is satisfied with the progress being made by the department to implement the Auditor-General's recommendations. This concludes the committee's consideration of the report.

5.1.2 Report 10: 2022-23 - Health 2022

This report was referred to the committee on 16 March 2023. The committee held a private briefing with officers from the QAO on 17 April 2023.

The report discusses the results of the annual audits of Queensland Health (QH) entities, which include the Department of Health and 16 HHSs. It also summarises the audit results for 13 hospital foundations, 4 other statutory bodies, and 4 controlled entities. The QAO found that financial statements prepared by QH entities, hospital foundations, and the other statutory bodies were reliable, and that the timeliness of reporting had improved. However, the QAO suggested annual reports should be progressively tabled as they are provided to the Minister, instead of all annual reports in the portfolio being tabled at the same time.

The QAO also reported that internal controls are generally effective, although some deficiencies were identified in information systems controls. The report made one recommendation to strengthen the information system and cyber security controls of the 16 HHSs. The QAO found that while the short-term financial position of the sector improved in 2021-22, 2022-23 would be challenging for HHSs, with an increased likelihood of HHSs reporting operating deficits. The QAO also found that the HHS workforce is under pressure due to staff sick leave and overtime, an increase in frontline contractor expenses due to system capacity issues, and an increase in unused staff recreation leave.

The QAO found that in 2021-22, the total number of long waits for specialist outpatient services increased by 80 per cent to around 104,000 patients. The QAO reported that the Queensland Ambulance Service faced growing demand for all its services, and that the time taken for ambulance crews to transfer patients into the care of emergency departments increased significantly in 2021-22.

The committee is satisfied with the progress being made by QH and the department to respond to the findings of the Auditor-General. This concludes the committee's consideration of the report.

5.1.3 Report 14: 2022-23 - Health outcomes for First Nations peoples

This report was referred to the committee on 16 June 2023. The committee held a private briefing with the Auditor-General on 23 October 2023.

This Auditor-General's report examines the effectiveness of strategies implemented by QH to improve health outcomes for First Nations people. The report examines areas directly within the control of QH, including how it delivers culturally appropriate health care, its role as a health system manager, and how it manages the challenges of delivering services to First Nations people in remote areas.

The QAO noted that many of the opportunities to improve health outcomes are beyond QH's immediate control, like economic, education, housing, and environmental factors. Those factors were not examined in the report, however the QAO noted that they present significant challenges that require sustained focus and coordination across government. The report also concluded that improving health outcomes is tied to QH's partnerships with other stakeholders, like the community-controlled health sector.

The report found that QH can do more to improve health outcomes for First Nations people, with First Nations people still overrepresented in measures that indicate a lack of culturally appropriate care. The report acknowledges that providing health care to people in remote communities is an ongoing challenge, and that although QH and the HHSs have embedded First Nations leadership and displayed a commitment to culturally appropriate care, more is still needed to improve culturally appropriate care across Queensland.

The report makes 6 recommendations which relate to:

- HHSs publishing health equity strategy implementation plans
- HHSs providing a local service catalogue to communities as part of their Local Area Needs Assessment process, clearly setting out what health services are available in each community
- the department working in partnership with each HHS to:
 - develop and implement a coordinated strategy to reduce the number of First Nations people from remote and rural areas failing to attend specialist outpatient appointments
 - implement a systematic way of measuring how effectively QH delivers culturally appropriate care
 - implement an updated workforce strategy that addresses the key barriers to increasing the First Nations workforce
 - improve how it helps First Nations people who must travel for healthcare.

The committee is satisfied with the progress being made by QH to implement the Auditor-General's recommendations. This concludes the committee's consideration of the report.

5.1.4 Report 1: 2023-24 - *Managing invasive species*

This report was referred to the former State Development and Regional Industries Committee (former SDRIC) on 24 August 2023, and then transferred to the committee on 13 February 2024. Report 1 examined the institutional framework for how invasive species are managed in Queensland, how risks are prioritised, and the effectiveness of programs. The report also included a case study on the management of red imported fire ants.

The report made 8 recommendations to the Department of Agriculture and Fisheries (DAF). These were that DAF should:

1. strengthen its leadership and coordination role by setting strategic priorities, prioritising funding and coordinating and overseeing activities across Queensland
2. review the *Biosecurity Act 2014* to ensure the department has the necessary clarity, authority, and responsibility to lead, coordinate, and enforce Queensland's biosecurity system
3. review, update and implement the Queensland invasive plants and animals strategy 2019-2024 to:
 - a. identify current and future challenges and priorities for Queensland's biosecurity system and provide practical solution to address them

- b. clearly define Biosecurity Queensland's leadership role including coordinating and working with councils and stakeholders responsible for established invasive species
 - c. include performance measurement indicators across the biosecurity system
 - d. better align with the Department of Environment and Science's Biodiversity Conservation Strategy
4. improve tracking invasive species and how it manages them by:
 - a. determining if Biosecurity Online Resources and Information System (BORIS) has required functionality
 - b. auditing and reporting on the quality of data held on BORIS
 - c. developing processes to analyse data for trends and using this in decision making
 5. develop and implement a framework for assessing and mitigating the risk of new and established invasive species
 6. provide greater education to local councils on their powers under the Act, including when to issue orders and best practices regulating invasive species
 7. strengthen its approach to assessing the National Fire Ant Eradication Program
 8. report regularly on the outcomes of its activities and the extent of eradication of fire ants.

On 17 April 2024, the committee wrote to DAF requesting an acquittal against the timeline for its implementation of the 8 recommendations. DAF advised it was continuing to undertake management actions to meet the agreed implementation timelines and supplied the committee with a summary of key implementation activities undertaken. As at 31 May 2024, the department advised that it had implemented Recommendations 4, 7 and 8 in full, and was on track to achieve the remainder within its originally nominated timeframes. Ongoing actions in respect of the recommendations include:

- finalising the terms of reference for Queensland's Biosecurity System (Recommendation 1)
- reviewing the *Biosecurity Act 2014* (Recommendation 2)
- adopting a revised Queensland Invasive Plants and Animals Strategy 2019-24 (Recommendation 3)
- scoping an implementing a framework for assessing and mitigating the risk of new and established invasive species, and publishing relevant documentation and tools (Recommendation 5)
- developing and delivering training to local governments about council powers under the *Biosecurity Act 2014* (Recommendation 6)

On 12 June 2024, the committee wrote to the department seeking additional information about the National Fire Ant Eradication Program. On 30 June 2024, the committee's consideration of the report was ongoing.

5.1.5 Report 6: 2023-24 - Health 2023

This report was referred to the committee on 15 February 2024. Report 6 summarises the audit results of QH entities which include the Department of Health and 16 HHSs. It also summarises the audit results for 13 hospital foundations, 4 other statutory bodies, and 2 entities controlled by other health entities.

The QAO found that financial statements prepared by all QH entities are reliable and comply with relevant requirements, and that the timeliness of tabling of all annual reports by the Minister had improved on the previous year.

The QAO found that internal systems and processes are generally effective. However, the QAO identified that one HHS had ineffective controls over the approval of unplanned overtime which requires urgent remedy, and that there are internal control deficiencies relating to approval of rosters

and overtime at 4 other HHSs. The report also notes that the QAO continues to identify deficiencies in health entities' information security and procurement controls.

The QAO reported that the health sector had not been able to operate within its original approved expenditure budgets for the year because of rising costs of service delivery and capital works. State and federal funding for HHSs increased, except for COVID-19-related funding, which decreased. The QAO noted that workforce challenges, related to high levels of staff overtime and sick leave, continued, with shortages of staff in some areas.

HHSs reported that anticipated maintenance required for their buildings and equipment had increased by 32 per cent since 2021-22. The QAO found that failure to complete maintenance works risks deterioration in the condition of health facilities, and that further action is needed by health entities to prioritise high-risk maintenance, as recommended in its *Health 2020* Report 12: 2020–21.

The QAO found that while HHSs see more patients (increasing in 2022-23 by 9 per cent) less are being seen within the clinically recommended time. The QAO reported that the proportion of outpatients seen by a specialist within clinically recommended times is the lowest it has been in the last 8 years and that QH did not meet the targets for any of the 3 urgency categories. The Queensland Ambulance Service continues to face growing demand for all its services, including the most urgent ones, and the time it takes ambulance crews to transfer patients into the care of emergency departments continues to be well below target.

The report makes recommendations to the department and HHSs which focus on strengthening controls over rostering and overtime, and asset maintenance.

This concludes the committee's consideration of the report.

5.2 Inquiries into other matters

In relation to its portfolio areas, the committee may initiate an inquiry into any other matter it considers appropriate.¹¹

5.2.1 Inquiry into Impact of Climate Change on Queensland Agricultural Production (Report 8)

On 24 January 2023, the former SDRIC resolved to conduct an inquiry into the impacts of climate change on Queensland's agricultural production. On 13 February 2024, this inquiry was transferred to the committee. The inquiry's terms of reference were that SDRIC inquire into and report to the Legislative Assembly on:

- a. the impacts of climate change and climate variability on Queensland agricultural production and the existing and potential future risks of climate change on the sector.
- b. opportunities for the Queensland Government to create and support resilience, adaptation, and mitigation measures in preparing the agricultural sector for future climate change.

The former SDRIC published 26 submissions and held 2 private briefings on 21 and 22 March 2023, 2 public briefings on 31 May 2023 and 10 July 2023, and one public hearing on 11 September 2023. The committee relied on this evidence base in the report that it produced, which was tabled on 28 May 2024.

Regarding the impact of climate change on Queensland agricultural production submitters identified 5 significant future risks:

1. biosecurity risks – changes to temperature and rainfall leading to shifts in the extent and distribution of pests and weeds with potential major impacts on productivity, disease management and market access

¹¹ *Parliament of Queensland Act 2001*, s 92(1)(d).

2. disruption to supply chains – rising numbers of floods and cyclones with potential to damage key infrastructure up and down the supply chain
3. changing environmental, social and governance expectations – higher costs and potential limits to market access because of changing expectations around agricultural producers’ climate and emissions responsibilities
4. energy transition risks – competition for land and labour because of the growth in renewable energy projects
5. impacts on human health and rural and First Nations communities – rising temperatures increasing health and safety risks and limiting access to key native botanicals.

Submitters made the following recommendations as to how the Queensland Government can support agricultural producers to become more resilient, and adapt to and mitigate climate risks:

- update and consolidate existing climate information resources
- provide targeted support to agricultural extension officers who are key to building trust regarding climate change amongst the farming community
- support the development of weather index insurance as a means to provide affordable crop insurance and as an alternative to disaster payments
- review physical and human infrastructure in areas such as biosecurity and transport in preparation for future climate changes
- changes to financial incentives for farmers to better recognise the importance of climate change and to ensure equal treatment between producers of different agricultural commodities
- ensuring policies across government are harmonised to support climate adaptation.

The committee’s report made one recommendation, that the Legislative Assembly notes the content of Report No. 8.

6 Scrutiny of subordinate legislation

Subordinate legislation is legislation made by a department or other entity under powers given to them by an act of parliament. All subordinate legislation must be tabled in the Legislative Assembly, which can disallow it by resolution.¹² To help it decide whether or not to do so, the Legislative Assembly refers each item of subordinate legislation to the relevant portfolio committee for consideration.

When examining subordinate legislation, each committee considers a range of matters, including:

- whether it has sufficient regard for basic standards for legislation, known as ‘fundamental legislative principles’
- whether it is consistent with the human rights of people in Queensland
- whether the explanatory notes provide an adequate explanation of why the subordinate legislation is needed and what it does.

During the reporting period, the committee examined 27 pieces of subordinate legislation. As shown in Table 4, in many cases, the committee did not identify any matters of concern regarding fundamental legislative principles or human rights.

Where it did, in each case the committee was ultimately satisfied that the subordinate legislation had sufficient regard for fundamental legislative principles, and any limitations of human rights were reasonable and justified in the circumstances.

¹² *Statutory Instruments Act 1992*, ss 49 & 50.

Table 4: Portfolio subordinate legislation examined, 13 February 2024 to 30 June 2024

Report No.	Subordinate legislation	Matters identified		Explanatory notes adequate
		Fundamental legislative principles	Human rights	
1	Health Practitioner Regulation National Law and Other Legislation Amendment (Postponement) Regulation 2023	0	0	✓
	Health Legislation Amendment Regulation (No. 2) 2023	2	1	✓
	Nature Conservation and Other Legislation (K'gari) Amendment Regulation 2023	0	0	✓
	Nature Conservation (Protected Areas Management) (Apiary Areas) Amendment Regulation 2023	0	0	✓
2	Medicines and Poisons (Medicines) Amendment Regulation (No. 3) 2023	1	1	✓
	Proclamation No. 1—Health and Other Legislation Amendment Act 2023 (commencing certain provisions)	0	0	✓
	Health and Other Legislation Amendment (Postponement) Regulation 2023	0	0	✓
	Radiation Safety Amendment Regulation 2023	0	0	✓
	Rural and Regional Adjustment (Primary Producer Flood Management Grants Scheme) Amendment Regulation 2023	1	0	✓
5	Medicines and Poisons (Poisons and Prohibited Substances) Amendment Regulation 2023	3	1	✓
	Medicines and Poisons (Pest Management Activities) Amendment Regulation 2023	3	1	✓
	Veterinary Surgeons Amendment Regulation 2023	0	1	✗ ¹³
6	Medicines and Poisons (Medicines) Amendment Regulation (No. 4) 2023	2	0	✓
	Nature Conservation (Protected Areas) Amendment Regulation 2023	0	0	✓
	Animal Care and Protection (Code of Practice for Horses at Livestock Slaughter Facilities) Amendment Regulation 2023	1	2	✓

¹³ The committee considered that it would have been beneficial for the explanatory notes to have provided more detail on the new process for Veterinary Surgeons Board elections.

Report No.	Subordinate legislation	Matters identified		Explanatory notes adequate
		Fundamental legislative principles	Human rights	
	Rural and Regional Adjustment (Battery Booster Rebate Scheme) Amendment Regulation 2023	1	0	✓
	Rural and Regional Adjustment (Variation of Resilient Homes Assistance Scheme) Amendment Regulation 2023	1	0	✓
	Nature Conservation and Other Legislation Amendment Regulation (No. 2) 2023	0	0	✓
	Forestry and Other Legislation Amendment Regulation 2023	0	0	✓
	Waste Reduction and Recycling Amendment Regulation 2023	0	0	✓
	Fisheries and Other Legislation (Structural Reform) Amendment Regulation 2023	3	3	✓
7	Aboriginal Land (Endeavour River Resources Reserve) Amendment Regulation 2024	0	0	✓
	Rural and Regional Adjustment (Variation of Fisheries Structural Adjustment Scheme) Amendment Regulation 2024	1	0	✓
9	Nature Conservation (Fee Waivers) and Other Legislation Amendment Regulation 2024	0	0	✓
	Marine Parks and Other Legislation Amendment Regulation 2024	0	1	✓
	Marine Parks (Great Sandy) Zoning Plan 2024	1	2	✓
	Nature Conservation Legislation Amendment Regulation 2024	0	0	✓

7 Statutory oversight

Standing Order 194A read with Schedule 6 of the Standing Orders, sets out the committee's oversight functions and responsibilities in respect of the Health Ombudsman. In addition, the *Health Ombudsman Act 2013* provides that the committee is responsible for monitoring and reviewing the operation of the health service complaints management system in Queensland.

The health service complaints management system in Queensland includes:

- the Health Ombudsman
- the Australian Health Practitioner Regulation Agency (Ahpra, the National Agency) and 15 health practitioner registration boards (National Boards) – regarding the conduct, performance and health of registered health practitioners who provide health services in Queensland.

The National Boards are the:

- Aboriginal and Torres Strait Islander Health Practice Board of Australia
- Chinese Medicine Board of Australia
- Chiropractic Board of Australia
- Dental Board of Australia
- Medical Board of Australia
- Medical Radiation Practice Board of Australia
- Nursing and Midwifery Board of Australia
- Occupational Therapy Board of Australia
- Optometry Board of Australia
- Osteopathy Board of Australia
- Paramedicine Board of Australia
- Pharmacy Board of Australia
- Physiotherapy Board of Australia
- Podiatry Board of Australia
- Psychology Board of Australia.

In accordance with s 179 of the Act, the committee's functions are to:

- monitor and review the operation of the health service complaints management system
- identify and report on particular ways in which the health service complaints management system might be improved
- monitor and review the performance by the Health Ombudsman of the Health Ombudsman's functions
- monitor and review the National Boards' and National Agency's performance of their functions relating to the health, conduct and performance of registered health practitioners who provide health services in Queensland
- examine reports of the Health Ombudsman, the National Agency and National Boards
- advise the Minister in relation to the appointment of the Health Ombudsman
- report to the Legislative Assembly on matters referred by the Legislative Assembly, and any matter the committee considers should be brought to the Assembly's attention.

The committee does not have the power to re-investigate complaints or reconsider a decision or finding of the Health Ombudsman, Ahpra or the National Boards. The committee does not act as an appeal body in respect of decisions made by the Health Ombudsman, Ahpra or the National Boards.

During February to June 2024, the committee received and examined investigation reports and other periodic reports and correspondence from the Health Ombudsman in compliance with requirements under the Act. The committee also received and considered notifications from the Health Ombudsman about investigations that had exceeded 2 years. The committee also held a private briefing with the Health Ombudsman, Dr Lynne Coulson Barr OAM, and staff from the Office of the Health Ombudsman on 17 April 2024.

8 Committee expenditure

Committees are funded from the appropriation made to the Legislative Assembly and rarely generate revenue. After funding is allocated for the Committee Office as a whole, expenditure by individual committees is determined by their specific requirements and volume of work. Travel expenditure is subject to an additional approval process.

In the reporting period, the committee's total expenditure was \$163,895. The committee did not receive any revenue.

Figure 2, below shows the three main areas of expenditure. As that figure illustrates, employee expenses for the secretariat staff that support the committee comprised the vast majority of the committee's expenditure. The committee's secretariat is a three-person team, supplemented with additional resources from across the Committee Office as needed throughout the year.

Figure 2: Main areas of committee expenditure from 13 February 2024 to 30 June 2024



Table 5 provides a more detailed breakdown of the committee's expenditure for the year. Legal advice was a notable expense. This expenditure allowed the committee to obtain expert briefings on the compliance of legislation with the *Human Rights Act 2019*.

Table 5: Expenditure of the committee, 13 February 2024 to 30 June 2024

Item	\$
Employee expenses	153,753
Meeting expenses (broadcast support & catering)	2,624
Technology (software licences, telephones, teleconferencing & videoconferencing)	3,149
Legal advice	3,730
Printing and supplies	640
Advertising	0
Committee travel (including business travel)	0
Total expenditure	163,895

Appendix A: Meeting attendance record

Table 6 below shows the attendance of committee members at private committee meetings (PrM), public briefings (PB), private briefings (PrB) and private hearings (PrH) and public hearings (PH) during the reporting period.

Standing Order 202(1) provides that in the case of a committee members' illness or inability to attend, another member may be appointed to attend that meeting or stand in for a particular inquiry. The details of these appointments are included in the footnotes.

Table 6: Meeting attendance record, 13 February 2024 to 30 June 2024

Meeting Date	Activity	A Harper MP	R Molhoek MP	S Andrew MP	S O'Connor MP	J Martin MP	Hon C Crawford MP
21 February 2024	PrM	✓	✓	✓	✓	✓	✓
27 February 2024	PrM	✓	x ¹⁴	✓	✓	✓	✓
4 March 2024	PrM	✓	x ¹⁵	✓	✓	✓	✓
4 March 2024	PB	✓	x ¹⁶	✓	✓	✓	✓
6 March 2024	PrM	✓	x ¹⁷	✓	✓	✓	✓
11 March 2024	PrM	✓	x ¹⁸	✓	✓	✓	✓
14 March 2024	PrM	✓	x ¹⁹	✓	✓	✓	✓
18 March 2024	PrM	✓	x ²⁰	x	✓	✓	✓
18 March 2024	PH	✓	x ²¹	x	✓	✓	✓
22 March 2024	PB ²²	✓	x ²³	✓	✓	–	✓

¹⁴ Andrew Powell MP replaced Rob Molhoek MP as a committee member on 27 February 2024 under SO 202(1).

¹⁵ Tony Perrett MP replaced Rob Molhoek MP as a committee member on 4 March 2024 under SO 202(1). Sam O'Connor was elected Deputy Chair for the period of Rob Molhoek's absence.

¹⁶ Tony Perrett MP replaced Rob Molhoek MP as a committee member on 4 March 2024 under SO 202(1).

¹⁷ Tony Perrett MP replaced Rob Molhoek MP as a committee member on 6 March 2024 under SO 202(1).

¹⁸ Tony Perrett MP replaced Rob Molhoek MP as a committee member on 11 March 2024 under SO 202(1).

¹⁹ Tony Perrett MP replaced Rob Molhoek MP as a committee member on 14 March 2024 under SO 202(1).

²⁰ Tony Perrett MP replaced Rob Molhoek MP as a committee member on 18 March 2024 under SO 202(1).

²¹ Tony Perrett MP replaced Rob Molhoek MP as a committee member on 18 March 2024 under SO 202(1).

²² Subcommittee – Aaron Harper MP (Chair), Sam O'Connor MP, Stephen Andrew MP, Hon Craig Crawford MP. Tony Perrett MP also attended.

²³ Tony Perrett MP replaced Rob Molhoek MP as a committee member on 22 March 2024 under SO 202(1).

Meeting Date	Activity	A Harper MP	R Molhoek MP	S Andrew MP	S O'Connor MP	J Martin MP	Hon C Crawford MP
22 March 2024	PrM	✓	✗ ²⁴	✓	✓	✓	✓
8 April 2024	PrM	✓	✗ ²⁵	✗	✓	✓	✓
15 April 2024	PrM	✓	✗ ²⁶	✓	✓	✓	✓
15 April 2024	PrB	✓	✗ ²⁷	✓	✓	✓	✓
29 April 2024	PrM	✓	✗ ²⁸	✓	✓	✓	✓
29 April 2024	PB	✓	✗ ²⁹	✓	✓	✓	✓
20 May 2024	PrM	✓	✗ ³⁰	✓	✓	✓	✓
4 June 2024	PrM	✗ ³¹	✗ ³²	✓	✓	✓	✓
10 June 2024	PrM	✓	✓	✓	✓	✓	✓
17 June 2024	PrM	✓	✓	✓	✓	✗ ³³	✓
21 June 2024	PrM	✗ ³⁴	✓	✓	✓	✗ ³⁵	✓
21 June 2024	PB	✗ ³⁶	✓	✓	✓	✗ ³⁷	✓
24 June 2024	PB	✓	✓	✓	✗	✓	✓

Legend: PrM private meeting PB public briefing
PrB private briefing PH public hearing
PrH private hearing

- ²⁴ Tony Perrett MP replaced Rob Molhoek MP as a committee member on 22 March 2024 under SO 202(1).
- ²⁵ Tony Perrett MP replaced Rob Molhoek MP as a committee member on 8 April 2024 under SO 202(1).
- ²⁶ Tony Perrett MP replaced Rob Molhoek MP as a committee member on 15 April 2024 under SO 202(1), but was unable to attend.
- ²⁷ Tony Perrett MP replaced Rob Molhoek MP as a committee member on 15 April 2024 under SO 202(1), but was unable to attend.
- ²⁸ Brent Mickelberg MP replaced Rob Molhoek MP as a committee member on 29 April 2024 under SO 202(1).
- ²⁹ Brent Mickelberg MP replaced Rob Molhoek MP as a committee member on 29 April 2024 under SO 202(1).
- ³⁰ Brent Mickelberg MP replaced Rob Molhoek MP as a committee member on 20 May 2024 under SO 202(1).
- ³¹ Chris Whiting MP replaced Aaron Harper MP as committee Chair on 4 June 2024 under SO 202.
- ³² Brent Mickelberg MP replaced Rob Molhoek MP as a committee member on 4 June 2024 under SO 202(1).
- ³³ Tom Smith MP replaced James Martin MP as a committee member on 17 June 2024 under SO 202(1).
- ³⁴ Kim Richards MP replaced Aaron Harper MP as committee Chair on 21 June 2024 under SO 202.
- ³⁵ Jonty Bush MP replaced James Martin MP as a committee member on 17 June 2024 under SO 202(1).
- ³⁶ Kim Richards MP replaced Aaron Harper MP as committee Chair on 21 June 2024 under SO 202.
- ³⁷ Jonty Bush MP replaced James Martin MP as a committee member on 17 June 2024 under SO 202(1).